

NOTICE OF MEETING

MEETING	CABINET
DATE:	MONDAY 14 DECEMBER 2009
TIME:	10.00 am
VENUE:	BOURGES/VIERSEN ROOM - TOWN HALL
CONTACT:	Lindsay Tomlinson, Senior Governance Officer Telephone: 01733 452238 e-mail address lindsay.tomlinson@peterborough.gov.uk
<i>Despatch date:</i>	<i>Friday 4 December 2009</i>

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Circulation

Cabinet Members

Scrutiny Committees/Commissions Members

Directors, Heads of Service

Press

*Any agenda item highlighted in bold and marked with an * is a 'key decision' involving the Council making expenditure or savings of over £500,000 or having a significant effect on two or more wards in Peterborough. These items have been advertised previously on the Council's Forward Plan (except where the issue is urgent in accordance with Section 15 of the Council's Access to Information rules).*



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated; if you wish to use this system then please contact Lindsay Tomlinson on 01733 452238.

MINUTES OF CABINET MEETING HELD 12 OCTOBER 2009

PRESENT

Councillor Cereste - Leader of the Council, Councillor Croft, Councillor Elsey, Councillor Hiller, Councillor Holdich, Councillor Lamb, Councillor Lee, Councillor Scott and Councillor Seaton – Cabinet members
Councillor Benton and Councillor C Day, Cabinet Advisers

1. APOLOGIES FOR ABSENCE

An apology was received from Councillor S Dalton, Cabinet Adviser.

2. DECLARATIONS OF INTEREST

1. Councillor Cereste declared a personal interest in the Cambridgeshire and Peterborough Minerals and Waste Development Plan Documents item in relation to one of the sites referred to in the document.

2. Councillor Cereste declared a non-prejudicial interest in the Medium Term Financial Plan item by virtue of his position as Chairman of NHS Peterborough.

3. MINUTES

The minutes of the meeting held on 6 July 2009 were agreed as an accurate record subject to an amendment to the update on the works in St Peter's Arcade.

4. INTRODUCTIONS

The Leader of the Council introduced Bethany McTrustery, a pupil of Arthur Mellows Village College, and Kieron Singh, a pupil of the Voyager School who were shadowing the Leader and the Chief Executive as part of Local Democracy Week.

5. CABINET MEMBER UPDATES

Cabinet received a written report on activities within Cabinet Members' individual portfolios and also received the following verbal updates:

- Councillor Lee: the recent Great Eastern Run had been a great success and thanks were conveyed to the sponsors and the participants.
- Councillor Scott: this was Local Democracy Week and events were being held throughout the week.
- Councillor Seaton:
 1. the number of calls taken by the call centre was rising due to new services offered.
 2. work had started on the demolition of the Corn Exchange building.
 3. ICT managed services had on 1 October 2009 transferred to SERCO.
Thanks were conveyed to SERCO and to staff for their work in resolving a server problem during the handover period.
- Councillor Elsey: Westgate House is to be thanked for sponsoring the Christmas Lights switch on this year.

- Councillor Lamb: a new course for carers is beginning this month and will provide a good opportunity for them to meet, seek advice and make friends.

6. ITEMS FROM SCRUTINY COMMITTEES AND COMMISSIONS

6.1 CULTURE TRUST

Cabinet received a report on the work undertaken to date to explore the formation of a trust for the delivery of cultural services and which sought agreement to proceed with further work to create such a trust, including formal consultation with staff and the development of a business plan.

There were a number of different ways the Council could deliver and develop cultural services and the optimum delivery method for Peterborough had been the subject of consideration since the Council's Best Value review in 2004. Key to this review was a study by KPMG (2005) which was enhanced by a report produced by Deloitte in October 2006. This work had recently been refreshed by leading leisure trust solicitors Lawrence Graham. The conclusion of these reviews was that a trust would provide the best delivery option to meet the Council's aspirations. The work of Lawrence Graham had re-confirmed the suitability and deliverability of this option.

It was anticipated that a further report would be presented to Cabinet in February 2010. This report would include the outcome of formal staff consultation on the principles of transferring staff to the trust, and a proposed business plan for the culture trust. It would also include detailed information on the impact on the Council of a transfer to a trust, including the expected cost of ongoing financial support, and also the impact on other Council support services. Members queried whether sports facilities connected to community centres were likely to be included within the Trust. The Cabinet Member for Environment Capital and Culture advised that there was certainly the potential in the medium to long term and that this would be included within the business plan. The business plan would cover all of the key issues relevant to forming and delivering a culture trust.

CABINET RESOLVED TO:

1. Give authority to the Director of Operations to commence the process of establishing a not-for-profit distributing organisation (a 'trust') subject to appropriate consultation with staff and the agreement of a detailed business plan.
2. Approve the inclusion of the following services within the scope of this work: Arts (including the Key Theatre and Gallery), Heritage (including the Museum), Library (all existing services) and Sports Services (all existing services).
3. Approve a detailed full options appraisal of bereavement services (including the crematorium), to identify the optimum way of delivering this service.
4. Agree to the formation of a shadow board as part of the process of establishing a not-for-profit distributing organisation (a 'trust').

REASONS

To improve service delivery and efficiency of cultural services in Peterborough.

ALTERNATIVE OPTIONS

1. In July 2005 KPMG concluded a study which explored a range of options for the then Culture and Recreation Services section of the Council. This review covered in-house delivery, tendering for a commercial operator, a mixed approach to delivery of services and the formation of a trust. This study was followed up in October 2006 by a review by Deloitte which considered the same options. The studies concluded that the optimum way of delivering the kind of cultural services desired by Members was through a trust. Both the KPMG study and the Deloitte study was reviewed by leading

leisure trust solicitors Lawrence Graham; their conclusion, following a review of the services, was that the delivery of services through a trust remained the optimum way of delivering those services.

2. One option considered and discounted at this stage is the inclusion of bereavement services within the trust. The primary reasons for this are as follows:
 - while there are clear synergies between art, heritage, library and sport (each of these having a link to people's leisure interests and lifestyles) there is not a natural fit with bereavement services
 - there are some limited financial advantages to be obtained by moving bereavement services into a trust, however it is questionable on whether business rates would be recoverable as crematorium services are not considered as charitable.

It is proposed that a separate piece of work is undertaken to fully explore all future options for bereavement services and this work will influence the final decision on whether or not this should be included in any trust.

6.2 PETERBOROUGH LOCAL DEVELOPMENT FRAMEWORK: PETERBOROUGH CORE STRATEGY (PROPOSED SUBMISSION VERSION)

All local planning authorities were required to have a Local Development Framework (LDF), a suite of planning policy documents allocating land uses to deliver the City's growth.

The Core Strategy, which was at the heart of the LDF would become part of the statutory development plan when it was completed, and, as such, would be part of the Council's major policy framework. It would be one of the documents that would gradually replace the existing Peterborough Local Plan. Under the new arrangements there would not be a single 'Plan' for Peterborough, but a suite of documents that together comprised the LDF.

The regulations and guidance on the preparation of documents within the LDF provided for various stages, with differing opportunities for public involvement at each stage. On 31 March 2008 Cabinet had approved a 'Preferred Options' version of the Core Strategy for public participation. Consultation on that version had taken place over a six week period during May and June 2008. A total of 878 comments had been received, all of which had been considered and taken into account in preparing the (Proposed Submission) version of the Core Strategy. Cabinet received a summary of the main issues from comments received during the public consultation along with a summary of some of the key features of the recommended Proposed Submission version.

Councillor Walsh, ward member for Stanground Central addressed Cabinet stating her objection to the inclusion within the Core Strategy of the proposed Magna Park development. Although she did not object to the principle of the development, it was the size and scope of it that was of concern. In addition the site was designated as a flood plain. Councillor Walsh warned against rushing into approving the development without looking at all the evidence and hearing local views.

Members raised concerns about the infrastructure requirements of the large developments proposed in the document and asked for reassurances around Section 106 requirements, in particular that ward councillors should be fully involved at an early stage in the negotiations.

Members also asked for reassurances that the document covered the rural areas and that the character of those areas would be preserved. Officers gave assurance that this was the case, and also confirmed that ward members would be fully consulted on any large development proposed for their ward prior to a planning decision being made.

CABINET RESOLVED TO:

1. Recommend the Peterborough Core Strategy (Proposed Submission Version) to Council for approval for the purposes of public consultation and submission to the Secretary of State.
2. Authorise the Cabinet Member for Strategic Planning, Growth and Human Resources to approve, by Cabinet Member Decision Notice, a list of amendments (if any) to be incorporated into the Core Strategy arising from the outcome of Sustainability Appraisal and Habitats Regulations Assessment, which were due after the date of the Cabinet meeting, with that list being presented to Council for approval together with the Core Strategy.
3. Note the arrangements for consultation with the new Neighbourhood Councils, with any comments made by these Councils being presented to Council for consideration alongside the Core Strategy.
4. Agree that local members must be involved from the earliest opportunity in Section 106 Planning Agreements in relation to any development that at any time has been included in the Local Development Framework.

REASONS

Cabinet was recommended to approve the Core Strategy (Proposed Submission version) because it would help to progress the Sustainable Community Strategy vision for a bigger and better Peterborough that grows the right way; and because production of the Core Strategy is a statutory requirement.

ALTERNATIVE OPTIONS

The alternative options of not producing a Core Strategy or not taking into account comments made at the Preferred Options stage were rejected, as the Council would not be fulfilling its statutory requirement.

6.3 CAMBRIDGESHIRE AND PETERBOROUGH MINERALS AND WASTE DEVELOPMENT PLAN DOCUMENTS (SUBMISSION STAGE)

The Minerals and Waste Plan was being produced jointly by Cambridgeshire County Council and Peterborough City Council and would set the framework for all minerals and waste development up to 2026. The Minerals and Waste Plan, when adopted, would replace the existing Cambridgeshire Aggregates Local Plan and the Cambridgeshire and Peterborough Waste Local Plan. The Plan allocated sites to ensure a steady supply of mineral to supply the growth agenda, and to facilitate modern waste management facilities to secure a major change in the way waste was managed.

The Plan would ensure that adequate provision was made for the sustainable delivery of minerals needed for the growth agenda to 2026 and that the waste generated from existing and proposed new developments was managed in a sustainable way through a network of waste management facilities. The Plan made provision for a range of suitable sites for the development of an appropriate number of waste management facilities in the period up to 2026.

The Minerals and Waste Plan comprised:

- **Core Strategy:** a document setting out the strategic vision and objectives, and including a suite of development control policies to guide minerals and waste development
- **Site Specific Proposals:** Document setting out site specific proposals for mineral and waste development and supporting site specific policies

Three Draft **Supplementary Planning Documents** (SPDs) had also been prepared:

- The '**RECAP Waste Management Design Guide**' SPD would provide advice on the inclusion of facilities for the storage and separation of waste within new housing and commercial development.
- The '**Design and Location of Waste Management Development**' SPD would provide potential developers of waste management development with detailed advice on the design and location factors influencing the development of a range of waste management development.
- The **Block Fen/Langwood Fen** area did not fall within the jurisdiction of Peterborough City Council. However, it was an area where mineral extraction (mainly sand and gravel) would be focused and where there would be significant landfill of inert waste. It would therefore make a significant contribution to achieving the objectives of the Minerals and Waste Plan and the SPD set out in detail the intended phasing and other issues to take into account in the ongoing mineral extraction and landfill operations in the area.

Members raised concerns that proposals for major waste management facilities may not show up in any land searches for people buying property in the area, and suggested that this may cause difficulties for local ward members if they were not kept fully informed of proposals and developments. Officers gave assurances that proposals for a waste management facility the west of the city had not significantly changed. Only those proposals in the adopted plan would show up on a standard land search; however a prudent purchaser could undertake other searches. Officers agreed that it was important to involve local ward members when consultations on proposals were being undertaken.

CABINET RESOLVED TO:

1. Recommend that Council approve the publication of the following Cambridgeshire and Peterborough Minerals and Waste Development Plan Documents for pre-submission consultation in February/March 2010 and the submission of the Documents to the Secretary of State
 - Core Strategy Development Plan Document
 - Site Specific Proposals Development Plan Document
2. Recommend that Council approve the publication of the following Cambridgeshire and Peterborough Minerals and Waste Draft Supplementary Planning Documents for consultation in February/March 2010
 - Location and Design of Waste Management Development
 - RECAP Waste Management Design Guide
3. Note the publication of the following Cambridgeshire and Peterborough Minerals and Waste Draft Supplementary Planning Document for consultation in February/March 2010:
 - Block Fen / Langwood Fen Master Plan
4. Note that any amendments necessary to the documents following their consideration by Cambridgeshire County Council would be approved by the Cabinet Member for Strategic Planning, Growth and Human Resources in consultation with officers.

REASONS

To progress the development plan documents in line with the agreed targets and milestones set out in the Peterborough Local Development Scheme 2007-2010 (revised April 2007).

ALTERNATIVE OPTIONS

1. The implications of not progressing the documents would be to potentially hinder the planning of strategic resources required for Peterborough's and Cambridgeshire growth agendas. The Minerals and Waste Development Plan would be vital in ensuring that

construction materials were available to support the growth agenda in this area, and that sustainable waste management was available for new and existing communities. The Plan period was 2003 to 2026.

2. The ability to meet the Local Development Scheme targets would bring financial benefits to both authorities in the form of Planning Development Grant monies.

6.4 PETERBOROUGH CITY SERVICES (“PCS”)

Peterborough City Services (“PCS”) as an entity had become increasingly vulnerable to elements of competition, and a review of the options for the service had been undertaken in 2008. The review’s conclusion was that PCS needed to be freed from some Council controls to allow it to grow and develop and there were a range of options on how this could take place. Hence, PCS’s portfolio was included in the Waste 2020 Programme procurement to test the market’s appetite for working collaboratively with the Council to deliver services.

A high level commercial review of PCS’s business portfolio had been conducted during 2009. Its purpose was to review PCS’s current operating activities, funding position and development prospects from a commercial perspective. In May 2009 the Council took the opportunity to include PCS in its Industry Open Day for the Waste 2020 Programme to test market reaction to the proposals. The programme consisted of Lot 1: Energy from Waste facility; Lot 2: Materials Recycling Facility; and Lot 3: Operational Services (PCS). Procurement was based on a Competitive Dialogue procedure, allowing the Council and bidders to discuss and develop proposals that would be suitable to the Council and the market. The procurement had generated a healthy response from the market for all Lots and the Council was well positioned to test the full range of proposed value added solutions for Lot 3 through this exercise.

The decision process was proposed as:-

- Later in October 2009: conclude evaluation of shortlisting bidders to be followed by a Cabinet Member decision by Deputy Leader to select the shortlist of bidders to take forward to Competitive Dialogue to commence with Invitation to Submit Outline Solutions (ISOS).
- November 2009: ISOS issued to shortlisted bidders enabling them to specify in outline how they intend to satisfy all the Council’s requirements followed by further discussions with bidders.
- End of May 2010: Invitation to Submit Detailed Solutions enabling bidders to specify in detail how they intend to satisfy the Council requirements followed by further discussions with bidders on scope, solutions and other matters;
- By October 2010: finalise Competitive Dialogue so that scope and contract conditions are settled prior to call for final tenders and Call for Final Tender
- March 2011: Return date for Final Tenders;
- By June 2011: Conclude evaluation of Final Tenders and recommendation on award;
- July 2011: Further executive decision by Deputy Leader to award the contract(s);
- July 2011: Following notice of intention to award contact(s)

CABINET RESOLVED TO:

Endorse the decision process outlined in paragraph 4.7 of the report.

REASONS

For Cabinet to endorse a way forward for PCS (Lot 3) to deliver quality service standards, meeting the Council’s environmental targets, comprehensive area assessment and local area agreement commitments at a minimised financial cost and risk in the medium to long-term.

ALTERNATIVE OPTIONS

A range of alternative service delivery options had been considered for PCS. Consideration had also been given to contingency plans should the procurement not proceed (e.g. bidders fail to provide an affordable solution). In such circumstances, the Council's principal alternative options would include (i) re-procurement on a potentially different basis outside the Waste 2020 framework; or (ii) maintenance of the status quo with internal re-organisation of PCS and central management functions.

7. STRATEGIC DECISIONS

7.1 MEDIUM TERM FINANCIAL PLAN 2010/11 TO 2014/15

A report was presented to Cabinet as part of the council's agreed process for integrated finance and business planning. The Council's agreed Annual Budget Framework required Cabinet to consider the Council's budget and financial strategy and to set provisional cash limits for the forthcoming year.

The report:

- updated Members on budgetary pressures in the current financial year and the actions in hand to deliver a balanced budget position
- updated Members on the likely financial situation of the Council over the next five years, and illustrated the possible impact on the Council of the poor national public finance position
- outlined the approach to the budget process and budget consultation
- set provisional Control Totals for each department to work to in preparing the detailed budget for each of the years 2010/11 to 2014/15

It was anticipated that the process would have three distinct stages:

- I. Departments would build detailed budgets, based on the 2009/10 budget as adjusted for inflation and efficiency savings; and with regard to the 2009/10 Budgetary Control Reports and the 2008/09 outturn position. In addition departments would be required to create capacity to ensure that sustainable longer term priorities and savings required could be met.
- II. Departments would be challenged on their plans and priorities, and options for realigning resources accordingly and for closing the gap between income and expenditure would be considered corporately. Any agreed realignment of resources would be used to adjust the base budget.
- III. The budget would be consulted upon following the December cabinet meeting to seek views from the public, businesses, members and staff prior to the budget being approved during February 2010, ensuring that decisions made reflected these community views.

The 2009-10 budget had been set in the context of the continuing effects of the recession and in particular the reduced income streams expected, the impact of the Icelandic bank investment and potential for increased pressure in demand led budgets. The Council had faced additional budget pressures in year which if left unmanaged would total £8m.

Members raised concerns at the impact on the schools' budget which would be facing a cut whilst the council was under pressure to improve school attainment. In addition the council's university aspirations would be affected by the cuts.

The Council remained committed to its strategy in delivering service efficiencies and improvements using a proactive approach to managing council finances. A range of actions and measures had been implemented to manage these additional pressures. There remained an on-going risk that further issues could emerge, or that action plans could not be delivered. Rigorous financial monitoring over the remainder of the financial year would be essential.

Several budget scenarios on the impact of future funding levels had been modelled to assist decision making in setting the budget for 2010/11 and provisional budgets for the following four years. Cabinet received a summary of the anticipated financial position. The MTFs approved by Council in February 2009 had assumed Council Tax increases of 2.5% in each of the years up to and including 2011/12. It had been assumed that the tax increase would follow through in each year to 2014/15 and was used for modelling purposes only at the current stage. Further decisions would be required by Cabinet to establish an acceptable option on which to consult with the public, well before any final decisions next year. Key risks had been considered and would be continued to be monitored throughout the budget setting process and next financial year.

CABINET RESOLVED TO:

1. Note the budget and performance report to the end of August, and endorse the actions to manage budgetary pressures in the current financial year and to deliver a balanced budget position.
2. Continue to endorse the Greater Peterborough Sustainable Community Strategy 2008-2021 priorities of:
 - Creating the UK's environment capital;
 - Create strong and supportive communities;
 - Delivering substantial and truly sustainable growth; and
 - Creating opportunities – tackling inequalities.

These priorities continued to be underpinned by specific performance targets outlined in the Local Area Agreement

3. Note the future summary financial position and its implications for the medium term financial plan, in particular the potential impact of the state of national public finances on the Council's future grant settlements and financial position.
4. Approve plans to consult with Scrutiny and Stakeholders on the medium term financial plan.
5. Approve the approach that was proposed for the budget process incorporating the medium term financial strategy (MTFS).
6. Approve the control total figures for departments to enable them to begin to prepare a draft budget for financial years 2010/11 through to and including 2014/15.

REASONS

The understanding of key figures and the issuing of control totals were integral parts of the budget process. These steps would help to ensure that the Council achieved a balanced budget, aligned to corporate priorities.

ALTERNATIVE OPTIONS

The issue of departmental cash limits was considered, as this was what has been done in previous years. This did not seem appropriate given the commitment to move forward with the corporate prioritisation procedures.

8. MONITORING ITEMS

8.1 PERFORMANCE MONITORING REPORT – QUARTER 1 – 2009/2010

The report provided an overview on the council's performance between April and June 2009 against the targets and indicators in the Local Area Agreement (LAA).

The position at the end of the first quarter showed 25 (33%) indicators on track, 26 (34%) indicators slightly off track and 19 (25%) off track. Performance for the six other indicators could not be determined. In addition there were five indicators where information was not

available but performance had been identified as areas of risk i.e. either Amber or Red. The best performing priority was Environmental Capital with 9 (56%) of indicators on track and the worst performing was Opportunities and Inequalities with 13 (37%) indicators off track.

There were 19 consistently strongly performing indicators across all four priority areas (25% of the LAA), 8 improving indicators (10% of the LAA) and there were 32 indicators (42% of the LAA) where performance had either;

- deteriorated since previous quarter - 17 indicators (22% of the LAA)
- remained slightly off track and therefore at risk - 8 indicators (11% of the LAA)
- where performance was previously unknown and had now been determined as at risk - 7 indicators (9% of the LAA)

There were 10 persistently challenging indicators (13% of the LAA).

CABINET RESOLVED TO:

Note performance against the Local Area Agreement priorities for the first quarter of 2009/10.

REASONS

Failure to monitor performance would mean that Cabinet would not be able to ensure that the council achieved its intended outcomes.

ALTERNATIVE OPTIONS

The report was presented for monitoring purposes.

8.2 OUTCOME OF PETITIONS

CABINET RESOLVED to note the action taken in respect of the following petitions presented to full Council:

PETITION FOR A PLAY AREA FOR ALLEXTON GARDENS

This petition had been presented to Council on 6 July 2009 by Councillor Ash and asked for a safe play area for children in Allexton Gardens. The Council's Neighbourhood Manager, Central & East Locality, has advised that the neighbourhood management team operating within this locality would undertake a thorough investigation of the issues presented. This will involve contact with all stakeholders in the area as well as implementing a community engagement plan. The team had already undertaken visited the area and had started to collate data and local intelligence, all of which would be used to solve the matter.

PETITION FOR REMOVAL OF A WALL FROM COMMUNAL AREA AT 39-49 BROOKFURLONG

This petition had been presented to Council on 6 July 2009 by Mr E Murphy and asked for the removal of a wall in the vicinity of 39-49 Brookfurlong to prevent anti-social behaviour.

The Council's City Wide Manager had confirmed that she and the Head of Operations, Peterborough City Services, Street scene and Facilities were due to carry out an assessment and would make contact with the petitioner afterwards.

PETITION AGAINST THE ERECTION OF HIGH SECURITY FENCE AROUND PLAYING FIELD ADJACENT TO NORWOOD SCHOOL

This petition had been presented to Council on 6 July 2009 by Councillor Fower and objected to the proposed erection of a high, security style fence around the playing field adjacent to Norwood School and to the loss of public access to the land via the gates on Elter Walk and Coniston Avenue.

The Council's Neighbourhood Manager, Central and East Locality responded that the neighbourhood management team operating with this locality would now undertake a thorough investigation of the issues presented. This would involve contact with all stakeholders in the area as well as implementing a community engagement plan to facilitate communications with local residents. The team had already visited the area and had started to collate data and local intelligence, all of which will be used to resolve the matter.

REASONS

Standing Orders required that Council receive a report about the action taken on petitions. As the petition presented in this report had been dealt with by Cabinet Members or officers it was appropriate for the action to be reported in this way so that it could be presented in the Executive's report to Council.

ALTERNATIVE OPTIONS

The report was presented for monitoring purposes.

Meeting closed at 11.25 am.

Chair.....

Date.....

CABINET	AGENDA ITEM No. 5.1
14 TH DECEMBER 2009	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Lee, Cabinet Member for Environment Capital and Culture		
Contact Officer(s):	Paul Phillipson Executive Director of Operations	Tel. 453455	

CITY COUNCIL'S BIODIVERSITY STRATEGY: UPDATE OF STRATEGY TO TAKE ACCOUNT OF LEGISLATIVE CHANGES

RECOMMENDATIONS	
FROM : ENVIRONMENT CAPITAL SCRUTINY COMMITTEE	Deadline date : 24th Feb 2010
That the Cabinet is recommended to:	
<p>(i) endorse the Biodiversity Strategy prior to its consideration by Council as part of the major policy framework; and</p> <p>(ii) consider the requirement for additional resources during the development of the Council Budget for 2010/11 alongside other budget pressures.</p>	

1. ORIGIN OF REPORT

1.1 This report is submitted to Cabinet following the Environment Capital Scrutiny Committee Meeting of the 17th of September 2009.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to present the City Councils updated Biodiversity Strategy for the Cabinet to consider and if considered appropriate to refer it to Full Council for consideration as part of the major policy framework.

2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.9 To commission reviews by and determine any changes of policy proposed by the Scrutiny Committees and Commissions making recommendations to Council about proposed changes to the Council's major policy and budget framework.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	Yes	If Yes, date for relevant Cabinet Meeting	14 th December 2009
Date for relevant Council meeting	24 th February 2010	Date for submission to Government Dept <i>(please specify which Government Dept)</i>	N/A

4. Peterborough City Councils Biodiversity Strategy

4.1 The existing City Council Biodiversity Strategy was endorsed by Cabinet in October 2004. The Vision Statement which forms part of the Strategy was subsequently considered and

adopted by full Council at its November 2004 meeting where the following decision was made to:

“Adopt the Biodiversity vision statement as a guidance and reference document to officers and the executive when making decisions on biodiversity ensuring that the vision, objectives and targets are used in a flexible manner, within existing resources and subject to planning considerations”.

- 4.2 This report and updated Strategy has been produced by a working group of Officers and Councillors and is submitted to Cabinet following consideration by the Environment Capital Scrutiny Committee. This working group of Officers and Councillors was convened following a report to the then Environment and Community Safety Scrutiny Panel in January 2008 with respect to the new biodiversity duty brought in by S40 of the Natural Environment and Rural Communities Act 2006:

“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of Conserving biodiversity”

- 4.3 This report to the Scrutiny Panel concluded that the 2004 Strategy and the wording of its adoption by Council did not adequately reflect the requirements of the new Biodiversity Duty. The Scrutiny Panel endorsed the intent to update the Strategy to take into account the new biodiversity duty.
- 4.4 The working group of Officers and Councillors has produced an updated Biodiversity Strategy. The key issues within the updated strategy include changes to land management practices, the ability of the Council to maintain existing resourcing and in some instances make other resources available. In many cases additional resources can be used to access additional external funding for restoration and habitat creation works, however routine management would have to be met by the Council’s own resources.

Vision Statement

- 4.5 The working group has developed an updated vision of what the Council’s approach to Biodiversity should be. This can be found in full at Appendix A.

Specific Actions to Achieve the Vision and Approach to Biodiversity

- 4.6 It is intended that opportunities will be exploited as they arise, however some specific actions and possible methods of delivery have been identified under the headings used in the vision statement. This replaces the key actions component of the original strategy and can be found in full at Appendix B.

Summary of Biodiversity Action Plan targets.

- 4.7 The summary of local Biodiversity Action Plan Targets remains unchanged from the 2004 strategy and for completeness is included at Appendix C.

Detailed actions and Resource Implications

- 4.8 Appendix D of the strategy draws out detailed actions and associated resource implications required to achieve the Vision Statement and comply with the Biodiversity Duty. Incorporation of biodiversity into many of the Council’s functions and services can be achieved within existing resources, providing that these are maintained. This is supported by the experience of the implementation of the 2004 Strategy. However in updating the strategy the need for limited additional resourcing has been identified in some areas in order to comply with the Biodiversity Duty. The financial implications associated with this are considered by section 9 of this report below.

Policy with respect to works during the bird nesting season.

4.9 This guideline has been produced to give a clear and reasonable approach with respect to what works could reasonably be undertaken during the bird nesting season, while taking into account competing legal, conservation, horticultural, visibility and good practice requirements. Suggested guidance notes for different types of operations, for issue to contractors, are included at the end of the appendix. These notes are underpinned by the detailed consideration and rationale in the preceding text. Some training is envisaged to be offered to ground maintenance personnel if this is adopted as practice. The full policy and guidance notes can be found in full at Appendix E.

5. CONSULTATION

5.1 Consultation has been undertaken with the Officers, Groups and organisations which were consulted with respect to the original Biodiversity Strategy along with additional relevant organisations that have become known in the Peterborough area in the intervening time. These have included:

- British Trust for Conservation Volunteering (BTCV)
- Buglife
- Consultation has also been undertaken with the Councils Finance as well as Legal and Democratic Services.
- Council Officers within the update working group and Biodiversity Officer Working Group. This includes, Bereavement, Recreation, City and Education Services, tree and woodland team, Natural Environment Team. Landscape Architect, Transportation.
- Councillor representatives within the Working Group
- Forestry Commission
- Froglife
- Natural England
- Parish Councils
- PECT
- Peterborough Bird Club
- Peterborough Conservation Volunteers
- Peterborough Friends of the Earth
- Planning Policy team
- RSPB
- The Landyke Trust
- The Wildlife Trust
- Woodland Trust
- Greater Peterborough Partnership
- Opportunity Peterborough

5.2 Cllr Sandford as a member of the working group updating the strategy has indicated agreement with all the recommendations in the report with the exception of the following.

5.2.1 Appendix B, point 21 (pesticides). Cllr Sandford has indicated that this should go further to require a commitment to reducing usage of herbicide progressively over time, and felt that a commitment to review usage is not useful if it does not state any intention to do anything as a result. Cllr Sandford has indicated that previously there was a commitment to reduce herbicide usage in the Council's Environmental Strategy and for example organisations signing up to Forest Stewardship Council certification on sustainable tree/woodland management are required to make such a commitment.

5.2.2 Appendix E (nesting birds policy) in its entirety. Concern was expressed with respect to the length and complexity of this document as well as a concern that it would weaken current policy/practice. The current policy/practice implemented by City Services was understood by Cllr Sandford to be to avoid works on trees, shrubs and hedges during the bird nesting season unless there are clear health and safety concerns. It was felt by Cllr Sandford that

this was a simple, straightforward and easily understood policy which complies with best conservation practice.

- 5.3 A table showing the results of the external consultation process and how this shaped the content of the strategy can be found at Appendix F.

6. ANTICIPATED OUTCOMES

That Council adopts the Biodiversity Strategy as Part of the Major Policy Framework.

7. REASONS FOR RECOMMENDATIONS

To update the City Councils Biodiversity Strategy to take account of the Biodiversity Duty introduced by the Natural Environment and Rural Communities Act S40 and Department for the Environment Food and Rural Affairs Guidance with respect to this Duty.

8. ALTERNATIVE OPTIONS CONSIDERED

To retain the City Councils 2004 Biodiversity Strategy, this was rejected as it does not adequately reflect legislative requirements that have come into force since its adoption by the City Council in 2004.

9. IMPLICATIONS

- 9.1 The updating of the Strategy has identified that in addition to maintaining resourcing in existing areas that some additional resources would be required in order to comply with the legal duty the City Council has with respect to Biodiversity. These are outlined in detail in appendix D and will be absorbed within the budgets of the Directorates identified.

The additional resource implications have been much reduced by the success of the existing 2004 biodiversity Strategy and the maintenance of existing resources in support of it. In some areas additional resource requirements can also be offset by seeking external funding for restoration of degraded habitats, this is particularly the case for a significant proportion of the one off costs where these constitute capital works. The net cost of management of the Boardwalks LNR may also be less than outlined in Appendix D as this would be offset by the management costs currently incurred by Peterborough City Services.

- 9.2 This report has implications throughout the authority area where the Council is a Landowner or Manager.

- 9.3 The updated Strategy is directly linked to the Sustainable Community Strategy (SCS) and LAA via National Indicator 197 County Wildlife Sites and associated targets. It is more generally linked to the SCS and National Indicators via the Cleaner Greener sections of these documents.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

- Natural Environment and Rural Communities Act 2006 (Section 40).
- Guidance for Local Authorities on Implementing the Biodiversity Duty, Defra, May 2007.
- Peterborough City Council Approach to Biodiversity submitted to the Environment Policy Overview Committee on 2 August 2004.
- Peterborough Sustainable Community Strategy (including Rural Vision Strategy and Environment Capital manifesto).

VISION STATEMENT

The working group has developed the following updated vision of what the Council's approach to Biodiversity should be:

PETERBOROUGH CITY COUNCIL AND BIODIVERSITY

a) **Our vision**

- i) The Peterborough area has a rich mix of habitats including woodland, parkland, rivers, and alluvial and limestone grassland. Peterborough's Natural Environment Audit identifies approximately 10% of the district is of at least county significance for its wildlife and 2% of the area as of national importance. This includes 3 sites which are also of international importance. Peterborough City Council wants to see its district remain rich in wildlife, with existing habitats of value safeguarded for future generations and new features for wildlife created wherever possible.
- ii) Peterborough City Council is committed to the Peterborough Sustainable Community Strategy and Local Area Agreement. It recognises that biodiversity is a key part of the LAA, Community Strategy and its component parts such as the Rural Vision Strategy and Environment Capital manifesto.
- iii) The City Council recognises that Biodiversity and the Natural Environment enhance wellbeing and quality of life by enhancing the places in which we live, work and play. It can give economic benefits through tourism and the production of quality local produce. Natural habitats can absorb floods, help treat pollutants and act as windbreaks. There are also cultural and aesthetic aspects to Biodiversity, for example through the writings of John Clare.
- iv) The City Council recognises that Biodiversity – or more simply the wealth of wildlife is a truly cross-cutting theme. The City Council will, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity¹. As such it will be included in all Council strategies, plans, programmes and practices.
- v) The City Council recognises that biodiversity is under threat from habitat and population fragmentation, climate change, invasive alien species as well as development and land pressures. The City Council will play its part in countering these threats, working to protect and enhance, sites, habitats and species of biodiversity importance, including the protection and provision of a network of wildlife corridors to establish physical links between sites and populations of known wildlife interest.
- vi) The City Council will work with partners to achieve a net gain in Biodiversity in the district by protecting these key habitats, species, and habitat networks; mitigating against potentially damaging impacts; seeking compensation where damage is unavoidable; and enhancing existing or creating new habitats of value wherever possible.

b) **Our approach**

To achieve this vision for Biodiversity the City Council adopts the following broad approach, in that it will take reasonable steps which are consistent with the proper exercise of the authorities functions to:

- i) **Awareness raising:** Make every attempt to ensure that employees and members of Peterborough City Council are aware of the importance of and need to

¹ As required by section 40 of the Natural Environment and Rural Communities Act 2006.

safeguard, enhance and promote Biodiversity through the City Council's activities and thereby contribute to the achievement of this approach.

- ii) **Habitat networks and Climate Change:** Work with the Peterborough Natural Networks partnership and contribute to the achievement of the green grid strategy to form a coherent and less fragmented green infrastructure network of habitats across the authority area²; which will be robust to the effects of and facilitate adaptation to climate change by species and habitats.
- iii) **Sites of Special Scientific Interest: Take reasonable steps consistent with the proper exercise of the authority's functions,** to further the conservation and enhancement of Sites of Special Scientific Interest and International Sites³.
- iv) **County Wildlife Sites:** Work with the Wildlife Trust and Local Sites partnership to further the conservation and enhancement of Local Wildlife Sites. Also to ensure that up-to-date information is available for all local wildlife sites in Peterborough and work with partners to deliver the targets of the Local Area Agreement and Community Strategy with respect to Local Wildlife Sites.
- v) **Non native invasive species:** Take action to deal with invasive non native species where these are present on sites of wildlife importance; or where these are on land in the authorities control and threaten habitats and species of importance or the coherence of habitat networks.
- vi) **The Planning system:** Ensure that biodiversity is protected and enhanced within the planning system within Peterborough and deliver the key principles for biodiversity set out in national planning guidance. Where full protection is not possible mitigation and compensatory measures should be put in place.
- vii) **Green Spaces:** Increase and diversify wildlife interest in all green places and open spaces; and provide access to sites of wildlife interest for all sections of the community, including the disabled and disadvantaged. Also to promote accessibility to wildlife by creating these new habitats in public areas and encourage their creation in private areas such as, schools, factories, offices.
- viii) **Wider understanding:** Promote wider understanding and enjoyment of Peterborough's wildlife through formal and informal education and interpretation, and events such as Peterborough's annual Green Festival.
- ix) **Involvement:** Promote active interest and involvement in wildlife issues at the local, national and international levels by all sections of the community at home, in the workplace, as a leisure activity and as part of the local economy.
- x) **Local wildlife groups:** Assist local voluntary wildlife groups in their aims of protecting wildlife and promoting interest in conservation.
- xi) **Biodiversity Action Plan targets:** Contribute to the achievement of the Biodiversity Action Plan Targets relevant to the authorities functions and area (please see appendix C). To continue to support the Cambridgeshire and Peterborough Biodiversity Partnership.
- xii) **Biodiversity Data:** Ensure that up to date biodiversity data is available and used appropriately to support this approach.

Actions to achieve this vision and broad approach are described in more detail in appendix B.

² As required by Regulation 37 of the Habitats Regulations.

³ As required by Section 28G of the Wildlife and Countryside Act 1981 (as amended).

SPECIFIC ACTIONS TO ACHIEVE THE VISION AND APPROACH OUTLINED IN APPENDIX A

It is intended that opportunities will be exploited as they arise, however the following specific actions and possible methods of delivery have been identified under the headings used in the approach and also the vision and approach more generally.

	Specific action	Possible methods of delivery, consideration and comments
Awareness Raising		
1	<p>All City Council and contract staff directly involved in the management of open space should be given training and guidance on good management practice to safeguard and promote Biodiversity.</p> <p>This should include the identification of 'model' sites to demonstrate best practice.</p>	<p>Opportunities for internal and external training and guidance to be regularly brought to the attention of and where appropriate taken up by employees and members. Internal training to be requested from the councils own internal specialists where required.</p> <p>A lack of clear guidance with respect to cutting of shrubs, hedges and trees in the bird nesting season has been identified. Guidance has been produced as part of the process of updating the biodiversity strategy and is included at appendix E.</p>
2	To comply with the guidance with respect to the cutting of shrubs, hedges and trees during the bird nesting season set out in the Biodiversity Strategy (appendix E).	Guidance to be issues to staff involved with grounds maintenance and tree works. Training to be organised as required. This should be incorporated into relevant contracts upon their renewal.
Habitat Networks and Climate Change		
3	Where PCC owned or managed land forms part of a wildlife corridor its management will aim to facilitate its role as a part of the ecological network it is part of.	Please see appendix D for more detail of site specific actions which might be required and the financial implications of these actions.
Sites of Special Scientific Interest		
4	Secure funding for enhancement works and SSSI specific management for the PCC owned part of the Orton Pit SSSI.	<p>This is the only PCC owned SSSI and consists of part of the treebelt which runs along the southern edge of the Fletton Parkway. Woodland grant scheme could be sought to cover a significant proportion of SSSI specific works within the Treebelt. Please see appendix D for further detail.</p> <p>Other opportunities to assist Natural England with the conservation and enhancement of SSSIs should also be supported. This may for example include efforts to create habitat links to connect SSSIs within the wider landscape as outlined under specific action 3 above.</p>

	Specific action	Possible methods of delivery, consideration and comments
5	Continue to work with Natural England in their role as statutory adviser in planning and development matters pertaining to SSSIs and International sites.	Continue dialogue at the strategic planning level as well as with respect to specific development proposals. Contributes to item 3 of the approach outlined as part of the vision statement.
County Wildlife Sites		
6	All PCC County Wildlife Sites to be positively managed to conserve and where possible enhance the site for the criteria for which they are designated CWS.	Re-survey of all wildlife sites in the Peterborough area is in part covered under a service level agreement between the Wildlife Trust and the City Council. PCC are responsible for 12 out of 107 wildlife sites: Eye Green gravel pit The Boardwalks Debdale pond Broadway Cemetery Eastfield Cemetery Pocock's Wood Grimeshaw Wood, Highlees Spinney, Spencer's Hurn & Water Spinney Holywell Fish Ponds Southey Lodge verge (Langley Bush Road). Stamford Rd./Heath Rd./ Ailsworth Rd./King St. verges (Includes "Marholm road" west of King Street Crossroad) Barnack road verges Bedford Purlieus-Wittering road verge One site is due to be added, this is 1400m of road verge at the south end of Highfield road. Please see appendix D for detail of site specific actions which might be required and the financial implications of these actions.
Non native invasive species		
7	Employ best practice procedures to deal with invasive non native species on sites of wildlife importance; or where these are on land in the authorities control and threaten habitats and species of importance or the	Invasive species which are problematic in the Peterborough area and on sites managed by the authority include: Japanese Knotweed

	Specific action	Possible methods of delivery, consideration and comments
	<p>coherence of habitat networks.</p> <p>Otherwise the occurrence of invasive non native weed species should be reported by PCC officers where this is observed as a result of carrying out their normal duties.</p>	<p>Giant Hogweed Orange Balsam</p> <p>The authority should also be on its guard against other problem species such as:</p> <p>Himalayan Balsam New Zealand pygmyweed Parrots feather</p> <p>Training in the recognition of these species should be organised for non specialist employees/contractors as required.</p> <p>Please see appendix D for more detail of site specific actions which might be required and the financial implications of these actions.</p>
The Planning System		
8	<p>Planning related departments of the City Council to continue to work with internal advisers, conservation bodies and local groups with respect to the production of a Local Development Framework and also specific development proposals.</p>	<p>Training as outlined in respect of specific action 1 in this table is also relevant in this respect.</p>
Green Spaces		
9	<p>In the short-term reasonably significant areas should be identified for trialling new approaches to landscape management.</p>	<p>The area chosen should be large enough to contain a variety of types of landscape (e.g. parks, playing fields, kick about areas, open space in housing areas, etc). The trial should involve consultation with local residents and relevant departments within the City Council in planning the management of such areas, and offer a range of different options for particular sites within the trial area and the habitats they possess.</p> <p>Where appropriate this could be through the use of set conservation management specifications or where it would be beneficial the production of management plans for these spaces such as already demonstrated for Central Park. The possibility of reduction in management costs should be acknowledged as a possibility via this change in management. The possibility of the creation of</p>

	Specific action	Possible methods of delivery, consideration and comments
		new purpose designed sites and habitats for wildlife and people should not be ruled out nor should the potential role of the PCC Agricultural Estate.
10	Biodiversity should be incorporated into all landscape management contracts.	The Best Value review of Contract Services considered the Biodiversity impact of all activities carried out, including grass cutting regimes, weed control and pesticide use. Contributes to item 7 of the approach.
11	Production of management plans for open spaces as has been done for Central Park. In the context of the above, where appropriate incorporate differential grass cutting regimes in parks, verges and large open spaces.	In consultation with relevant departments within the City Council and local residents and user groups. It should be recognised that works that are required on the grounds of Health and Safety take precedence over the needs of wildlife. This could however form part of the approach to PCCs creation of links within the habitat network discussed in line three above.
12	The loss of hedges and shrubs will be resisted unless there are sound horticultural or other reasons to indicate otherwise e.g. the maintenance of highway safety, disease, structural damage or the shrubs are due for replacement. Where the loss of an established hedgerow is unavoidable, such as in major infrastructure projects the transplantation or otherwise replanting of hedgerows should be expected to take place as a standard approach. Where it is appropriate consideration will be made for the gradual replacement of non-native species with native species.	For example where suitable native species can be selected to provide a similar landscape function.
13	Give explicit support for small-scale community wildlife schemes, including encouraging community management of existing landscaping where requested and appropriate.	The principle of leases of certain areas to some bodies (e.g., Eye Green Local Nature Reserve to the Wildlife Trust) has been established but could be expanded to include leasing some open spaces to residents associations and Parish Councils with some delegated budgets for management. Further work

	Specific action	Possible methods of delivery, consideration and comments
		<p>with bodies such as Natural England and Wildlife Trust would be needed to develop and encourage these schemes. Support for small-scale community wildlife schemes is also provided through the Natural Environment grant scheme and Peterborough in Bloom Project Grants.</p> <p>PCC support of projects such as Nature in Your Neighbourhood and any successor projects such as Access to Nature would be relevant in this respect.</p>
14	Recognise the role of allotments and cemeteries in promoting Biodiversity.	<p>For example:</p> <p>Opportunities should be taken where there is local support for the utilisation of disused allotments and closed cemeteries for promoting wildlife habitats.</p> <p>Allotments and cemeteries that are in use have a part to play with respect to Biodiversity. This is not intended to be in conflict with their operating requirements.</p> <p>Initiatives such as biodiversity guidance for allotment holders should continue.</p>
Wider understanding		
15	Support initiatives to encourage wildlife friendly gardening, recognising the increasing amount of land devoted to this usage.	For example via Peterborough in Bloom.
Involvement and Local Wildlife Groups		
16	With partners investigate the re-instatement of a Peterborough Wildlife Group or Wildlife forum.	<p>At a recent urban wildlife meeting with local wildlife groups; support was voiced for the possibility of bringing back the Urban Wildlife Group for Peterborough.</p> <p>Also see action above under broad approach 8 of the Vision statement, to give explicit support for small-scale community wildlife schemes, including encouraging community management of existing landscaping where requested and appropriate.</p>
Biodiversity Action Plan Targets		

	Specific action	Possible methods of delivery, consideration and comments
17	Establish measurable annual targets for the creation of new areas of wildlife interest.	<p>Including tree/shrub planting and woodland creation – both through the City Council's own land management and its role as a planning authority.</p> <p>The Natural Networks partnership is investigating how the targets from the Green Grid Strategy, Cambridgeshire and Peterborough Biodiversity Action Plan and Peterborough Environment Audit can be brought together as one set of targets for Peterborough. If this were achieved it may be possible to further extract a set of targets for the City Council.</p>
Biodiversity Data		
18	Continue to support the Biological Records Centre for Cambridgeshire and Peterborough.	A biological records centre is essential to enable effective and efficient management of biological and ecological data about Peterborough, but would be financially unsustainable if developed just for the Peterborough area. This data is a pre-requisite to the planning, implementation and monitoring of Biodiversity gain, as well as the achievement of more sustainable patterns of development. Effective management of biological data is also essential to the monitoring of the success or otherwise of the targets set out in the Cambridgeshire and Peterborough Biodiversity Action Plan.
Overall Contribution to the Vision Statement and Approach		
19	Give particular emphasis to the protection of ancient, and semi-natural habitats through all the City Council's activities.	For example ancient woodland and veteran trees as outlined in appendix D.
20	Investigate and exploit external funding opportunities for creating and enhancing the Biodiversity value of City Council managed land. For example from Forestry Commission, Natural England, landfill tax or aggregates levy.	While much can be achieved by the City Council, this should be viewed as essential to achieving many of the actions listed above and those particularly highlighted in this respect under appendix D.
21	Continue to review the use of pesticides (including fungicides and herbicides) in the City Council's land management.	Such that their use is consistent, minimised and very carefully targeted in line with COSHH regulations requirements.

SUMMARY OF TARGETS FROM RELEVANT (TO PETERBOROUGH) HABITAT ACTION PLANS IN THE CAMBRIDGESHIRE AND PETERBOROUGH BIODIVERSITY ACTION PLAN

It should be recognised that the targets contained in this annex are for both Cambridgeshire and Peterborough and cover private as well as Local Authority land. The actual targets that the City Council could reasonably be expected to achieve on Peterborough City Council Owned land are significantly less than those stated below which are for the whole of Cambridgeshire and Peterborough. The City Council will attempt to facilitate and encourage other landowners, as described in the report, within the Authorities area to achieve these goals.

Habitat	Objectives	Five Year Targets (to 2005)	Ten Year Targets (to 2010)
Woodland	<ul style="list-style-type: none"> • Maintain current area of ancient woodland as identified in the Ancient Woodland Inventory. • Achieve appropriate management of all semi-natural ancient woodland sites, incorporating buffer zones and scrub edge habitat. • Maintain current area of species rich woodland (i.e. that which has a recognised Biodiversity value, including ancient secondary not classed as ancient semi-natural, e.g. Overhall Grove). • Achieve appropriate management of all species rich woodland (as defined in previous bullet). • Identify a strategy for creating new native woodland in terms of species composition, ground flora introduction, site size and location. • Create new native woodland, particularly where it links or buffers existing woodland or other habitats of Biodiversity value. • Achieve appropriate management of all new woodland so that it delivers against species and habitat Biodiversity targets. 	<ul style="list-style-type: none"> • No loss of semi-natural ancient or species rich woodland. • 100% of SSSI woodland in appropriate management, including woodland edge buffer zones. • Identify all species rich woodland. • 10% increase in the total amount of woodland. • Identify what management regimes are required to deliver species and habitat targets in new woodlands. • Deer management groups established. • If practicable, have consolidated the elm recovery programme. 	<ul style="list-style-type: none"> • No loss of semi-natural ancient or species rich woodland. • Restore 50% of coniferised ancient woodland to broad-leaved base. • 50% of semi-natural ancient woodland total resource in appropriate management. • Plant 20ha of new woodland on cleared semi-natural ancient woodland sites or adjacent to existing woodland. • 50% of species rich woodland in appropriate management.
Urban Forest (i.e., all trees within the urban area)	<ul style="list-style-type: none"> • To halt the indiscriminate loss of and damage to urban trees. • To diversify the age structure of the urban forest. • To increase the range of tree species. • To make greater use of native species where appropriate. • To maintain and enhance the nature conservation value of the urban forest. • Consolidate the elm recovery programme. 	<ul style="list-style-type: none"> • Have a countywide compatible basic database describing the character and extent of the urban forest. • Publish awareness of the contribution that the urban forest makes to Biodiversity to all sections of the community. • Produce a community-based strategy for the management of the urban forest integrating nature conservation and arboricultural values. • Publish information on tree management to reduce damage to and loss of urban 	<ul style="list-style-type: none"> • To be decided.

Habitat	Objectives	Five Year Targets (to 2005)	Ten Year Targets (to 2010)
		trees.	

Habitat	Objectives	Five Year Targets (to 2005)	Ten Year Targets (to 2010)
Hedgerows	<ul style="list-style-type: none"> • Halt the loss of species rich hedgerows • Achieve favourable management of species rich hedgerows within the county • Plant new hedgerows within the county 	<ul style="list-style-type: none"> • Halt the loss of species rich hedgerows through neglect and removal and aim to halt all loss of hedgerows, which are both ancient and species rich by 2005. • Achieve the favourable management of 25% of hedges by the year 2000 and of 50% by 2005. • Encourage at least 120Km new hedgerows by 2005. 	<ul style="list-style-type: none"> • Establish at least 220 km new hedgerows by 2010.
Ponds	<ul style="list-style-type: none"> • Stop the net loss of ponds in Cambridgeshire and Peterborough • Increase the number of ponds in Cambridgeshire and Peterborough • Ensure the provision of quality advice on pond management • Better understand the Biodiversity value of ponds at different successional stages. 	<ul style="list-style-type: none"> • Achieve characterisation of pond stock in Cambridgeshire including numbers, turnover and categories (for example: permanent, ephemeral, natural/semi-natural origin). • Research the local rate of disappearance of ponds across the county. • Create new conservation ponds in the landscape and resurrect derelict ponds where appropriate, the target numbers reflecting the local rate of disappearance by both natural and human processes. • Disseminate advice to known landowners that own ponds. 	<ul style="list-style-type: none"> • Repeat a sample survey of ponds to identify trends in management and numbers.
Allotments	<ul style="list-style-type: none"> • Halt the loss of allotments through the generation of interest in this resource. • Ensure that policies are adopted in development plans to provide new allotment provision for new developments. • Cambridgeshire Design and Sustainability Guidance for 	<ul style="list-style-type: none"> • Managers of allotments to be implementing widely agreed wildlife friendly management plans on 50% of allotments. • Community composting schemes on 30% of allotments. 	<ul style="list-style-type: none"> • Managers of allotments to be implementing widely agreed wildlife friendly management plans on 75% of allotments. • Community composting schemes on 50% of

	<p>Major New Developments to include specific reference to allotment provision in new developments.</p> <ul style="list-style-type: none"> • Inform and emphasise the benefits of increasing Biodiversity for allotment holders. • Optimise the utilisation of under used allotments for the benefits of wildlife. • Maximise wildlife potential of allotments, for example by creating wildlife features and ensuring that maintenance practices benefit wildlife. • Increase organic food production. • Establish local composting schemes both as a habitat and for re-use of materials. • Develop site specific wildlife friendly management plans. 	<ul style="list-style-type: none"> • 30% of Local Authority excess bark chippings to be used on community composting schemes. • Create uncultivated beetle banks on 15% of large allotments. • Provide buffer zones adjacent to watercourses, woodland and other site components of high Biodiversity value. • Promote individual wildlife schemes by individual allotment holders on their own plots. 	<p>allotments.</p> <ul style="list-style-type: none"> • 60% of Local Authority excess bark chippings to be used on community composting schemes. • Create uncultivated beetle banks on 30% of large allotments.
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Habitat	Objectives	Five Year Targets (to 2005)	Ten Year Targets (to 2010)
Churchyards, cemeteries and burial grounds	<ul style="list-style-type: none"> • Protect burial grounds as important wildlife habitats by incorporating them in local development plans and nature conservation strategies. • All burial grounds to be regularly surveyed. • All burial grounds to have widely agreed management plans which are being implemented by the site manager in partnership with the local community. The site working requirements would need to be deconflicted with biodiversity as part of this process. • Carry out regular habitat and specific species surveys of all burial grounds and designate suitable sites as County or City Wildlife Sites. • Raise the profile and celebrate burial grounds as a sanctuary for wildlife. • Educate the public about the ways in which management of burial grounds for wildlife and for people can be complementary. 	<ul style="list-style-type: none"> • All burial grounds under the ownership or management of town, district or city council to be implementing a widely agreed wildlife friendly management plan. • 50 per cent of parish burial ground managers to be in the process of producing a wildlife friendly management plan. • All burial grounds to have in place a system for regular habitat and specific species surveys. • All suitable burial grounds under the ownership or management of town, district or city councils to be identified as County or City Wildlife sites. 	<ul style="list-style-type: none"> • All managers of burial grounds to be implementing widely agreed wildlife friendly management plans. • All suitable burial grounds to be identified as County or City Wildlife sites.
Gardens	<ul style="list-style-type: none"> • Safeguard and improve the existing wildlife value of this resource • To increase the resource by encouraging wildlife gardening across the county. • To increase the resource by encouraging appropriate native planting in new development areas. • To increase awareness of the importance of wildlife gardening to all the community. • To advise gardeners of the ways in which management of gardens for wildlife need not compromise practicalities and aesthetics. 	<ul style="list-style-type: none"> • Produce a local HAP wildlife gardening leaflet to promote planting of native species only and highlight damage caused to garden wildlife by chemicals. • 40% of gardeners producing own compost as opposed to using imported material such as peat or coir. • 40% of gardeners not using pesticides. • 5 open gardens open in 5 years time as show pieces for best practice, including one small inner-city garden. • New habitats created within gardens. • Implement system for site survey. 	<ul style="list-style-type: none"> • All local garden centres encouraging purchase of native, wildlife friendly species only, home composting as an alternative to peat, and reduced usage of chemicals. • Produce a leaflet for developers encouraging appropriate native planting with local character in mind. • 80% of gardeners producing own compost as opposed to using imported material such as peat or coir. • 80% of gardeners not using pesticides. • Best wildlife garden competition running in Cambridgeshire and Peterborough. • Encourage gardeners to reduce and stop using fertilisers.

Habitat	Objectives	Five Year Targets (to 2005)	Ten Year Targets (to 2010)
Parks, shelterbelts and open spaces	<ul style="list-style-type: none"> Greater appreciation of the Biodiversity value of parks, shelterbelts and open spaces by their managers, users and the public. Appropriate management of parklands, open spaces and shelterbelts for their existing and potential wildlife benefit. Fullest investigation of opportunities for the imaginative design and management of shelterbelts and open spaces associated with new development. Greater use of native species in landscape designs for new and existing open spaces and shelterbelts. 	<ul style="list-style-type: none"> Ensuring accessible open space of high value for wildlife within 280m for 50% of all residents by 2005. At least 40% of the total area of urban parks managed for measurable wildlife benefit. At least 40% of the total length of shelterbelts in Cambridgeshire and Peterborough managed for measurable wildlife benefit. At least 25% of the total area of publicly accessible open space in urban areas managed for measurable wildlife benefit. 	<ul style="list-style-type: none"> Ensuring accessible open space of high value for wildlife within 280m for all residents by 2010. At least 80% of the total area of urban parks managed for measurable wildlife benefit by 2010. At least 80% of the total length of shelterbelts in Cambridgeshire and Peterborough managed for measurable wildlife benefit by 2010. At least 50% of the total area of publicly accessible open space in urban areas managed for measurable wildlife benefit by 2010.
Built environment and derelict sites	<p><u>Derelict Land</u></p> <ul style="list-style-type: none"> Recognise the Biodiversity value of derelict sites in location and design of new development. Identify derelict sites of particular significance for Biodiversity and outline any management needs. Improved information about the Biodiversity value of derelict sites for planners, developers. Raised public awareness of the Biodiversity value of derelict sites. <p>Built Environment</p> <ul style="list-style-type: none"> Ensure that new development incorporates measures to protect existing built environment features where a Biodiversity value has been identified and if possible to create new habitats. Raised public awareness of the Biodiversity value and potential of buildings. 	<p><u>Derelict Land</u></p> <ul style="list-style-type: none"> Maintain or increase Biodiversity value of 50% of sites recognised as Wildlife Sites. Raise awareness of the Biodiversity value and increase public participation in recording. Secure public access at 2 new derelict sites where appropriate. <p><u>Built Environment</u></p> <ul style="list-style-type: none"> New features for Biodiversity on buildings to be incorporated into 10 larger developments. Raise awareness of the Biodiversity value of the built environment and increase participation in recording features such as old walls and bat roosts. 	<p><u>Derelict Land</u></p> <ul style="list-style-type: none"> Maintain or increase Biodiversity value of 100% of sites recognised Wildlife Sites. Raise awareness of the Biodiversity value and increase participation in recording. Secure public access at 5 new derelict sites where appropriate. <p><u>Built Environment</u></p> <ul style="list-style-type: none"> Raise awareness of the Biodiversity value of the built environment and increase participation in recording features such as old walls and bat roosts. New features for Biodiversity on buildings to be incorporated into 100 larger developments.

Habitat	Objectives	Five Year Targets (to 2005)	Ten Year Targets (to 2010)
Road Verges	<ul style="list-style-type: none"> • Maintain existing County Wildlife Site and protected roadside verges within the county. • Ensure favourable management status of all County Wildlife Site and protected roadside verges. • Instigate a condition-monitoring programme for County Wildlife Site and protected roadside verges. • Designate additional roadside verges on suitable sites. • To have re-evaluated the wildlife value of all roadside verges. 	<ul style="list-style-type: none"> • To maintain a 44 ha area of protected roadside verges (approx. measured 1991 area) by year 2005. • To achieve the favourable management of 11 ha (approx. 25% of measured 1991 road verge area) by year 2001 and 22 ha (approx. 50% of measured 1991 road verge area) by 2005. • To instigate an on-going monitoring programme (both botanical and measured area assessments) for protected roadside verges. A 22 ha sample (approx. 50% of measured 1991 area) should be surveyed before 2000 and 4 ha (approx. 10%) annually there after until 2005. • To maintain protected roadside verge signs for all 74 sites by year 2005. • To cost and trial removal of cut material from protected road verges in 2 pilot areas in 1999/2000 	<ul style="list-style-type: none"> • To investigate designation of a further 2 ha of protected roadside verge per year equals 10 ha by 2010. • Re-survey all protected verges and monitor 8 ha per year of the total verge area (approx 20%) equalling 40 ha by 2010.

Note: The interpretation of the phrase "Woodland Buffer Zone" should be taken to refer to the transitional habitat that occurs at the edge of woodland, where a transition occurs between woodland habitat and another type of habitat such as reed bed or grassland

EXTRAPOLATION OF SPECIFIC TASKS AND THEIR FINANCIAL IMPLICATIONS IN COMPLYING WITH THE BIODIVERSITY DUTY THROUGH THE BIODIVERSITY STRATEGY, ITS VISION STATEMENT, APPROACH AND SPECIFIC ACTIONS

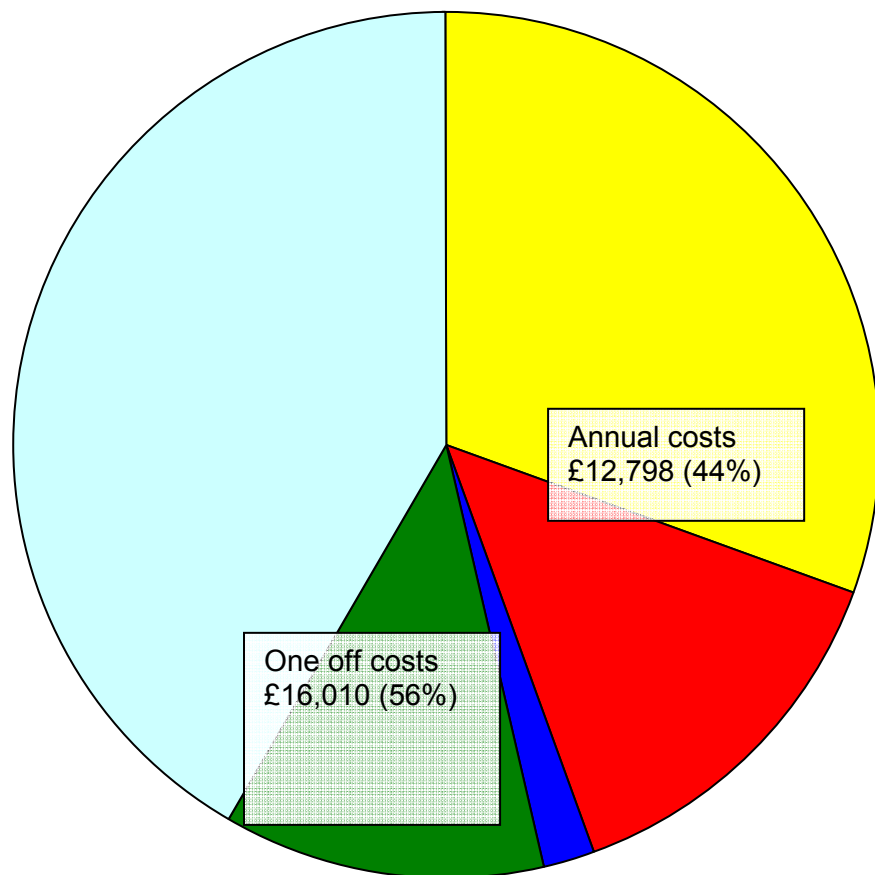
1. Summary

Overall achieving the elements set out in the updated biodiversity strategy will require the City Council to continue to resource its current efforts and in some instances change management practices. This will have financial implications which are considered in detail below. In many instances the cost of restoring or creating habitats can be off set by seeking external funding or other changes to management practices which are less expensive than existing.

Overall the assessment carried out below has identified that the following additional funding would be required:

Element	Annual Costs	Single/One off Costs	Responsible
Changes in Management Practices to enhance 42 km of County Wildlife Site road verges; extend the CWS management regime to 22km of additional road verge to reflect designation of new sites and create habitat links.	£8798	N/A	Highways/ Peterborough City Services
Secure management of the Boardwalks Local Nature Reserve by a body such as the Wildlife Trust, Froglife or Nene Park Trust.	£4000	N/A	Peterborough City Services
Chemical Treatment of Japanese Knotweed at the Boardwalks Local Nature Reserve	N/A	£600	Peterborough City Services
Match funding to make 3 bids for up to £98,000 of external funding. This is for works to Local Nature Reserves and Sites of Special Scientific Interest.	N/A	£12000	Peterborough City Services
Signage for County Wildlife Site Road Verges including new sites and extensions	N/A	£3410	Highways/ Peterborough City Services
Totals	£12,798	£16,010	£28,808

Distribution of additional costs




- Changes in Management Practices to road verges to enhance County Wildlife Sites and create habitat links. £8,798
- Secure management of the Boardwalks Local Nature Reserve by a body Such as the Wildlife Trust, Froglife or Nene Park Trust. £4000
- Chemical Treatment of Japanese Knotweed at the Boardwalks Local Nature Reserve. £600
- Signage for County Wildlife Site Road Verges and extensions £3410
- Match funding to make 3 bids for up to £98,000 of external funding. This is for works to Local Nature Reserves and Sites of Special Scientific Interest. £12,000


An overall failure to implement the Strategy would entail non compliance with Biodiversity Duty, failure to be worthy of Environment City status or to be able to present Peterborough as the UKs environment capital. Associated negative effects to quality of life and the economy and cultural heritage should also be expected as should a more limited contribution to flood and pollution control.

2. Detailed breakdown of specific actions and financial implications

A detailed breakdown of specific actions and their financial implications is detailed in the table below. Elements already present in the 2004 Strategy have been included for completeness but are left unshaded. The 2004 strategy by the way in which it was adopted was to be achieved within existing resources. Progress reports with respect to achieving the requirements of the 2004 strategy have been made to Councillors since its adoption. Where satisfactory progress is already being made within existing resources this has been used as a basis to demonstrate that this is a valid financial consideration in respect of the inclusion of these actions in this updated 2009 strategy. The table is otherwise colour coded blue to show what actions are new to the Strategy but which are already being achieved within existing resources and green to show where new actions are proposed and additional resourcing would be required.

 Elements which were already present within the 2004 Biodiversity Strategy and which therefore are already being achieved within existing resources.

 New elements which were not already present within the 2004 Biodiversity Strategy but which are already being achieved within existing resources or where no resource change would be required.

 New elements which were not already present within the 2004 Biodiversity Strategy where a resource change would be required.

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
1	Make every attempt to ensure that employees and members of Peterborough City Council are aware of the importance of and need to safeguard, enhance and promote Biodiversity through the City Council's activities and thereby contribute to the achievement of this approach.	<p>All City Council and contract staff directly involved in the management of open space should be given training and guidance on good management practice to safeguard and promote Biodiversity.</p> <p>This should include the identification of 'model' sites to demonstrate best practice.</p>	<p>Training</p> <p>Opportunities for internal and external training and guidance to be regularly brought to the attention of and where appropriate taken up by employees and members. Internal training to be requested from the councils own internal specialists where required.</p>	<p>Currently being achieved through existing resources under the 2004 Biodiversity Strategy.</p> <p>Internal training can be provided within existing resources providing that these are maintained.</p> <p>Guidance is routinely available electronically at no cost.</p> <p>External training has been provided in the past through the City Councils existing partnerships with other organisations at little additional cost to its current commitments.</p> <p>Other external training would need to be subject to the normal</p>	Fundamental to achieving implementation of the Biodiversity Strategy, Vision statement and biodiversity duty.	Natural Environment Team/All

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
				process of requesting training and the consideration of this by the Corporate Management Team.		
2		To comply with the guidance with respect to the cutting of shrubs, hedges and trees during the bird nesting season set out in the Biodiversity Strategy (appendix E).	<p>Bird Nesting</p> <p>Guidance to be issued to staff involved with grounds maintenance and tree works. Training to be organised as required.</p>	<p>This guidance does not imply a requirement to cut hedges more frequently but rather attempts to set out clear guidance with respect to how these sorts of works might legitimately be carried out where required.</p> <p>The guidance should therefore help remove a perceived constraint rather than necessarily a requirement for additional hedge, shrub and tree works.</p> <p>The guideline also sets out a clear approach which will help the council to</p>	<p>No clear guidance for the maintenance of trees, hedges and shrubs during the bird nesting season. The potential for inappropriate works remains and works continue to be unnecessarily restricted by the potential presence of nesting birds.</p> <p>Pressure will be brought to be to remove or not plant trees, hedges and shrubs in the longer term, particularly in the urban context. This has an implication on the benefits of</p>	All

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
				avoid prosecution and fines in carrying out legitimate grounds maintenance works.	biodiversity to quality of life etc set out in the overall vision statement.	
3	Work with the Peterborough Natural Networks partnership and contribute to the achievement of a coherent and less fragmented network of habitats across the authority area; which will be robust to the effects of and facilitate adaptation to climate change by species and habitats.	Where PCC owned or managed land forms part of a wildlife corridor its management will aim to facilitate its role as a part of the ecological network it is part of.	<p>Site and works required (Habitat Networks)</p> <p>Extension to management employed on Southey Lodge Road Verge County Wildlife Site to link this with Sutton Heath and Bog SSSI and grassland at Upton which would form the PCC part of a possible link to Castor Hanglands SSSI.</p> <p>Change in management of road verge of Main Street south of Southorpe to replicate that employed on road verge CWS. This would link a number of grasslands to Sutton Heath and Bog SSSI and contribute to a much improved link with Sutton Meadows North CWS</p>	<p>Financial implication</p> <p>Management of 7000 m of road verge in line with that used for a CWS road verges (with additional cut at beginning of year) is estimated to cost £2604 PA.</p> <p>Signage for verge £260.</p> <p>Change in Management of 6000 m of road verge in line with that used for a CWS road verges (with additional cut at beginning of year) is estimated to cost £2232 PA.</p>	Threat to delivery of a habitat network which will be resistant to climate change.	<p>Highways/ Peterborough City Services</p> <p>Highways/ Peterborough City Services</p>

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
			and Sutton Disused Railway CWS.	Signage for verge: £176		
			Extension to management employed on Bedford Purlieus/Wittering Road Verge County Wildlife Site to link this with Wittering Valley CWS.	Change in Management of 2000 m road verge in line with that used for a CWS road verges (with additional cut at beginning of year) is estimated to cost £744 PA.		Highways/ Peterborough City Services
			Extension to management employed on Stamford etc Road Verge County Wildlife Site to the north to link this with Ring and Bailey Meadow CWS as well as the east coast mainline and therefore Marholm Crossing CWS and Bainton Pits CWS.	Change in Management of 3400 m of road verge in line with that used for a CWS road verges (with additional cut at beginning of year) is estimated to cost £1265 PA. Signage for verge: £304		Highways/ Peterborough City Services
			Extension to management employed on Stamford etc road verge County Wildlife Site to the south to link this with Ailsworth Marsh and	Change in Management of 2100 m of road verge in line with that used for a CWS road verges		Highways/ Peterborough City Services

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
			Green Lane CWS and the PCC part of a possible link to Ailsworth Meadow South.	(with additional cut at beginning of year) is estimated to cost £782 PA.		
4	Work with Natural England to further the conservation and enhancement of Sites of Special Scientific Interest.	Secure funding for enhancement works and SSSI specific management for the PCC owned part of the Orton Pit SSSI.	<p>Sites of Special Scientific Interest</p> <p>This is the only PCC owned SSSI and consists of part of the treebelt which runs along the southern edge of the Fletton Parkway. Woodland grant scheme could be sought to cover a significant proportion of SSSI specific works within the Treebelt.</p> <p>Other opportunities to assist Natural England with the conservation and enhancement of SSSIs should also be supported. This may for example include efforts to create habitat links to connect SSSIs within the wider landscape as outlined under specific action 3 above.</p>	<p>This is estimated to be likely to cost up to £10,000, however up to 80% of the cost of works could be sought through a woodland grant from the Forestry Commission.</p> <p>This is none the less a statutory requirement of the authority under S28 G of the Wildlife and Countryside act.</p>	Failure to comply with the authorities legal duty with respect to SSSIs.	Tree and Woodland Team/ Peterborough City Services

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
		Continue to work with Natural England as their role as statutory adviser in planning and development matters pertaining to SSSIs.	Such as strategic planning which may affect SSSIs as well as specific development proposals.	This is an existing duty in the planning system and can continue to be delivered providing that existing resources are maintained.	Failure to comply with the authorities legal duty with respect to SSSIs, national, regional and local planning policy.	Planning Department and Planning Policy
5	Work with the Wildlife Trust and Local Sites partnership to further the conservation and enhancement of Local Wildlife Sites. Also to ensure that up-to-date information is available for all local wildlife sites in Peterborough and work with partners to deliver the targets of the Local Area Agreement and Community Strategy with respect to Local Wildlife Sites.	See below.	Survey of County Wildlife Sites Re-survey of all wildlife sites in the Peterborough area is in part covered under a service level agreement between the Wildlife Trust and the City Council.	The achievement of the approach is currently being achieved within existing resources (£4600 PA). This can continue providing that this resourcing is maintained.	Failure to achieve LAA target in respect of CWS.	Natural Environment Team /Planning Policy
6	Contributes to Local Sites part of the approach outlined	All PCC County Wildlife Sites to be positive	County Wildlife Site and works required	Financial implication	Failure to deliver a key part of the authorities	

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	above but requires separate detailed consideration.	management to conserve and where possible enhance the site for the criteria for which they are designated CWS.	<p>Eye Green gravel pit:</p> <p>Maintain existing management by the Wildlife Trust on behalf on the City Council and maintain infrastructure as required.</p>	Maintain existing resource allocation.	biodiversity duty. Also failure to contribute to the achievement of the LAA target on those sites actually managed by the City Council.	
		<p>The Boardwalks:</p> <p>Maintain existing management and seek external funding for restoration and habitat creation works as well as works to paths and signage. In the longer term investigate a similar arrangement with the Wildlife Trust as at Eye Green.</p>	<p>Maintain existing resource allocation and seek funding for additional works. This will require the City Council to make available 10% match funding. It is estimated that up to £50,000 is required to bring this site properly up to Local Nature Reserve standard.</p> <p>An agreement with the wildlife trust could cost up to £4000 per year to manage the Boardwalks LNR.</p>			Recreation Services/ Peterborough City Services

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
			Debdale pond: Maintain existing management.	Maintain existing resource allocation.		Recreation Services/ Peterborough City Services
			Broadway Cemetery: Maintain existing management.	Maintain existing resource allocation.		Bereavement Services/ Peterborough City Services
			Eastfield Cemetery: Wildlife Site status is currently incompatible with the ongoing burials at this site. Works with respect to the wildlife site are therefore not compatible with the sites primary function. It is therefore likely to be de-designated following a final resurvey.	N/A		Bereavement Services/ Peterborough City Services
			City managed ancient woodland: <ul style="list-style-type: none"> ○ Pocock's Wood. ○ Grimeshaw Wood, Highlees Spinney, 	Maintain existing resource allocation and seek funding for additional works. Considerable additional funding will		Tree and Woodland Team/ Peterborough City Services

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			<p>Spencer's Hurn & Water Spinney:</p> <p>Carry out works as outlined in the tree and woodland teams ancient woodland report.</p>	<p>be required over the long term to achieve this. In the immediate future the City Council should seek Woodland Grant Scheme agreements to assist with the management of its ancient woodlands as well as pursuing additional external funding for habitat restoration works. Initially this might realistically be sought in the region of £50,000 and would require the City Council to make available 10% match funding. It should however be expected that funding additional to this would subsequently need to be sought.</p>		
			Holywell Fish Ponds:	Maintain existing resource allocation.		Recreation Services/

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			Maintain existing management.			Peterborough City Services
			<p>PCC managed County Wildlife Site Road Verges (Protected Road Verges):</p> <ul style="list-style-type: none"> ○ Southey Lodge verge ○ Stamford Rd./Heath Rd./Ailsworth Rd./King St. verges ○ Barnack road verges ○ Bedford Purlieus-Wittering road verge <p>Maintain existing management of a cut at the end of the growing season (late September depending on weather conditions) and removal of cuttings.</p>	Maintain existing management and associated resource allocation.		Highways/ Peterborough City Services
			Make an additional cut at the start of the growing season to reduce standing grass growth (arisings need not be removed on this initial cut).	Additional cut is estimated to cost £650 PA.		Highways/ Peterborough City Services

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			Onsite signing of CWS road verges to assist PCC staff, contractors and utilities companies.	Estimated to cost £2500.		
			In recognition of its forthcoming designation as a County Wildlife Site to add 1400 metres of verge at the south end of Highfield Road (700m of road length) to the County Wildlife Site management specification for road verges. For this 1400m of verge this would include the proposed additional cut at the beginning of each year, cutting and removal of cuttings at the end of the year and appropriate signage.	Cost of annual maintenance: £521 Signage of new County Wildlife Site: £170		Highways/ Peterborough City Services
7	Take action to deal with invasive non native species where these are present on sites of wildlife importance; or where they are on land in the authorities control and	Employ best practice procedures to deal with invasive non native species on sites of wildlife importance; or where these are on land in the	Invasive species which are problematic in the Peterborough area and on sites managed by the authority include: Japanese Knotweed Giant Hogweed	The Boardwalks LNR is the only known site to which this policy would currently be applicable with the presence of orange balsam and Japanese knotweed.	These are not species that the City Council as a responsible land manager should tolerate, particularly on an LNR. Unless Japanese knotweed	All

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
	threaten habitats and species of importance or the coherence of habitat networks.	<p>authorities control and threaten habitats and species of importance or the coherence of habitat networks.</p> <p>Otherwise the occurrence of invasive non native weed species should be reported by PCC officers where this is observed as a result of carrying out their normal duties.</p>	<p>Orange Balsam</p> <p>The authority should also be on its guard against other problem species such as:</p> <p>Himalayan Balsam New Zealand pygmyweed Parrots feather</p> <p>Training in the recognition of these species should be organised for non specialist employees/contractors as required.</p>	<p>Efforts to control orange balsam at the Boardwalks LNR are currently being achieved within existing resources through works undertaken by the Peterborough Conservation Volunteers on behalf on the City Council. Resourcing of these efforts will need to continue.</p>	<p>is treated it will spread within the site and cost more to deal with in the future treat.</p>	

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				The treatment of Japanese knotweed might be included in a bid for external funding. However the cost of treating is estimated to cost £600 for the approx 600 sq metres present at the Boardwalks LNR and may need to be dealt with separately to an external funding bid. This estimate is based upon a case study from Swansea where this species has been particularly problematic.		Peterborough City Services
8	Ensure that biodiversity is protected and enhanced within the planning system within Peterborough and deliver the key principals for biodiversity set out in	Planning related departments of the City Council to continue to work with internal advisers, conservation bodies and local groups with respect to the production o a Local	Planning Training as outlined in respect of specific action 1 in this table is also relevant in this respect.	Currently being achieved through existing resources. This includes keeping the key environmental characteristics of the Authority area under review in order to be	Failure to comply with the authorities legal duty with respect to Biodiversity as well as national, regional and local planning policy and legislation.	Planning

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
	national planning guidance.	Development Framework and also specific development proposals.		<p>able to progress a Local Development Framework and also contribute to an annual monitoring report on the Local Development Framework. The monitoring of barn owls to the East of Peterborough has proved important in this respect (cost £2395 PA) and in the authorities ability to consider major road and wind farm applications.</p> <p>County wildlife site monitoring as well as the working relationship with the Biological Records Centre also have a key role in the ability of the authority to comply with these requirements.</p>		

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9	Increase and diversify wildlife interest in all green places and open spaces; and provide access to sites of wildlife interest for all sections of the community, including the disabled and disadvantaged. Also to promote accessibility to wildlife by creating these new habitats in public areas and encourage their creation in private areas such as, schools, factories, offices.	In the short-term reasonably significant areas should be identified for trailing new approaches to landscape management.	<p>Green Spaces</p> <p>The area chosen should be large enough to contain a variety of types of landscape (e.g., parks, playing fields, kick about areas, open space in housing areas, etc). The trial should involve consultation with local residents and relevant departments within the City Council in planning the management of such areas, and offer a range of different options for particular sites within the trial area and the habitats they possess.</p> <p>Where appropriate this could be through the use of set conservation management specifications or where it would be beneficial the production of management plans for these spaces such as already demonstrated for Central Park. The possibility of reduction in management</p>	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.		All

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			costs should be acknowledged as a possibility via this change in management. The possibility of the creation of new purpose designed sites and habitats for wildlife and people should not be ruled out nor should the potential role of the PCC Agricultural Estate.			
10		Biodiversity should be incorporated into all landscape management contracts.	Landscape contracts The Best Value review of Contract Services considered the Biodiversity impact of all activities carried out, including grass cutting regimes, weed control and pesticide use.	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.		All
11		Production of management plans for open spaces as has been done for Central Park. In the context of the above, where appropriate	Greenspace Management plans In consultation with relevant departments within the City Council and local residents and user groups. It should be recognised that works that	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.		All

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
		incorporate differential grass cutting regimes in parks, verges and large open spaces.	are required on the grounds of Health and Safety take precedence over the needs of wildlife. This could however form part of the approach to PCCs creation of links within the habitat network discussed in line three above.			
12		Hedges and Shrubs The loss of hedges and shrubs will be resisted unless there are sound horticultural or other reasons to indicate otherwise e.g. disease, structural damage or the shrubs are due for replacement.				All
		Where it is appropriate consideration will be made for the gradual replacement of non-	For example where suitable native species can be selected to provide a similar landscape function.	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.		All

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
		native species with native species.				
13		Give explicit support for small-scale community wildlife schemes, including encouraging community management of existing landscaping where requested and appropriate.	<p>Community Projects</p> <p>The principle of leasing of certain areas to some bodies (e.g., Eye Green Local Nature Reserve to the Wildlife Trust) has been established but could be expanded to include leasing some open spaces to residents associations and Parish Councils with some delegated budgets for management. Further work with bodies such as Natural England and Wildlife Trust would be needed to develop and encourage these schemes. Support for small-scale community wildlife schemes is also provided through the Natural Environment project grant scheme (sometimes known locally as parish Environment grants) and Peterborough in Bloom Project Grants.</p>	<p>Currently being achieved through existing resources under the 2004 Biodiversity Strategy.</p> <p>Current resourcing of PCC Natural Environment Grant Scheme is £3500 PA.</p> <p>Support to a project such as Access to Nature is likely to cost approximately £3000</p>	Threat to delivery of an important part of the already existing Biodiversity Strategy.	All

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
			PCC support of projects such as Nature in Your Neighbourhood and any successor projects such as Access to Nature would be relevant in this respect.	PA and could be accommodated within existing resources.		
14		Recognise the role of allotments and cemeteries in promoting Biodiversity.	<p>Allotments and Cemeteries</p> <p>For example:</p> <p>Opportunities should be taken where there is local support for the utilisation of disused allotments and closed cemeteries for promoting wildlife habitats.</p> <p>Allotments and cemeteries that are in use have a part to play with respect to Biodiversity. This is not intended to be in conflict with their operating requirements.</p> <p>Initiatives such as biodiversity guidance for allotment holders should continue.</p>	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.	Threat to delivery of an important part of the already existing Biodiversity Strategy.	Peterborough City Services and Bereavement Services

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
15	Promote wider understanding and enjoyment of Peterborough's wildlife through formal and informal education and interpretation, and events such as Peterborough's annual Green Festival.	Support initiatives to encourage wildlife friendly gardening, recognising the increasing amount of land devoted to this usage.	Community Engagement For example via Peterborough in Bloom.	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.	Threat to delivery of an important part of the already existing Biodiversity Strategy.	All
16	Also promote active interest and involvement in wildlife issues at the local, national and international levels by all sections of the community at home, in the workplace, as a leisure activity and as part of the local economy.	With partners investigate the re-instatement a Peterborough Wildlife Group or Wildlife forum.	Support of Wildlife/Voluntary Groups At a recent urban wildlife meeting with local wildlife groups; support was voiced for the possibility of bringing back the Urban Wildlife Group for Peterborough. Also see action above under broad approach 8 to give explicit support for small-scale community wildlife schemes, including encouraging community management of existing landscaping where requested and appropriate.	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.	Threat to delivery of an important part of the already existing Biodiversity Strategy.	Natural Environment Team/All
17	Assist local voluntary wildlife groups in their aims of protecting wildlife and promoting interest in conservation.			Currently being achieved through existing resources under the 2004 Biodiversity Strategy.	Threat to delivery of an important part of the already existing Biodiversity Strategy.	All

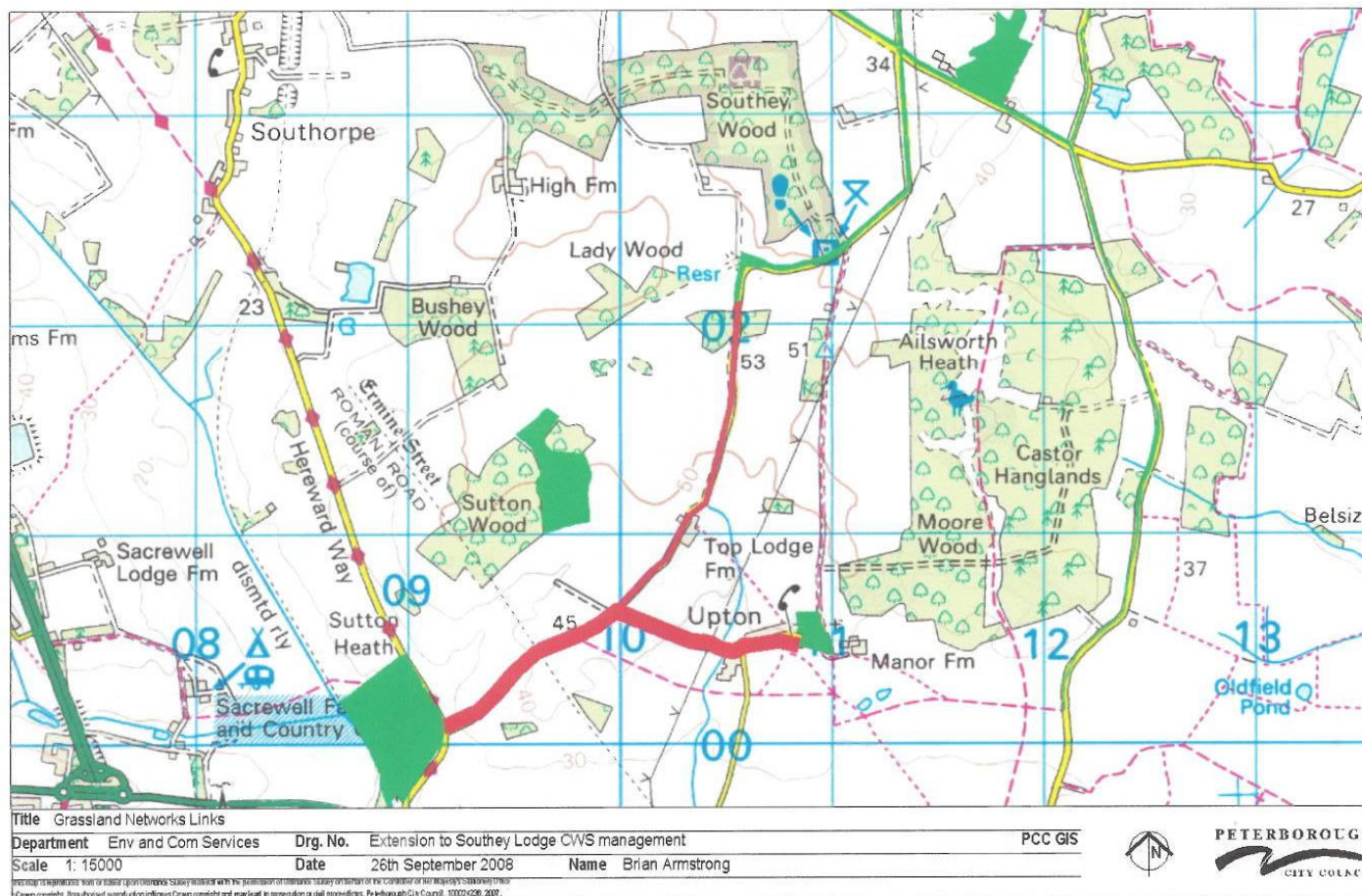
	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
18	<p>Contribute to the achievement of the Biodiversity Action Plan Targets relevant to the authorities functions and area (please see appendix C).</p> <p>To continue to support the Cambridgeshire and Peterborough Biodiversity Partnership.</p>	Establish measurable annual targets for the creation of new areas of wildlife interest.	<p>Biodiversity Action Plan Targets/Partnership Including tree/shrub planting and woodland creation – both through the City Councils own land management and its role as a planning authority.</p> <p>The Natural Networks partnership is investigating how the targets from the Green Grid Strategy, Cambridgeshire and Peterborough Biodiversity Action Plan and Peterborough Environment Audit can be brought together as one set of targets for Peterborough. If this were achieved it may be possible to further extract a set of targets for the City Council.</p>	Currently being achieved through existing resources under the PCC 2004 Biodiversity Strategy. (£3000 PA contribution to the Biodiversity Partnership).	Threat to delivery of a key part of the already existing Biodiversity Strategy.	All
19	Ensure that up to date biodiversity data is available and used appropriately to support this approach.	Continue to support the Biological Records Centre for Cambridgeshire and Peterborough.	A Biological Records Centre is essential to enable effective and efficient management of biological and ecological data about	Currently being achieved through existing resources (£6780 PA) under the 2004 Biodiversity	Critical to support the delivery of the biodiversity strategy and compliance with biodiversity duty as	Natural Environment Team/Planning and Planning Policy

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
			Peterborough, but would be financially unsustainable if developed just for the Peterborough area. This data is a pre-requisite to the planning, implementation and monitoring of Biodiversity gain, as well as the achievement of more sustainable patterns of development. Effective management of biological data is also essential to the monitoring of the success or otherwise of the targets set out in the Cambridgeshire and Peterborough Biodiversity Action Plan.	Strategy.	well as planning related elements of the City Councils functions.	
20	Contributes to the vision and approach overall.	Give particular emphasis to the protection of ancient and semi-natural habitats through all the City Council's activities.	Ancient Habitats For example ancient woodland and veteran trees.	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.	Critical to achieving significant elements of the biodiversity strategy and compliance with biodiversity duty.	All
21	Contributes to the delivery of the vision, approach and specific targets overall.	Investigate and exploit external funding opportunities for creating and	External Funding While much can be achieved by the City Council, this should be viewed as	Currently being achieved through existing resources under the 2004	Critical to achieving significant elements of the biodiversity strategy.	All

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
		enhancing the Biodiversity value of City Council managed land. For example from Forestry Commission, Natural England, landfill tax or aggregates levy.	essential to achieving many of the above actions listed above and in particular those listed under.	Biodiversity Strategy.		
22	Contributes to the vision and approach overall.	Continue to review the use of pesticides (including fungicides and herbicides) in the City Council's land management.	Pesticides Such that their use is consistent, minimised and very carefully targeted in line with COSHH regulations requirements.	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.	Failure to comply with legal COSHH requirements.	All

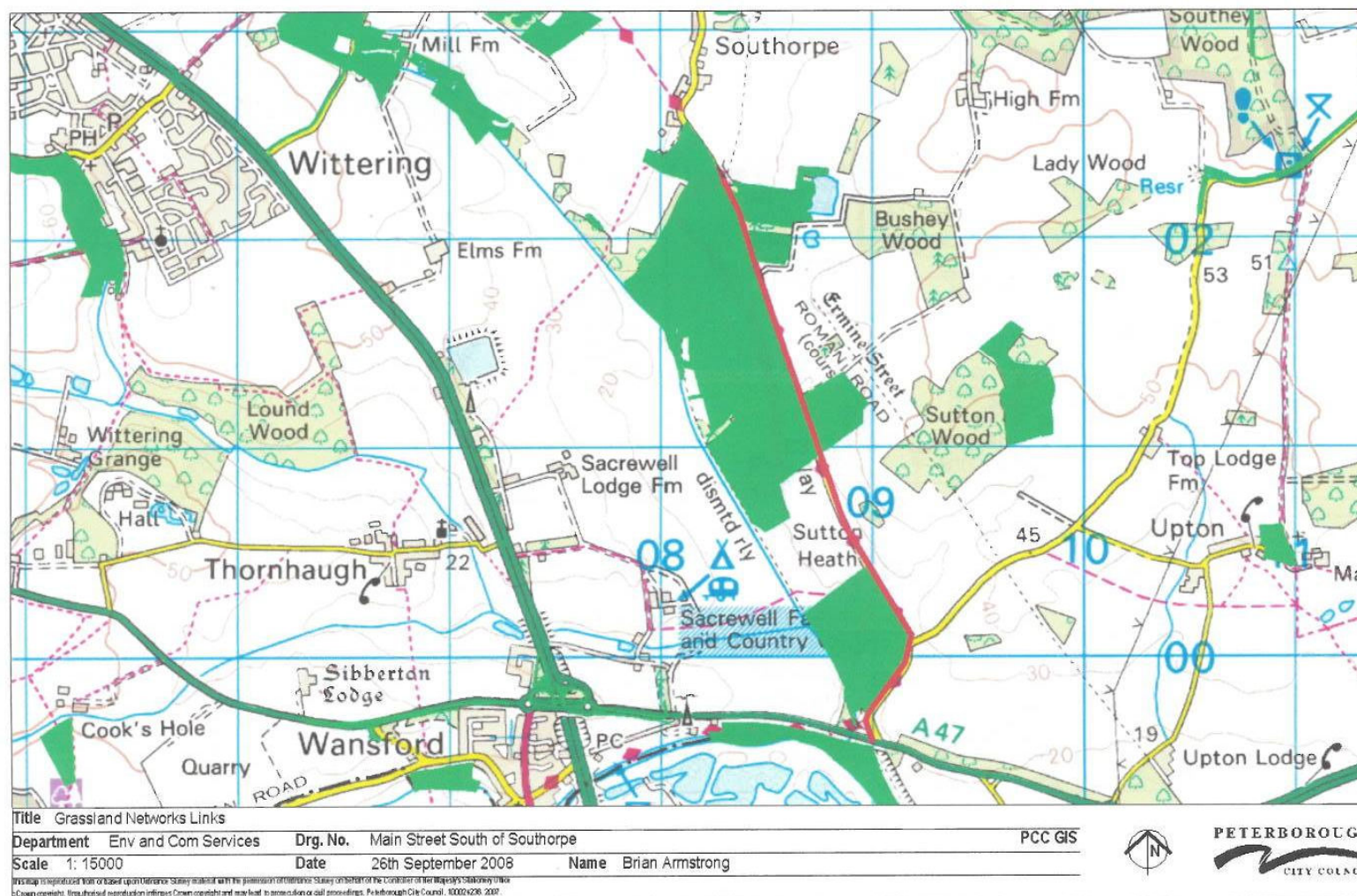
3. Drawings to illustrate lines 3 and 6 of the above table

Diagrams to show potential extensions to CWS standard Road verge maintenance (red) to reflect designation of new CWS and create habitat linkages between existing sites (green)



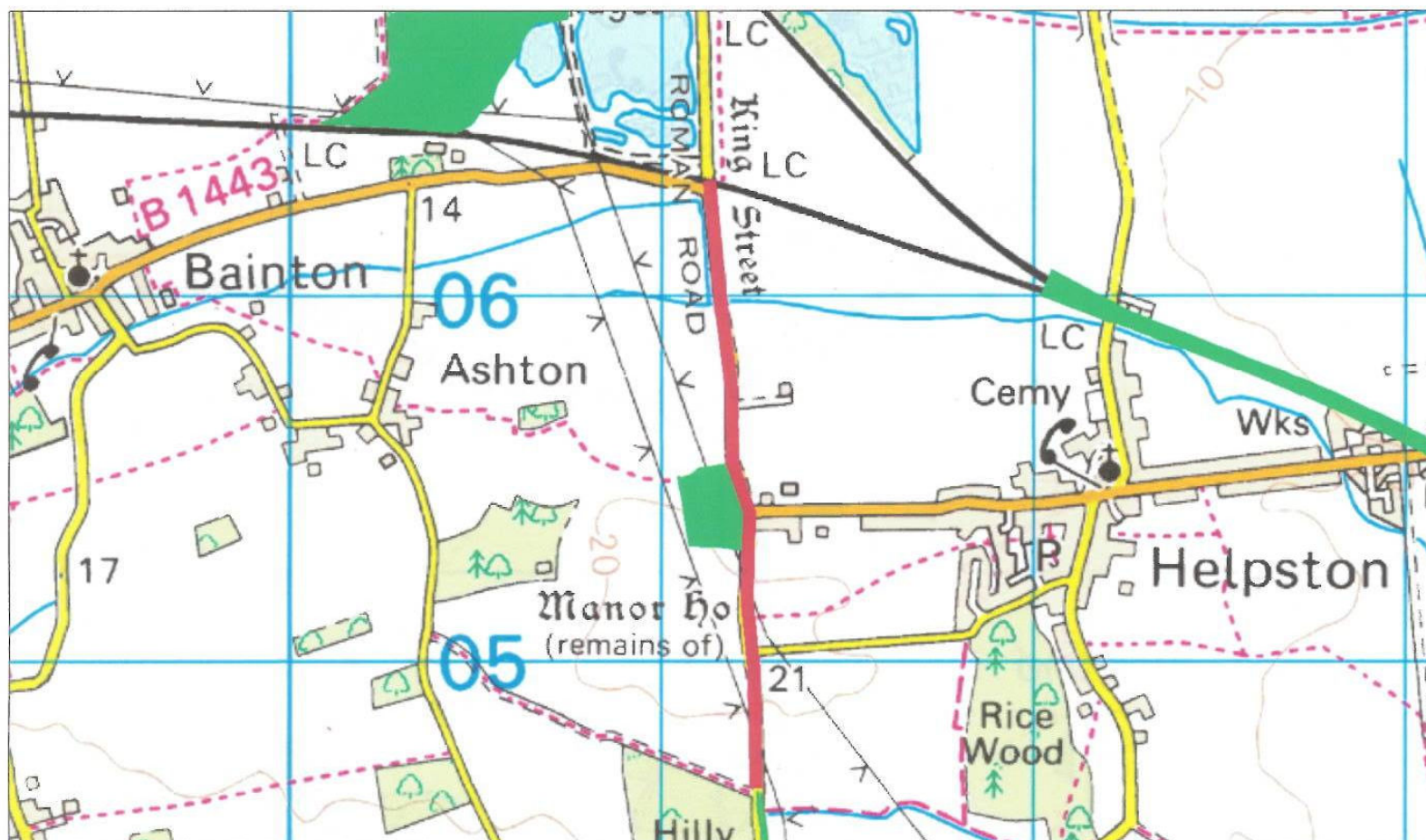
Diagrams to show potential extensions to CWS standard Road verge maintenance (red) to reflect designation of new CWS and create habitat linkages between existing sites (green)


56



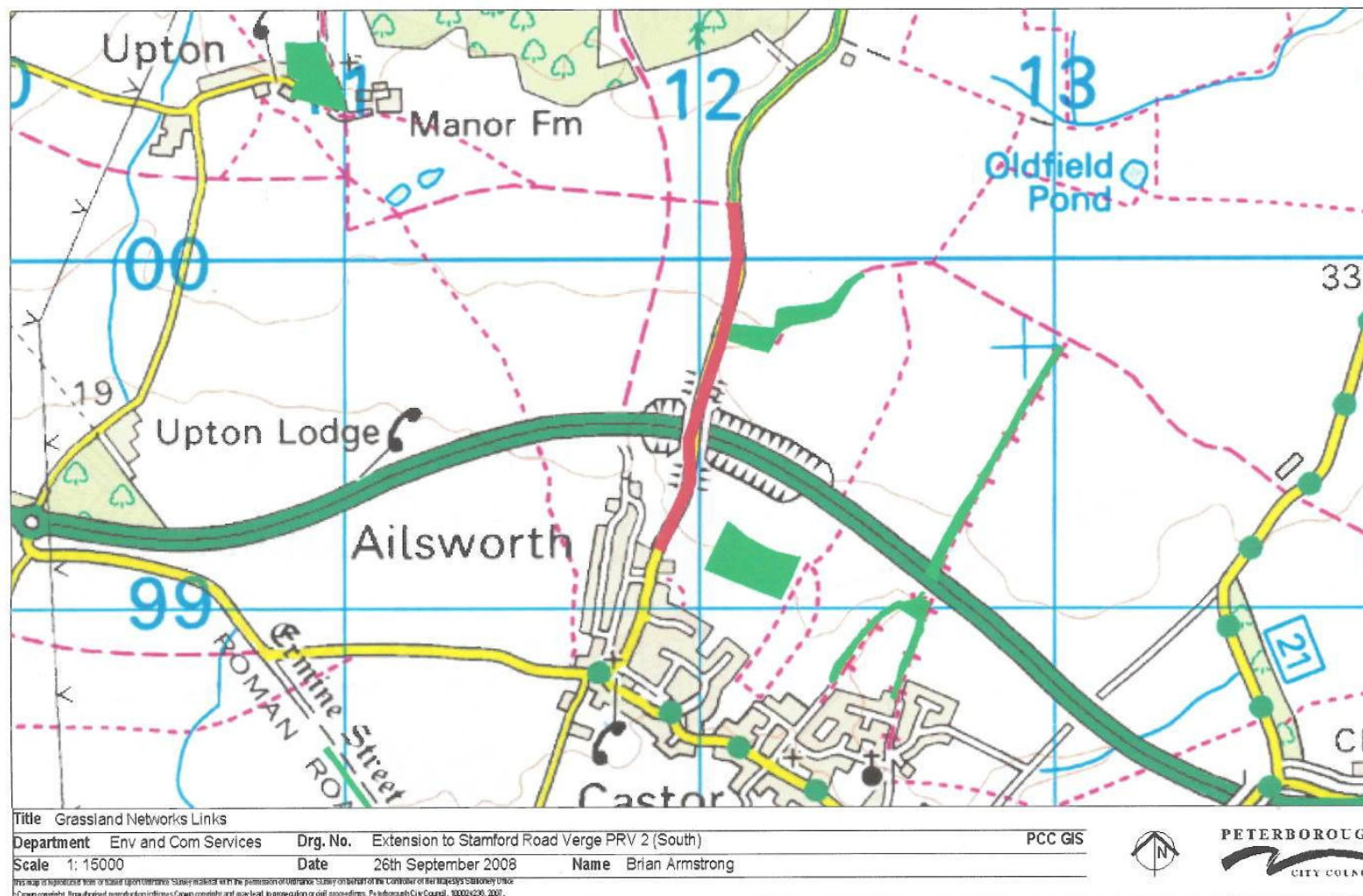
Diagrams to show potential extensions to CWS standard Road verge maintenance (red) to reflect designation of new CWS and create habitat linkages between existing sites (green)

57

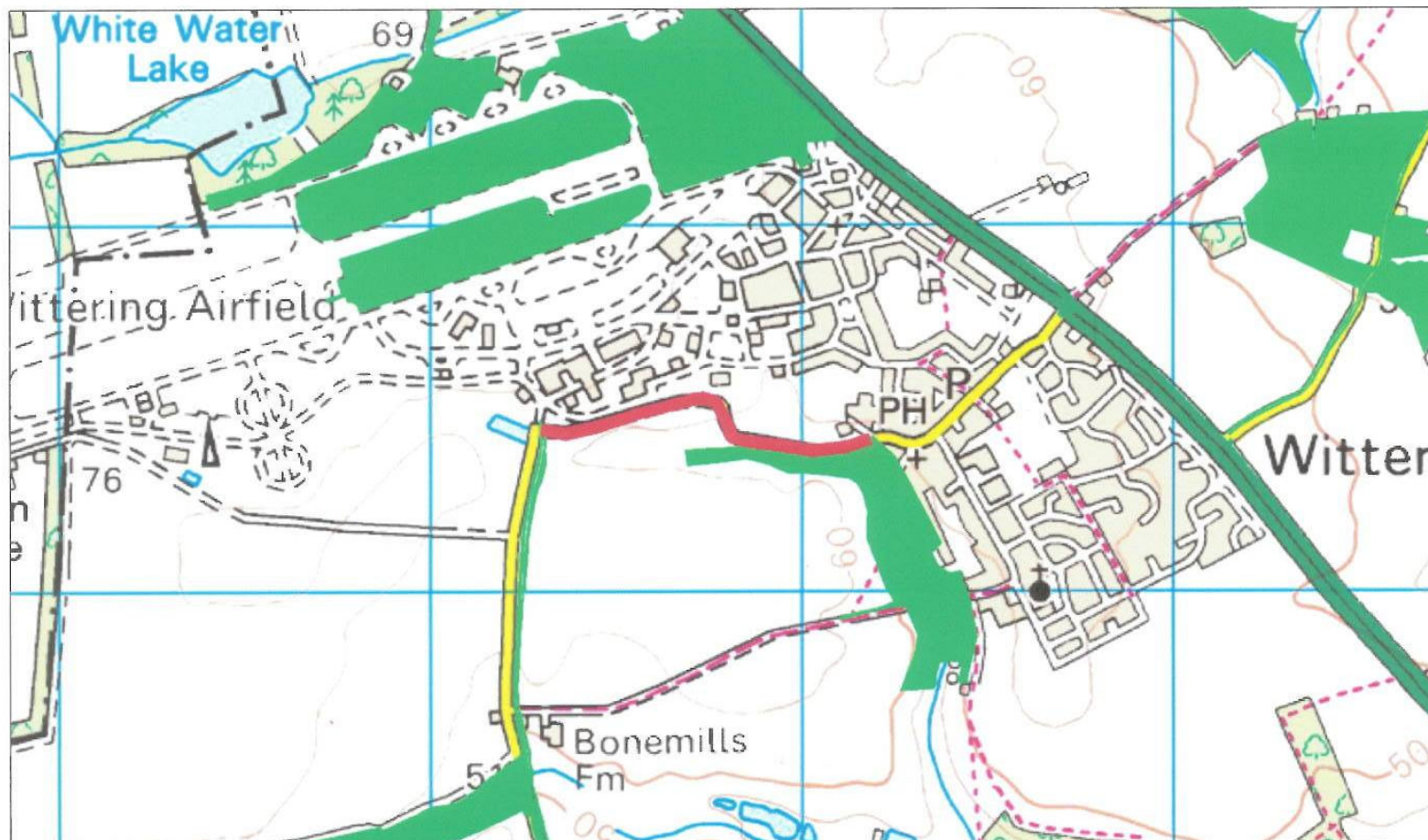




Title Grassland Networks Links				PCC GIS			
Department	Env and Com Services	Drg. No.	Extension to Stamford Road Verge PRV 1 (North)				
Scale	1: 15000	Date	26th September 2008	Name	Brian Armstrong		
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Diagrams to show potential extensions to CWS standard Road verge maintenance (red) to reflect designation of new CWS and create habitat linkages between existing sites (green)



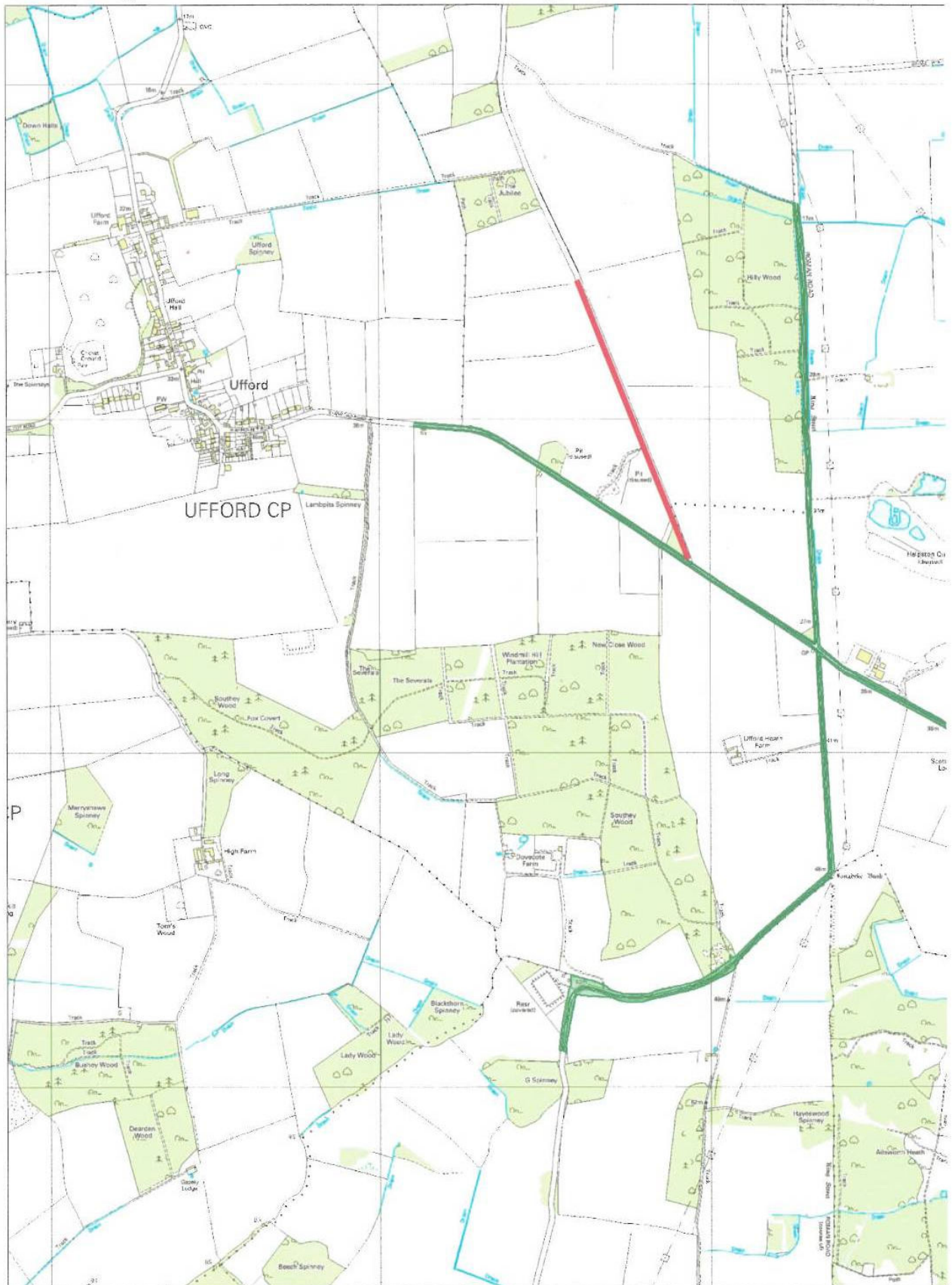
Diagrams to show potential extensions to CWS standard Road verge maintenance (red) to reflect designation of new CWS and create habitat linkages between existing sites (green)



Title Grassland Networks Links		Drg. No. Extension to Wittering Road Verge PRV		PCC GIS	 
Department Env and Com Services	Date 26th September 2008	Name Brian Armstrong			
Scale 1: 15000	<small> This map is reproduced from or based upon Ordnance Survey's data available with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. P1 Peterborough City Council. 100024236. 2007. </small>				

59

Diagrams to show potential extensions to CWS standard Road verge maintenance (red) to reflect designation of new CWS and create habitat linkages between existing sites (green)



Title Ufford CWS verges

Department Natural Environment

Drg. No.

PCC GIS

Scale 1:15,000 at A4

Date 12th August 2009

Name Brian Armstrong



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Peterborough City Council Guideline with respect to Tree works and cutting of Shrubs Hedges in the Bird nesting season (1st March - 31st August).

1.0 Introduction

1.1 Summary

Concerns were raised in the past from the public and Councillors regarding the cutting of council hedges, trees and shrubs during the summer months and the possible effects that this may have on nesting birds. In response to this much management of these features has stopped during the bird nesting season, however this has probably gone beyond what is required to comply with the legal requirements with respect to nesting birds. Most recently the perceived under management of shrubs, hedges and trees in the bird nesting season has led to concerns from the public with respect to visibility, security and visual amenity issues and some pressure being brought to bear to remove some of these features altogether.

It is recognised that bird populations in urban areas are declining due to number of factors and causes. Therefore the Council should be aiming to support nesting birds and play its part to help reduce this decline. To do this it is important that hedges, shrubs and trees are retained so that nesting and feeding habitat is available. However to do this the City Council has to be able to manage these assets professionally and within the law.

This guideline has been produced to give a clear line with respect to what works could reasonably be undertaken during the bird nesting season and what approach should be taken to ensure that reasonable steps have been taken to comply with legal and basic good practice requirements with respect to nesting birds. Beyond this it is necessary to try to strike a balance between ideal management and other competing requirements such as appearance and visibility. For example while it would be ideal for wildlife for hedges to be left uncut until they had borne fruit this is often incompatible with other user pressures such as the use of cycle paths.

It is appropriate that a specific approach is developed for the management of the City Councils hedges shrubs and trees, as the adherence to general best practice would often not be relevant to the specific urban situations the City Council finds itself operating within. The approach outlined in this document aims to outline a specific best practice approach for nesting birds which is applicable to Peterborough City Councils area and management operations. This approach acknowledges the urban bias and competing pressures upon many of these management operations and seeks to give an appropriate and reasonable approach for works in the bird nesting season.

This document sets out the current situation, existing legislation and lists recommendations for the future to act as a Council Policy. If adopted this would be distilled into the single page/simplified guidance for the everyday use of PCC contractors and employees contained at the end of this Appendix.

1.2 Legal protection of birds

The main legislation relating to nesting birds is the Wildlife & Countryside Act of 1981. This Act protects all birds from intentional killing and injury and also makes it an offence to intentionally damage or destroy the nest of a wild bird when it is in use of being built.

There is an additional protection within the act for birds which are specifically listed on schedule 1 of the act. It is an offence to intentionally or recklessly disturb a schedule 1 bird while it is building a nest or is in, on or near a nest containing eggs or young. It is also an offence to disturb the dependant young of a schedule 1 bird. Recklessness is often defined as taking a deliberate unacceptable risk or failing to notice or consider an obvious risk.

The Wildlife and Countryside Act (4(2)c) however makes it clear that an offence shall not have been committed if the action was the incidental result of a lawful operation and could not reasonably be avoided. This protocol aims to lay out procedures which adhere to this principle.

1.3 The legal protection of birds in the context of the management of the City Councils Trees, hedges and shrubs

There are four species listed on schedule 1 which it is not beyond the realms of possibility could be found within the City Councils woodland/treebelts. These are:

- Barn Owl
- Goshawk
- Red Kite
- Hobby

These species are not however reasonably likely to be found in street trees. Other schedule 1 species such as kingfisher and marsh harrier are present in the Peterborough area but simply won't be found in the Councils trees and none of the species listed on this schedule are assessed as likely to be found in the Councils hedges or shrubs. Therefore schedule 1 species are only dealt with in connection with tree works.

Therefore in practice to comply with this legal requirement the City Council should aim to:

- **For hedges and shrubs:** avoid killing and injury of all birds and the damaging or destruction of their nests.
- **For trees:** avoid killing and injury of all birds and the damaging or destruction of their nests. In addition for non street trees to avoid the disturbance or undertaking works which risk the disturbance of adult schedule 1 birds at their nests or their young.

However in either case work required to preserve health and safety is not legally restricted even if nesting birds (including schedule 1 birds) are present. In such cases, while every care should be taken to avoid and minimise harm, any killing and injury of birds and/or the damaging or destruction of nests would be an incidental result of a lawful operation which could not reasonably have been avoided and therefore exempt under section 4(2)C of the Wildlife and Countryside Act.

1.4 Best practice and birds

Trees, hedges and shrubs are likely to contain nesting birds between 1 March and 31 August and should be assumed to do so unless either it can clearly be seen that nesting birds are not present or a survey has concluded that nesting birds are not present.

Nature Conservation best practice would recommend that as general good practice above and beyond lawful requirements that hedgerows should not be cut during the nesting season. The main nesting period is considered to be between the beginning of March and the end of July and occasionally running into August, although some species such as Barn Owl will commonly breed outside of this period. Common birds such as the blackbird, sparrow, thrush, robin, bullfinch and the spotted flycatcher amongst others often seek nesting sites in hedges and hedgerow trees.

The Royal Society for the Protection of Birds also recommends that 'ideally' hedge cutting should be left until the end of winter to leave any seeds, berries and the like on hedges as food for birds and wildlife.

1.5 The Practicalities of compliance with best practice

Ideally the City Council would be able to work to best practice guidelines for both wildlife, horticulture and desire to achieve visual amenity and visibility. Unfortunately these do not always sufficiently overlap for this to be realistically achievable. For example in many cases when a hedge has been planted space has only been allowed for regular tight cutting and not for a full years growth to be put on. Changing this cutting regime to allow hedge growth to become longer can therefore inevitably give rise to conflict with neighbouring features such as footpaths.

This is particularly the case in the urban environment and for example wildlife guidelines on hedgerow cutting are often more applicable to the management of rural farmland hedges where the many conflicting urban pressures upon these resources are not an issue. For example if the management of urban hedges were to strictly follow best practice conservation guidelines this would equate to hedge cutting only during January February. This is likely to be impractical in relation to hedges within the existing Peterborough urban environment, for example for reasons of:

- Sound horticultural practice and visual amenity.
- Maintaining health and safety in relation to the use of footpaths and cycle paths, sight lines on roads or within play areas. (It is estimated that over 30% of the council's formal hedges adjoin roads, footpaths or cycleways). For road verges particular issues are highway junction visibility, forward visibility and sign and street light visibility.
- Maintaining visibility to assist with crime reduction and perception of public safety.
- Removing vegetation which has grown across windows blocking out light from homes and places of work.

Therefore while an initial consideration suggests it would be ideal from a wildlife perspective if all management were carried out in strict accordance with general conservation best practice guidelines; this is not the only factor which has relevance to the management of these features. If management were carried out in strict accordance with general wildlife best practice this would result in overwhelming pressure is likely to be brought to bear to remove a significant proportion of these features from the urban environment. On balance this would be far more detrimental to the conservation of urban bird populations than the loss of food sources which

would result from management strictly in accordance with general conservation guidelines.

It is therefore appropriate that a specific approach needs to be developed for the management of the City Councils hedges shrubs and trees, as adherence to general best practice is often not relevant to the specific urban situations the City Council finds itself operating within. The approach outlined in this document therefore aims to outline a specific best practice approach for nesting birds which is applicable to Peterborough City Councils area. This approach acknowledges the urban bias and competing pressures upon many of these management operations and seeks to give an appropriate and reasonable approach for works in the bird nesting season.

1.6 Practicalities of compliance with the proposed new guideline

The following sections set out specific guidance with the aim of giving a clear approach with respect to how to observe the legal requirements and appropriate best practice specific to the maintenance of the City Councils Trees, Hedges and Shrubs. This must include sufficient detail for the approach to be clear to expert scrutiny by wildlife specialists and also robustly underpin a very simplified 1 page guidance note to be issued to contactors.

Where a hedge, shrub or tree has been left uncut due to the presence of nesting birds and a complaint or request is received then the enquirer should be made aware of this guideline and the requirements under UK Law with respect to birds and their nests as well as the City Councils desire to retain these features in the urban environment and comply with its duty with respect to biodiversity under the Natural Environment and Rural Communities Act to have regard to biodiversity (nature conservation) in carrying out its functions.

It is recommended that if adopted a copy of the simplified guidance note outlined at the end of this appendix should be issued to all operatives involved with hedge, shrub and tree works. Where appropriate this should be preceded by appropriate training in the use of the guidance note. It is intended that a copy could then be kept in contractors' vehicles in an easily accessible location to act as a ready form of reference when carrying out works or responding to a question from a member of the public.

2.0 Hedge and Shrub cutting during the Bird nesting season 1st March to 31st August

The guideline below covers hedge cutting during the bird nesting season. Prior to hedge and shrub cutting between 1st March and 31st August the assessment outlined below should be carried out.

Specially protected species under Schedule 1 of the Wildlife and Countryside act are not reasonably likely to be found in Hedges and Shrubs in the Peterborough Urban Area. Therefore for hedges and shrubs the legal requirement is to avoid killing and injury of all birds and the damaging or destruction of their nests. This is unless damage or destruction would be the incidental result of a lawful operation that could not reasonably be avoided, such as works required for reasons of preserving health and safety. This is the aim of the approach outlined in sections 2 and 3 of this protocol.

2.1 Cutting of Permanent hedge and shrub growth versus routine trimming

The permanent growth of a hedge or shrub is distinct from new growth which has been put on in that year/growing season and would be subject to annual cutting back. The removal of permanent growth might for example include removing a section of hedge to create an access or complete removal of shrubs in advance of replanting.

The permanent growth of a hedge or shrub is structurally much better for birds to be able to construct nests and therefore the chances of encountering nesting birds and having to avoid them is much increased. Therefore ideally works to the permanent growth of hedges and shrubs should be programmed to take place between 1st September - 28th February, outside of the bird nesting season. However where this is not possible works may still be able to proceed providing that the approach outlined below is employed.

2.2 Recommended approach

It is unlikely that nests will be damaged when undertaking routine trimming providing that these are carried out in a controlled way by skilled operators. Dependant on the circumstances one of three different approaches will be appropriate:

Circumstances	Approach
The material to be cut can be clearly seen to be clear of nesting birds by a simple assessment as outlined below in 2.4.	Work should proceed. The operator should however continue to observe for nests as they carry out trimming, but only if safe to do so bearing in mind the requirement for the safe use of the machinery and tools being used and stop if they identify one in the path of their cut. If this were to happen a record should be made (see section 4) and the simple assessment outlined in section 2.4 should be repeated. If this then identifies that a detailed assessment (section 2.5) is required this should be carried out.

	<p>If the presence of all possible nests has already been identified then the more detailed assessment can be missed out. The procedure outlined in the last two rows of the table should be employed.</p>
<p>The material to be cut cannot be clearly seen to be clear of nesting birds by a simple assessment as outlined below in 2.4.</p>	<p>The more detailed assessment set out in 2.5 should be carried out. If stages 1 and 2 of this detailed assessment both fail to identify any evidence that nesting birds are present then works may proceed with care. If works are required for reasons of health and safety only the second part of this procedure should be employed.</p> <p>The operator should however continue to observe for nests as they carry out trimming and stop if they identify one in the path of their cut. If this were to happen a record should be made (see section 4) and the detailed assessment should be repeated.</p> <p>If the presence of nesting birds is identified by the detailed assessment then the procedure outlined in the next two rows of this table should be employed.</p>
<p>Work is not required to maintain health and safety and nesting birds have been identified which would be affected by the works.</p>	<p>Works should either be delayed until after the bird nesting season or only that part of the works implemented which would not involve the destruction of nests (providing that this would not result in the creation of a dangerous feature).</p>
<p>Work is required to maintain health and safety.</p>	<p>The work must be carried out regardless of if nesting birds are present. Only the works to address the health and safety issue should be carried out. The operator should inspect the hedge/shrub in advance and make every effort to minimise damage to any nests where this is sensibly possible. A record should be kept of any nest encountered (see section 4).</p>

2.3 Method of cutting during the bird nesting season (1st March - 31st August)

To achieve any of the approaches above work needs to proceed in a carefully and accurately controlled way that allows the operator to continue to observe while cutting is underway. Therefore it is important that as works are carried out using a hand held hedge cutting tool such as a reciprocating petrol hedge trimmer. The use of a tractor mounted flail would be insufficiently accurate and prevent the operator from observing for nests as work progresses.

2.4 Simple assessment of if nesting birds are present

This should be a relatively quick inspection on foot of the length of hedge/area of shrub to be cut and could be combined with the operators own initial inspection of the working area prior to commencing works:

- The operator should walk the length of hedge/around the shrub to be cut and determine if the material they intend to remove can clearly be seen to be free of nesting birds.
- Depending on the time of year/density of growth this may involve some stopping and possibly manoeuvring to achieve a view through denser vegetation.

The new spindly side and top growth on a hedge or shrub is particularly easy to assess in this way. However the dividing line between permanent growth and new growth on a hedge can make a good nesting site and particular care should be taken in this respect.

Areas of dense growth that cannot be seen to be clear of nests should either be left uncut or the next level of inspection should be used as outlined in 2.5 to try to establish if nesting birds are present.

2.5 Detailed assessment of if nesting birds are present

Birds have to make many trips to and from a nest, first to build it and then to feed chicks when they have hatched. It is possible to use this to find nest sites/the area of likely nests. This will however be less effective in identifying nests where eggs are yet to hatch and activity is much less, therefore a second stage is also required.

A two staged more detailed assessment should be used to determine if nesting birds are present or absent. If works are required for reasons of health and safety only the second stage should be employed. The aim would then be to minimise impact to any nests when carrying out essential works which must be implemented.

Stage 1:

- 15 minutes of observation of the section of hedge/shrub to be cut looking and listening for birds coming and going to a nesting site.
- If walls or fences are not in the way it is best to try to achieve an all round observation of a hedge or shrub to avoid the possibility that a bird might come and go from the opposite side unobserved.
- This might be done by two operatives observing one from each side. Or as a lesser option one operative could observe from one side for 15 minutes and then the other.
- Observations should be carried out by standing well back from the shrub/hedge being surveyed as birds are naturally less likely to break cover/return by that route that has a person standing right next to it.
- If a likely nest site is identified then works should avoid the area and any vegetation that cannot be seen to be clear on 2 metres either side for each nest.
- For those areas where no likely nest site has been identified then stage 2 of the detailed assessment should be carried out.

Stage 2:

- If no birds are seen by standing back and observing then vegetation should be carefully parted and moved aside to make a careful physical inspection for bird nests. Birds that had been silent may give an alarm call if this gets close to them so the operative should be careful to listen as well as look when doing this. If a nest is identified the operative should withdraw.
- Providing that this does not identify a nest then work should proceed in a controlled way using a hand held hedge cutting tool such as a petrol hedge trimmer. The use of a tractor mounted flail would be insufficiently accurate and too difficult for the operator to observe.
- The operator should continue to observe for nests as they carry out works and stop if one is identified for example in the path of their cut. If this were to happen a note should be made (see section 4) and the detailed assessment should be repeated.
- If a nest site is identified then works should avoid the area and any vegetation that cannot be seen to be clear on 2 metres either side for each nest.

3.0 Tree works during the Bird nesting season 1st March to 31st August

3.1 Introduction

The guideline below covers tree works during the bird nesting season. Prior to tree works in the period between 1st March and 31st August the assessment outlined below should be carried out.

Trees may contain features such as cavities and splits which provide ideal conditions for bats and some birds which are protected from disturbance as outlined in 1.2 and 4.6. This includes barn owl, red kite, goshawk and hobby. This is however not reasonably likely to be the case for street trees as they are not normally allowed to develop these features and are not situated in habitats which are attractive to these specially protected birds.

Therefore for City Council trees and woodland the legal requirement is to avoid killing and injury of all birds and the damaging or destruction of their nests. In addition for non street trees to avoid the disturbance or undertaking works which risk the disturbance of adult schedule 1 birds at their nests, or their young.

This is unless it can be demonstrated that this is the incidental result of a lawful operation that could not reasonably be avoided. Which is the aim of the approach outlined throughout this protocol.

3.2 Application of the protocol for trees

The guideline below covers the implementation of tree works to mature/established trees during the bird nesting season.

It is most appropriate for areas of dense cover of often younger tree planting or grown out hedge and shrub features to be approached using the guideline for cutting permanent growth of hedges and shrubs. This approach may also be applicable to edge coppicing work. A judgement will need to be made when programming edge coppice works with respect to if it will be most efficient for this to be programmed outside of the bird nesting season to avoid encountering bird nesting constraints which would otherwise be inevitable. Alternatively edge coppice work might be programmed for the early part of the bird nesting season when nesting birds are less likely to be encountered and the operator will find it easier to make an inspection and identify if nesting birds are present.

3.3 Getting to the tree and carrying out the work

The City Councils tree stock includes a wide variety of different situations from ancient woodland to street trees. In some situations there may be no vegetation under the tree, such as with many street trees. In others tree works may require the removal of lower growing vegetation near a tree/trees to which works are planned. This might range from the under storey of woodland species found in more natural situations to more formal hedge and shrub type planting and may for example be required to:

- Create a safe access to the tree to carry out works.
- Create a safe working area in which to carry out works.

- Include the area in to which tree sections will be lowered.

Therefore while nesting birds may be absent from the tree itself they may be using vegetation at its base or which might otherwise be affected by the implementation of works. Therefore any hedge/shrub material which would need to be removed in order to carry out tree works should be treated in the same way for the routine and permanent cutting of these features above outlined in section 2.

3.4 Vegetation growing up a tree

Trees may also have ivy or other climbers bridging the gap between the under storey and the tree itself. This will need a sensible approach depending on the situation on the ground. In some situations it may be approached in the same way as outlined for shrubs and hedges: for example if it only extends a limited way up a tree and/or the tree is yet to come properly into leaf and can easily be observed from the ground. In other situations such as where there is dense ivy growth right into the crown which cannot be well observed from the ground it may be best to treat it as part of the tree itself, or a combination of the two approaches.

Clearly a sensible approach will also need to be taken with respect to any physical inspection of vegetation growing up a tree as if the use of a ladder/climbing is required this will need to very much be considered along with the tree rather than any underlying shrubs.

3.5 The tree itself

As trees are significantly different structures to hedges and shrubs and works often remove growth that has taken many years to accumulate a slightly different approach is required. This cannot sensibly differentiate between routine trimming and more in depth works. However some distinction can be made between street trees and woodland/tree belts and the probability of nesting birds generally and schedule 1 birds specifically being present.

Given the variety of tree types, situations and works which might be carried out a greater degree of judgement is needed to be exercised by the operator; however they will be a tree specialist/arborist so this is not inappropriate. Trees also are often much easier to assess than hedges and shrubs:

- The growth is often less dense and therefore easier to see into, this is particularly the case where the tree is not part of a woodland/tree belt, for example street trees.
- They often come into leaf later in the year and so can be more easily inspected much later into the nesting season.
- Because of the lower density of growth in a mature canopy the types of birds which favour hedges are replaced by other species such as crows which build larger more obvious nests.

Having said this trees may contain features such as cavities and splits which provide ideal conditions for bats and some birds which are protected from disturbance as outlined in 1.2 and 4.4. This includes barn owl, red kite, goshawk and hobby. This is however not reasonably likely to be the case for street trees as they are not normally allowed to develop these features and are not situated in habitats which are attractive to these specially protected birds. Where non street trees do have these features a special approach is required as outlined below.

3.6 Tree and woodland works in the bird nesting season: Schedule 1 (specially protected) birds

For tree works in the Peterborough area there are four species with special protection which it is in the realms of possibility might be encountered. These species are not however reasonably likely to be present in street trees.

This special protection extends to an offence of disturbing them on or near the nest. However no offence will have been committed provided that any disturbance or damage were the incidental result of a lawful operation that could not reasonably be avoided. An example of this type of work would be that which is required to maintain health and safety such as where a tree has become unstable or a limb is hanging off and to delay works would be unacceptable.

These four species and their nesting habits are outlined below.

Bird species	Nesting habits
Barn Owl	Will nest in trees if a suitable (large e.g. 100mm or more) cavity is present in a limb or trunk, barn owls may also nest much earlier and later than is generally the case therefore cavities in trees should be treated in this way at all times of year.
Red kite	Will nest on a main fork or a limb high in a tree typically 12-20m above the ground. The nest is constructed from dead twigs and lined with grass and sheep's wool. Prior to egg laying kites will decorate the nest with paper, rags, crisp packets, carrier bags, even clothing. New material is added to the nest throughout the breeding season, and a nest that has been in use for a number of seasons can grow to a considerable size. Old buzzard or crow nests can also be used by kites.
Hobby	Will nest in old crow's nests near the top of tall trees near farmland which provide a good vantage point. Isolated trees near farmland and wetland or tall trees within a small copse or woodland edge are likely to be used.
Goshawk	The Goshawk will tend to build its own nest close to the main trunk in the top third of a tree. It favours dense mature woodland and relies on radiating branches to construct its nest.

It is also worthy of note that the evidence outlined above only identifies a chance that a schedule 1 bird could be present rather than definite presence.

There is an offence of disturbing these nests or the birds if they are even near the nest, therefore even if a nest would not be removed by works an offence may still be committed by carrying out operations in the same tree or nearby. Therefore if the sorts of nests or cavities outlined above are identified then work should stop and further specialist advice sought, unless it would be unsafe to do so, or the works are required for reasons of maintaining health and safety.

For example if to delay works would endanger public health and safety then works must proceed. In such instances the works and any damage or disturbance would be classified as the incidental result of a lawful operation that could not reasonably be avoided and so would be covered by the defence provided by section 4(2) c of the Wildlife and Countryside Act.

However only the works required to address the health and safety issue should take place and the operator should inspect the tree in advance and make every effort to minimise damage to any nests where this is sensibly possible. A record should be kept of any nests encountered and how disturbance and damage was kept to a minimum (see section 4).

3.7 Tree works in the bird nesting season: recommended approach if there is no evidence that schedule 1 birds might be present

3.7.1 Recommended approach

Where works are carried out in the bird nesting season the following approach has been designed with the aim of ensuring that reasonable measures have been taken to avoid damaging or destroying bird nests, unless there are overriding reasons such as health and safety which would be exempt.

Circumstances	Approach
<p>The tree and the material to be cut can be clearly seen to be clear of nesting birds by a simple assessment as outlined for routine works (see 3.7.3).</p>	<p>Work can proceed. The operator should however continue to observe for nests as they carry out works and if they identify a nest which would be impacted by their work stop if safe to do so. A record should be made and the simple assessment should be repeated and a more detailed assessment carried out if then identified as necessary.</p> <p>If the presence of all possible nests has already been identified then the more detailed assessment can be missed out. The procedure outlined in the last two rows of the table should be employed.</p>
<p>The tree and material to be cut cannot be clearly seen to be clear of nesting birds by a simple assessment as for routine works (see 3.7.3).</p>	<p>The more detailed assessment set out in section 3.7.4 should be carried out. If both stages 1 and 2 fail to identify any evidence that nesting birds are present then works may proceed. If works are required for reasons of health and safety only the second part of this procedure should be employed.</p> <p>The operator should however continue to observe for nests as they carry out works and if they identify a nest which would be impacted by their work stop if safe to do so. If this were to happen a record should be made and the detailed assessment should be repeated.</p> <p>If the presence of nesting birds is identified by the detailed assessment then the procedure outlined in the next two lines of this table should be employed.</p>
<p>Nesting birds have been identified which would be affected by the works. The work is not required to maintain health and safety.</p>	<p>Works should either be delayed until after the bird nesting season or only that part of the tree works implemented which would not involve the destruction of nests</p>

	(providing that this would not result in leaving the tree in a dangerous state).
Nesting birds have been identified which would be affected by the works. The work is required to maintain health and safety.	The work must be carried out regardless of if nesting birds are present. Only the work to address the health and safety issue should be carried out and the operator should inspect the tree in advance (as outlined in 3.7.3 and stage 2 of 3.7.4) and make every effort to minimise damage to any nests where this is sensibly possible. A record should be made of any nest encountered (see section 4) and how damage was kept to a minimum.

3.7.2 Health and safety of the operator

Following this guideline is designed to ensure that reasonable efforts have been carried out to ensure that nesting birds are not impacted by tree works and that where this is unavoidable, for example for reasons of maintaining health and safety, that any damage or disturbance would be the incidental result of a lawful operation that could not reasonably be avoided, and therefore covered by the defence given in the Wildlife and Countryside Act.

However in carrying out this assessment and subsequent works it is imperative that the operator does not do anything to compromise their own health and safety or that of others. Therefore if an operator is for example half way through cutting a limb and notices a nest they should only stop if it is safe to do so, and may indeed need to continue the cut to its completion. It must for example be acknowledged that:

- Once overall works to a tree have been commenced they will often need to be completed in order to avoid leaving a tree in a dangerous condition from work which is only partially complete.
- When a cut has been commenced to a specific tree limb it will have to be completed in order to avoid leaving it in a dangerous condition from work which is only partially complete.
- It would be the operator's paramount responsibility to ensure works are carried out in line with all health and safety guidelines of equipment use and to follow the correct policy and procedures in completing the task required

3.7.3 Simple assessment of if nesting birds are present

This should be a relatively quick inspection on foot from the ground and could be combined with the operators own initial inspection of the tree prior to commencing works:

- The operator should look at the tree from all sides and determine if it is clear of nests. Particular attention should be paid to:
 - The material they intend to remove and the part of the tree in which they will work, and if this can clearly be seen to be free of nesting birds.
 - The route the arborist will take into the tree.

- Any holes and cavities which might be present and which may be suitable for bird nesting or use by bats.
- Depending on the time of year/density of growth this may involve some stopping and possibly manoeuvring to achieve a view through denser vegetation, the use of binoculars may also be useful in this respect.

If it can clearly be seen that the working area is clear of nesting birds, works may proceed. The operator should however continue to observe for nests as they carry out works and if they identify a nest which would be impacted by their work stop **if safe to do so**. A record should be made and the simple assessment should be repeated. A more detailed assessment should be carried out if subsequently identified as necessary.

Areas of dense growth that cannot be seen to be clear of nests should either be left uncut or the next level of inspection should be used as outlined below to try to establish if nesting birds are present.

If features such as splits cracks or cavities are observed then specialist advice should be sought with respect to the likelihood of these being used as a bat roost.

3.7.4 Detailed assessment of if nesting birds are present

Birds have to make many trips to and from a nest, first to build it and then to feed chicks when they have hatched. It is possible to use this to find nest sites/the area of likely nests. This will however be less effective in identifying nests where eggs are yet to hatch and activity is much less, therefore a second stage is also required.

A two staged more detailed assessment should be used to determine if nesting birds are present or absent. If works are required for reasons of health and safety only the second stage should be employed:

Stage 1:

- 15 minutes of observation of the tree should be made looking and listening for birds coming and going to a nesting site. This might be targeted at the areas of the tree to which works are required or those parts of the tree which cannot be seen to be clear by a simple walk round assessment.
- If walls or fences are not in the way it is best to try to achieve an all round observation to avoid the possibility that a bird might come and go from the opposite side unobserved.
- This might be done by two operatives observing one from each side. Or as a lesser option one operative could observe from one side for 15 minutes and then the other.
- Observations should be carried out if possible by standing well back from the tree being surveyed as birds are naturally less likely to break cover/return by a route that has a person standing right next to it.
- If a likely nest site is identified then works should avoid the area and any vegetation that cannot be seen to be clear within 2 metres for each nest. It may be appropriate to consider at this point if the remainder of works can be achieved in a safe way and if these will leave the tree in an unstable state. Limbs containing nests should also not be removed, even if the cut would be made at more than 2 metres from the nest!
- For those areas where no likely nest site has as yet been identified then stage 2 of the detailed assessment should be carried out.

Stage 2:

- If no birds are seen by standing back and observing then a physical inspection can be made which might involve the use of ladders/climbing if appropriate. Vegetation should be carefully parted and moved aside to make a careful physical inspection for bird nests. Holes and cavities should be carefully inspected with the use of a torch. Birds that had been silent may give an alarm call if this gets close to them so the operative should be careful to listen as well as look when doing this. If a nest is identified the operative should withdraw.
- Providing that this further inspection does not identify a nest then work should proceed in a controlled way.
- If a nest is discovered in the course of the works the operator should stop if safe to do so. If this were to happen a note should be made as per section 4 and the detailed assessment repeated.

4. Record keeping when nests are found

A record should be kept of hedge, shrub and tree works carried out during the bird nesting season when nests that are in use are found. The record should include:

- The type of work including dates and times.
- The details of any enquiry/complaint which has drawn the works to the Council attention
- The location of the nest, what level of assessment had been carried out and how it was found.
- The condition of the nest for example, empty or with eggs. Adult bird present/scared off. Eggs warm or cold (this should only be checked if the adult bird is not present).
- If a nest was found while carrying out health and safety works, the health and safety justification as well as measures taken to minimise damage to nests should be included.
- For non health and safety works the action taken when the nest was found should be recorded.

This record should be lodged with the relevant line manager and also copied to the City Councils Wildlife Officer for the purpose of monitoring the need for revisions to this guidance.

5. Specialist advice and Further Information

Specialist advice can be sought from:

- Peterborough City Council Wildlife Officer: 01733 453400
- Peterborough City Council Natural Environment Team Leader: 01733 453465
- Natural England: 01733 405850
- RSPB: 01767 693690

Further information on the bird species listed here can be obtained from the RSPB website: www.rspb.org.uk

6.0 Conclusion

All birds and their nests are protected. There are four species which might be found in the within the City Councils woodland/treebelts which receive additional protection. These are:

- Barn Owl
- Goshawk
- Red Kite
- Hobby

These species are not however reasonably likely to be found in street trees. Other specially protected species such as kingfisher and marsh harrier are present in the Peterborough area but simply won't be found in the Councils trees. None of the species which receive special protection are likely to be found in the Councils hedges or shrubs.

Therefore in practice to comply with legal requirements with respect to nesting birds the City Council should aim to:

- **For hedges and shrubs:** avoid killing and injury of all birds and the damaging or destruction of their nests.
- **For trees:** avoid killing and injury of all birds and the damaging or destruction of their nests. In addition for non street trees to avoid the disturbance or undertaking works which risk the disturbance of adult schedule 1 birds at their nests or their young.

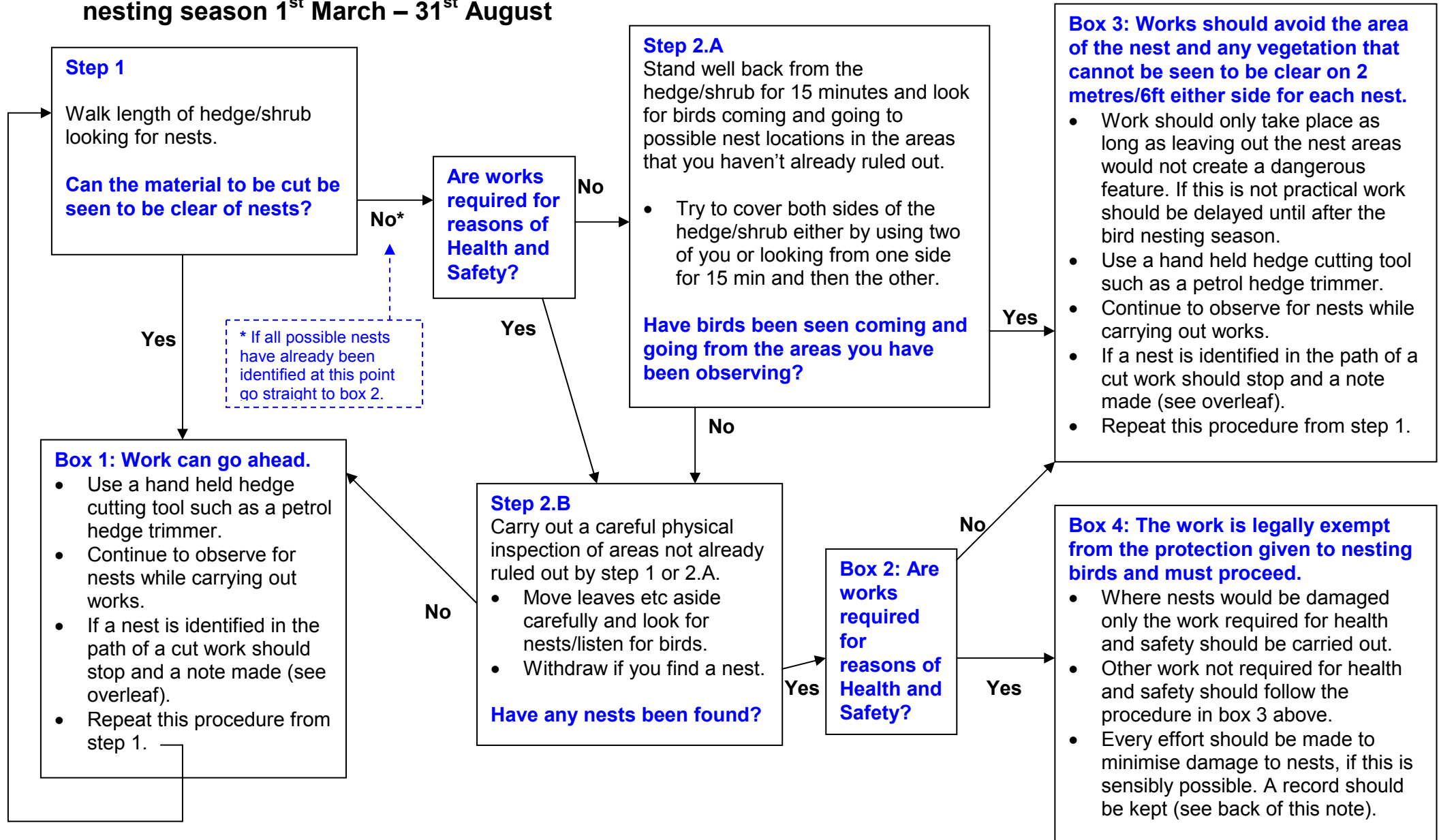
In both cases works required to preserve health and safety are not legally restricted even if nesting birds (including those which are specially protected) are present. In such cases, while every care should be taken to avoid and minimise harm, any killing and injury of birds and/or the damaging or destruction of nests would be an incidental result of a lawful operation which could not reasonably have been avoided and therefore exempt under section 4(2) C of the Wildlife and Countryside Act.

In practice this means that:

- If the tree, shrub or hedge can be seen to be clear of nesting birds then there is no restriction and works may proceed.
- If the tree, shrub or hedge cannot be seen to be clear of nesting birds then a more detailed assessment can be carried out, first by observing and then by physically looking for nests. If this concludes that no nests are present then work may proceed.
- If the presence of nests is identified and works are not required to maintain health and safety then works will need to be delayed until nesting activity has ceased.
- If the presence of nests is identified and works are required to maintain health and safety then the works must proceed. This is allowed for in the legislation that protects nesting birds.

7.1 Suggested Guidance for Issue to Officers and Contract Staff: Hedge and shrub cutting in the bird nesting season 1st March – 31st August

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Record keeping when nests are found

A record should be kept of hedge, shrub and tree works carried out during the bird nesting season when nests that are in use are found. The record should include:

- The type of work including dates and times.
- The details of any enquiry/complaint which has drawn the works to the Council attention
- The location of the nest, what level of assessment had been carried out and how it was found.
- The condition of the nest for example, empty or with eggs. Adult bird present/scared off. Eggs warm or cold (this should only be checked if the adult bird is not present).
- If a nest was found while carrying out health and safety works, the health and safety justification as well as measures taken to minimise damage to nests should be included.
- For non health and safety works the action taken when the nest was found should be recorded.

This record should be lodged with the relevant line manager and also copied to the City Councils Wildlife Officer for the purpose of monitoring the need for revisions to this guidance.

Specialist advice and Further Information

Specialist advice can be sought from:

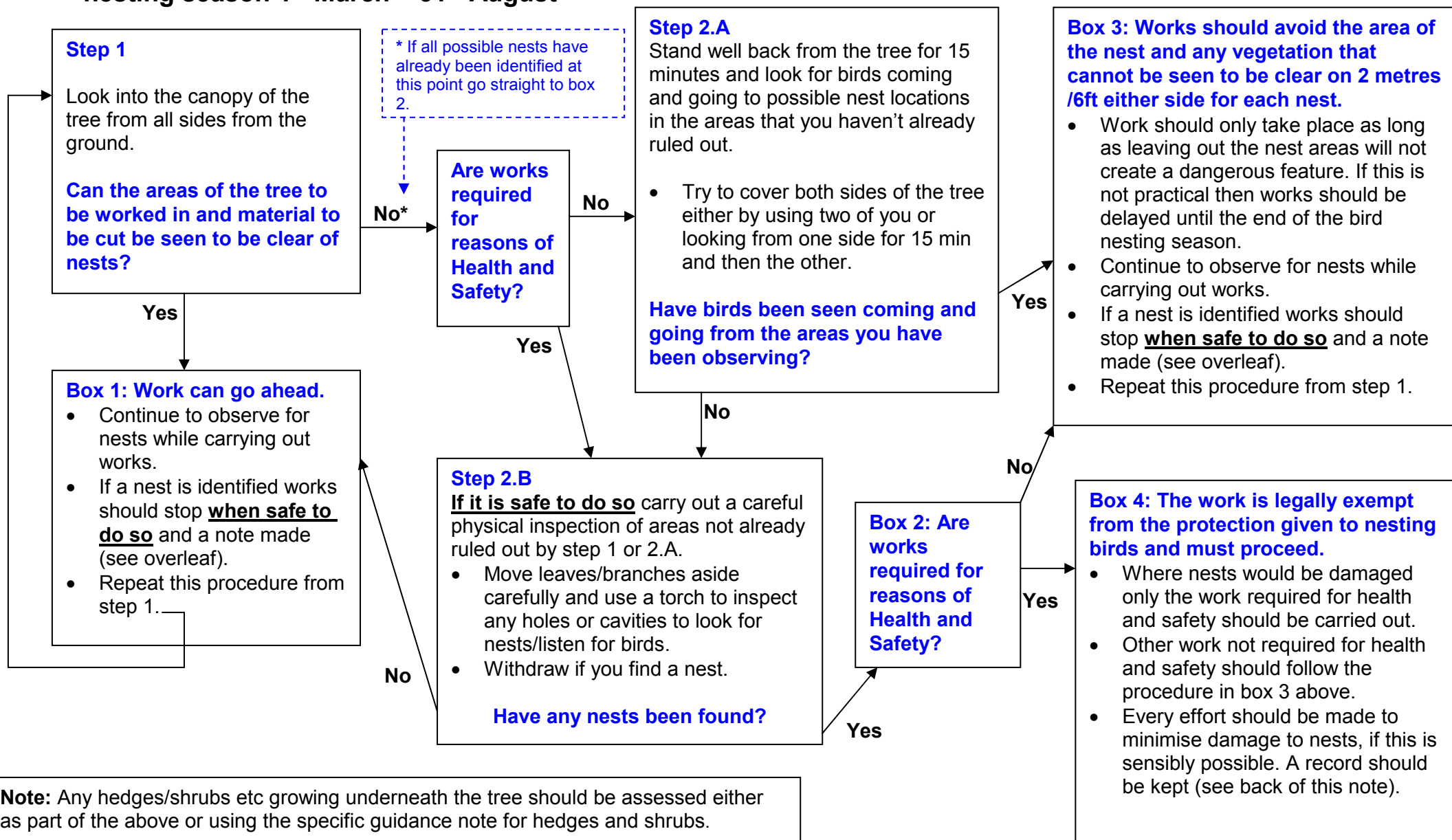
- Peterborough City Council Wildlife Officer: 01733 453400
- Peterborough City Council Natural Environment Team Leader: 01733 453465
- Natural England: 01733 405850
- RSPB: 01767 693690

Further information on birds can be obtained from the RSPB website:

www.rspb.org.uk

7.2 Suggested Guidance for Issue to Officers and Contract Staff: Works to Street Trees in the bird nesting season 1st March – 31st August

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Record keeping when nests are found

A record should be kept of hedge, shrub and tree works carried out during the bird nesting season when nests that are in use are found. The record should include:

- The type of work including dates and times.
- The details of any enquiry/complaint which has drawn the works to the Council attention
- The location of the nest, what level of assessment had been carried out and how it was found.
- The condition of the nest for example, empty or with eggs. Adult bird present/scared off. Eggs warm or cold (this should only be checked if the adult bird is not present).
- If a nest was found while carrying out health and safety works, the health and safety justification as well as measures taken to minimise damage to nests should be included.
- For non health and safety works the action taken when the nest was found should be recorded.

This record should be lodged with the relevant line manager and also copied to the City Councils Wildlife Officer for the purpose of monitoring the need for revisions to this guidance.

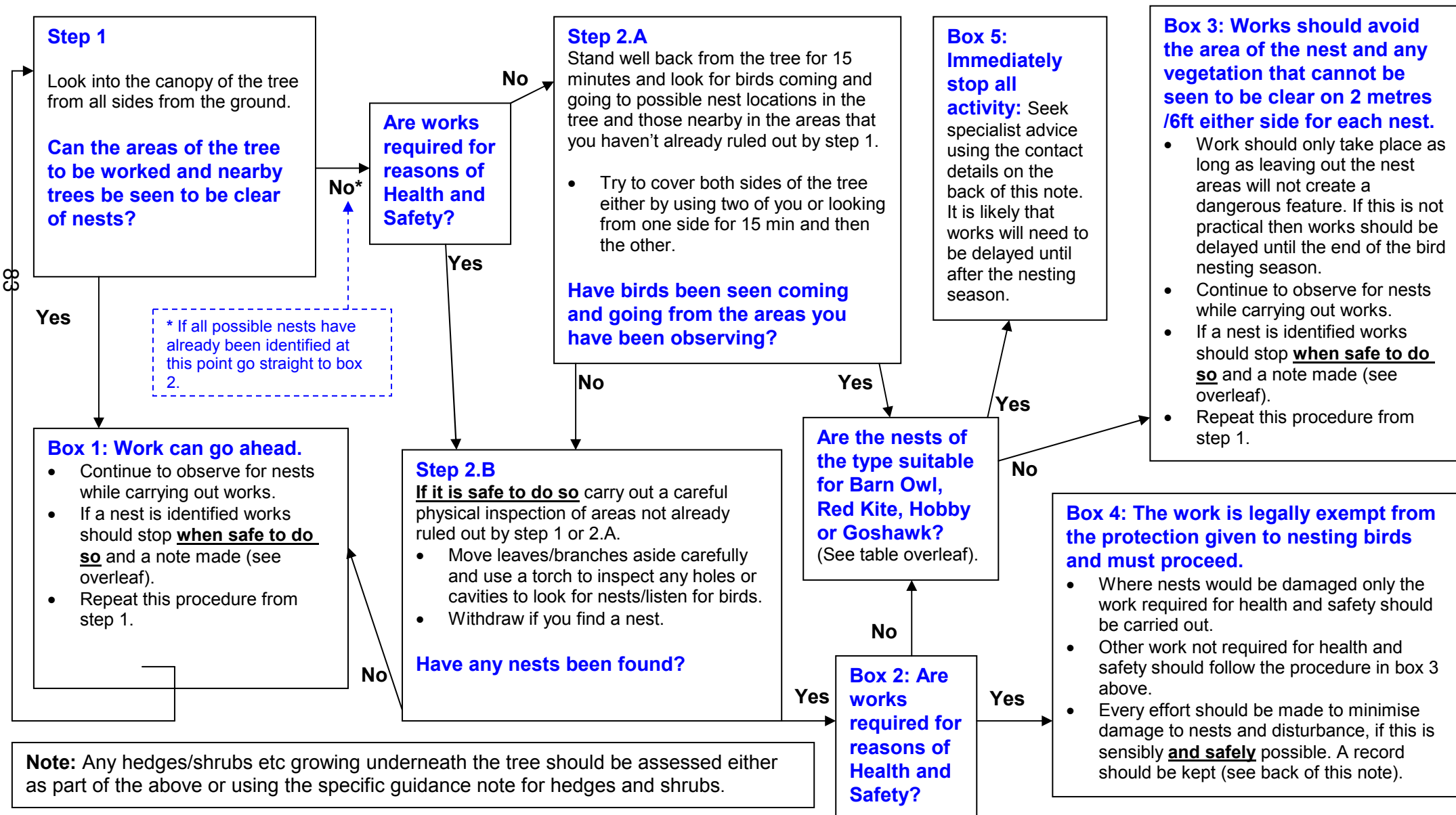
Specialist advice and Further Information

Specialist advice can be sought from:

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- Peterborough City Council Natural Environment Team Leader: 01733 453465
- Natural England: 01733 405850
- RSPB: 01767 693690

Further information on birds can be obtained from the RSPB website:
www.rspb.org.uk

7.3 Suggested Guidance for Issue to Officers and Contract Staff: Works to woodlands, shelterbelts and non street trees in the bird nesting season 1st March – 31st August



Record keeping when nests are found

A record should be kept of hedge, shrub and tree works carried out during the bird nesting season when nests that are in use are found. The record should include:

- The type of work including dates and times.
- The details of any enquiry/complaint which has drawn the works to the Council attention
- The location of the nest, what level of assessment had been carried out and how it was found.
- The condition of the nest for example, empty or with eggs. Adult bird present/scared off. Eggs warm or cold (this should only be checked if the adult bird is not present).
- If a nest was found while carrying out health and safety works, the health and safety justification as well as measures taken to minimise damage to nests should be included.
- For non health and safety works the action taken when the nest was found should be recorded.

This record should be lodged with the relevant line manager and also copied to the City Councils Wildlife Officer for the purpose of monitoring the need for revisions to this guidance.

Specialist advice and Further Information

Specialist advice can be sought from:

- Peterborough City Council Wildlife Officer: 01733 453400
- Peterborough City Council Natural Environment Team Leader: 01733 453465
- Natural England: 01733 405850
- RSPB: 01767 693690

Further information on birds can be obtained from the RSPB website: www.rspb.org.uk

Specially protected birds which could nest in non street trees in Peterborough

Bird species	Nesting habits
Barn Owl	Will nest in trees if a suitable (large e.g. 100mm or more) cavity is present in a limb or trunk, barn owls may also nest much earlier and later than is generally the case therefore cavities in trees should be treated in this way at all times of year.
Red kite	Will nest on a main fork or a limb high in a tree typically 12-20m above the ground. The nest is constructed from dead twigs and lined with grass and sheep's wool. Prior to egg laying kites will decorate the nest with paper, rags, crisp packets, carrier bags, even clothing. New material is added to the nest throughout the breeding season, and a nest that has been in use for a number of seasons can grow to a considerable size. Old buzzard or crow nests can also be used by kites.
Hobby	Will nest in old crow's nests near the top of tall trees near farmland which provide a good vantage point. Isolated trees near farmland and wetland or tall trees within a small copse or woodland edge are likely to be used.
Goshawk	The Goshawk will tend to build its own nest close to the main trunk in the top third of a tree. It favours dense mature woodland and relies on radiating branches to construct its nest.

Consideration of Feedback received from external consultation on proposed update to PCC Biodiversity Strategy 2009

	Section/Reference	Feedback	Consideration	Changes made to Strategy
Ufford Parish Council				
1	General response	Overall support of document	N/A	N/A
2	Various	Various spelling errors	Accepted	Strategy updated accordingly.
3	Line 1 of table in Annex B	Farmers need more guidance about hedge management. There is more to it than not cutting hedges in the bird nesting season.	Outside of the scope of the Strategy and the City Councils Powers. However RSPB and other organisations are trying to work with farmers on this issue. Dialogue with the RSPB has taken place as part of the external consultation process, particularly in respect of hedge cutting during the nesting bird season.	None Possible.
4	Line 6 of table in Annex B	Confusion over road names. Locally people call it Marholm Road west of the King Street cross roads and I believe the road sign confirms this. Southey Lodge is on Langley Bush Road which extends from the Marholm Road/King Street crossroads nearly to the A47.	The official County Wildlife Site Names have been used which correspond to the mapping of these sites and 1:10,000 OS mapping. However for clarity the suggested names can be added to the strategy in brackets after the CWS name.	Local road names added in brackets after official CWS names.
5	Annex C	People understand the term "Protected Verges" better than County Wildlife Site. Signs are certainly needed to identify such verges.	Annex C is a summary of Cambridgeshire and Peterborough Biodiversity Action Plans. Cambridgeshire still have protected road verges which are a lesser designation	Text of Appendix C updated so that it is clear that this refers to County Wildlife Site and Protected

	Section/Reference	Feedback	Consideration	Changes made to Strategy
			that County Wildlife Sites. It is however acknowledged that Protected Road Verge is a more accessible term	Road Verges.
6	Appendix D	It is suggested that the grass on CWS verges should be cut at the beginning of the growing season as well as at the end of it. There seems to have been some confusion about this in the past, also about the removal of the cut grass. This needs clarification. It may vary between sites and may also depend on the weather conditions.	The cut at the start of the growing season would be additional to the current regime, no removal of cuttings would be proposed. The current regime is detailed in the landscape management specification for the verges and does depend on weather conditions.	Clarification made to text in Appendix D.
7	Appendix D	No a reference to the parish grants. These are highly valued and mean that local people have more sense of ownership of their environment.	These are referred to as "Natural Environment Grant Scheme" in line 13 of the table.	Clarification made to text in Appendix D.
Newborough Parish Council				
8	General response	Supportive of the draft.	N/A	N/A
Natural England				
9	Various	Various spelling errors	Accepted	Strategy updated accordingly.
10	Overall comment	Support aims, objectives and proposed actions outlined; and overall vision to maintain and enhance biodiversity within Peterborough.	N/A	N/A
11	Appendix A: Vision Statement	We suggest that this opening section makes reference to the relevant statutory requirements relating to biodiversity, including your	Biodiversity Duty of the NERC Act is included in point 4 of the vision statement in Annex A.	Footnote added making reference to S40 of the NERC

	Section/Reference	Feedback	Consideration	Changes made to Strategy
		authority's duties as a Section 28G authority under the Wildlife and Countryside Act 1981 (as amended by CRow) and its general biodiversity duties established under the NERC Act, the latter being a primary reason for updating the strategy.	Duty towards Sites of Special Scientific Interest under S28G of the Wildlife and Countryside act is included in the text of point 3 of the Approach in Annex A.	act. Text updated and footnote added.
12	Appendix A: Vision Statement	<p>It may also be appropriate at this point to cross-reference current/proposed local biodiversity policies (including PCC Validation Checklists), as well as referring to the national policy requirements of PPS9.</p> <p>There should also be specific mention of the main legislative drivers in relation to protected sites and species i.e. the Wildlife and Countryside Act and the Habitats Regulations.</p>	<p>It is not intended (or appropriate) that the strategy should be used in planning as its content is not solely focussed upon planning issues and therefore it would not be appropriate for it to become a Strategic Planning Document. It could not however fail to make mention of this area of the City Councils functions. These functions are however more appropriately governed by national and local planning guidance.</p> <p>References to the Wildlife and Countryside act have been added in response to the above. The protection afforded to wild birds is also covered in some detail in appendix E. The strategy otherwise aims to capture the spirit of this legislation and it hasn't been felt to be appropriate to directly repeat large amounts of the text of these acts. The duty towards the Habitats Regulations is also felt to be too general to realistically be directly referenced. The individual</p>	<p>None</p> <p>N/A</p>

	Section/Reference	Feedback	Consideration	Changes made to Strategy
		Reference to the UK and local Cambridgeshire and Peterborough Biodiversity Action Plans and associated priority habitats and species targets should also be made.	<p>elements of the habitats regulations are however intended to be covered through the overall approach.</p> <p>Covered under point 11 of the approach in appendix A. A summary of local Biodiversity Action Plan targets is included at Appendix C.</p>	N/A
13	Appendix A: Vision Statement	Regarding wider biodiversity, the Habitats Regulations require policy <i>“to encourage the management of features of the landscape of major importance for wild flora and fauna which, because of their linear or continuous nature or their function as stepping stones, are essential for the migration, dispersal and genetic exchange of wild species”</i> ; this is also referenced in PPS9. The PCC Biodiversity Strategy should make reference to this and identify how it will seek to achieve compliance.	This is covered by point 2 of the approach outlined in appendix A. The strategy goes on to analyse how the City Council can directly contribute to this requirement directly through extending County Wildlife Road Verges and indirectly through working with partners such as the Natural networks Partnership.	Foot note added to point 2 of the approach in Appendix A.
14	Appendix A: Vision Statement	We would suggest that the requirements for multi-functional Green Infrastructure are also mentioned in context of development within the Growth Area; you may wish to refer to PPG17 and the forthcoming PPS17 which is expected to make direct reference to Natural England’s Access to Natural Green space Standards (ANGSt). Reference to Peterborough’s Green Grid Strategy (and the Green Wheel) should also be made.	See first part of response to line 12 above.	N/A

	Section/Reference	Feedback	Consideration	Changes made to Strategy
15	Appendix A: Vision Statement	The Vision identifies the percentage area of Peterborough covered by county/national designations. Would it be possible to make similar reference to international sites, or just list these sites by name (Orton Pit, Barnack Hills and Holes, Nene Washes)?	Noted.	Text added to reflect this.
16	Appendix A: Approach	<p>Natural England supports the broad principles of this section but we believe some of these could be expanded, either here or in the relevant sections of Appendix D.</p> <p>For example, the section on the Planning System and Green Spaces should make specific reference to the statutory and policy requirements (if not mention in the Vision), the aims of the Green Grid, Green Wheel, local BAP targets and your authority's responsibility to liaise with the relevant statutory bodies.</p> <p>Quantitative and qualitative objectives for green infrastructure could be incorporated, for example, to provide maximum benefit green infrastructure should be multi-functional so that in addition to providing areas for public access and recreation it could also provide biodiversity enhancements and/or sustainable drainage. Green infrastructure should also connect into</p>	<p>The principals are extrapolated and expanded in Appendices B and D.</p> <p>See first part of response to line 12 above.</p> <p>It has not been felt to be appropriate to repeat large bodies of text from statutes.</p> <p>The City Councils direct contribution for green infrastructure has been identified and is included in the strategy. This is based on a comparison of the City</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>

	Section/Reference	Feedback	Consideration	Changes made to Strategy
		<p>the wider network of similar sites to improve access and provide linkages along which species can migrate.</p> <p>In Peterborough developers should be encouraged to incorporate the principles of the Green Grid Strategy into all development proposals as far as possible.</p>	<p>Councils direct land management responsibilities against the results of a habitat mapping and network analysis carried out by the Biological Records Centre on Behalf of the City Council.</p> <p>Where the City Council is not the land owner/manager the City Council would otherwise seek to work with the Peterborough Natural Networks Partnership as outlined in point 2 of the Approach outlined in Appendix A.</p> <p>See first part of response to line 12 above.</p>	<p>N/A</p> <p>N/A</p>
17	Appendix B section 4 (Orton Pit).	Support of the actions identified to improve the woodland strip area within the Orton Pit Site.	Noted.	N/A
18	Appendix B section 8 (Planning System).	<p>It would be useful in this section, or another suitable place in the document, to identify policies/principles adopted/proposed by your authority in relation to planning and biodiversity, such as:</p> <ul style="list-style-type: none"> • local development control principles (e.g. protection and enhancement of statutory and other sites; mitigation and compensation); • planning obligations; • policies for priority habitats and species, protected species; 	<p>See first part of response to line 12 above.</p> <p>The Strategy is intended to be about all of the City Councils functions and not just those of the Planning Authority. A document such as that which is outlined would need to be adopted as a Strategic Planning Document to be afforded any weight in planning. Such a document would need to be narrowly focussed upon the Authorities Planning Functions. It is</p>	N/A

	Section/Reference	Feedback	Consideration	Changes made to Strategy
		<ul style="list-style-type: none"> • policies to encourage biodiversity enhancement within development (could be specific e.g. x% of housing will include swift bricks/bird boxes/bat bricks etc or x% of business/industrial footprints should include green roofs) • Green Infrastructure principles – requirement for all new residential development, quantitative/qualitative standards, multi-functionality to achieve biodiversity targets. 	therefore not felt that this is the correct mechanism to establish these principles.	
19	Appendix B section 18.	Support of authority’s aim to provide continued support to the Biological Records Centre for Cambridgeshire and Peterborough.	Noted.	N/A
20	Appendix E Section 1.3. (Nesting bird protocol).	<p>Suggest that consideration be given to the inclusion of Hobby as a Schedule 1 species that could possibly be found nesting within council-owned trees.</p> <p>However, it is probably better to take the precautionary approach and make generic reference to all Schedule 1 species and how they should be dealt with, rather than just limiting this to those which might occur.</p>	<p>Noted.</p> <p>It has been felt necessary to be specific to just those schedule 1 species which might be encountered when undertaking tree works. This has been felt necessary as the guidance note would ultimately be issued to contractors for specific operations such as tree works. A generic reference to schedule 1 species was considered but was felt to be insufficiently helpful in guiding contractors in the</p>	<p>Text updated.</p> <p>N/A</p>

	Section/Reference	Feedback	Consideration	Changes made to Strategy
			implementation of works.	
RSPB (from notes taken in meeting with RSPB officers)				
21	Appendix E Paragraph 1.1.	Paragraph 1.1 is a summary, section 1 overall gives context and an introduction	Noted.	Strategy updated accordingly.
22	Appendix E Section 1.2.	Include reference to the legal defence given by Section 4.2.C of the Wildlife and Countryside Act. This defence is the underlying principal of the protocol.	Noted.	Strategy updated accordingly.
23	Appendix E Section 1.3.	Honey Buzzard is unlikely to be encountered. Add Goshawk and Hobby.	Noted. Removal of Honey Buzzard also verbally discussed and agreed with Natural England.	Strategy updated accordingly.
		This would be useful as a conclusion at the end of the document. Keep the first part of 1.3 and repeat it at the end. Move second part entirely.	Noted.	Strategy updated accordingly.
		Make reference to the legal defence given by Section 4.2.C of the Wildlife and Countryside Act.	Noted.	Strategy updated accordingly.
24	Appendix E Sections 1.4 and 1.5	Replace reference to RSPB with reference to Conservation best practice. (It is not just the RSPB that advocates this practice).	Noted.	Strategy updated accordingly.
25	Appendix E Section 1.4.	Make it clear that conservation best practice of not cutting hedges in the bird nesting season is above and beyond what is lawfully required.	Noted.	Strategy updated accordingly.
		Make it clear that some species such as barn	Noted.	

	Section/Reference	Feedback	Consideration	Changes made to Strategy
		owl will nest outside of the typical March to August season.		Strategy updated accordingly.
26	Appendix E Section 2.0.	Preamble text required along the lines that prior to hedge and shrub works during the period 1/3 – 31/8 the following procedure is adopted. Repeat text with respect to schedule 1 birds including disturbance (unlikely to be present in hedges and shrubs).	Noted. Noted.	Strategy updated accordingly. Strategy updated accordingly.
27	Appendix E Table in section 2.1	Reverse order of table to give a logical escalation from the common place to the exceptional.	Noted.	Strategy updated accordingly.
28	Appendix E	It would be useful for the 1 page user's guide that this policy document would be distilled into to be produced and accompany/illustrate the intended procedure.	Noted.	Strategy updated accordingly.
29	Appendix E Section 2.3.	Include a line with respect to Schedule 1 birds and disturbance (unlikely to be present).	Noted.	Strategy updated accordingly.
30	Appendix E section 4.	Include text with respect to schedule 1 birds. Consider splitting down to make the distinction between street trees and shelter belts/woodland.	Noted. Noted.	Strategy updated accordingly. Strategy updated accordingly.
31	Appendix E section	Honey Buzzard is unlikely to be encountered.	As for Line 23 above.	As for line 23

	Section/Reference	Feedback	Consideration	Changes made to Strategy
	4.2.1	Add Goshawk and Hobby.		above.
32	Appendix E section 4.2.2	Greatly simplify this procedure. Remove 4.2.2 entirely and add to the end of 4.2.1 that if nest or cavities are present which might contain schedule 1 birds are present then works should cease and specialist advice should be sought unless it is an emergency and it would be unsafe to do so. Repeat the legal defence contained in section 4.2.c of the wildlife and Countryside Act.	Noted.	Strategy updated accordingly.
33	Appendix E section 4.3.1.	Reverse order of table to give a logical escalation from the common place to the exceptional.	Noted.	Strategy updated accordingly.
34	Appendix E section 4.2 and 4.3	Reverse the order of these sections. If bird nests are present then consideration of schedule 1 birds needs to be made.	Noted.	Strategy updated accordingly.
35	Appendix E section 6.	Add RSPB enquiries number and website for further information.	Noted.	Strategy updated accordingly.

CABINET	AGENDA ITEM No. 5.2
14 December 2009	PUBLIC REPORT

Cabinet Member responsible:	Councillor P Croft (Cabinet Member for Strategic Planning, Growth and Human Resources)	
Contact Officers:	Shahin Ismail (Head of Delivery)	Tel. 452484
Reporting Officer:	Richard Kay (Planning Policy Manager)	863795

PETERBOROUGH INTEGRATED DEVELOPMENT PROGRAMME

R E C O M M E N D A T I O N S	
FROM : Head of Delivery	Deadline date : 14 December 2009
<p>1. That Cabinet approves the Peterborough Integrated Development Programme (IDP) and agrees to its publication on the City Council's website.</p>	

1. ORIGIN OF REPORT

1.1 This report has been requested by the Cabinet Member for Strategic Planning, Growth and Human Resources.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to enable Cabinet to consider and approve the Peterborough Integrated Development Programme (IDP).

2.2 The recommended IDP is available on the Council's website <http://democracy.peterborough.gov.uk/ecSDDisplay.aspx?NAME=SD247&ID=247&RPID=83143&sch=doc&cat=13030&path=13030> and copies have been placed in each of the Members' Group Rooms.

2.3 This report is for Cabinet to consider under its Terms of Reference No.3.2.4 to promote the Council's corporate and key strategies and Peterborough's Community Strategy and approve strategies and cross-cutting programmes not included within the Council's major policy and budget framework.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO
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4. PETERBOROUGH INTEGRATED DEVELOPMENT PROGRAMME

Introduction

4.1 In short, the IDP:

- Summarises key growth strategies and plans for Peterborough, and shows how they complement one another.

- Sets out what infrastructure and support Peterborough needs for the next 15 years or so, why we need it, who will deliver it, and what it might cost. For a variety of audiences, it shows, and gives confidence to them, that we have a coordinated plan of action on infrastructure provision.
 - Forms the basis for bidding for Council wide funding, whether that be from: Government; Government Agencies; lottery and other grants; charities; private sector investment; and developer contributions (s106 and potentially CIL).
- 4.2 It is worth noting upfront that the IDP does not set new policy, strategy or business plan document; rather it is a programme and management tool which pulls all its information together from already agreed existing (but dispersed) plans, strategies and business plans to enable the effective delivery of those said plans and strategies (e.g. the Sustainable Community Strategy and the Core Strategy).
- 4.3 The IDP is in two parts:
- (i) a main document (around 50-60 pages) - an executive summary of this main document is attached at Appendix 1 to this report.
 - (ii) a schedule of infrastructure items, costs etc (separate excel database)
- 4.4 It is important to note that the IDP schedule of infrastructure items can only be regarded as a 'snapshot' in time. Infrastructure items will be added, deleted or amended regularly, with the intention of this being at least on a quarterly basis. The schedule, therefore, should be regarded as a 'live' database.

Origin of the IDP

- 4.5 The IDP is not a statutory document. Its existence has come about via an EEDA / Regional Cities East initiative, whom for a couple of years have been trialling the IDP process with a select few places in the East of England, Peterborough being one of them. EEDA's aim is for all major growing places in the East to prepare an IDP, so as to assist places in justifying, and set the context for, bids for funding from EEDA and other public sector funders
- 4.6 EEDA has prepared a 'toolkit' to help places prepare an IDP. The toolkit is very much a flexible guide and as such places have gone about preparing their IDP in different ways and to differing levels of detail. The Peterborough draft under consideration today can be regarded as one of, if not the, most comprehensive and detailed IDP prepared to date in the region.
- 4.7 The reason this comprehensive route was taken for Peterborough is fourfold:
- (a) there was a desire to prepare something which was useful and long lasting, rather than a 'glossy brochure' type document (and which would risk having limited real impact or purpose);
 - (b) we want something which was a bidding document for more than just EEDA funds;
 - (c) we want to use the IDP as our required evidence base to justify 'charging' developers a financial contribution for wider infrastructure (via the s106 route, or potential Community Infrastructure Levy (CIL) in the future).
 - (d) we are to use the IDP as our 'infrastructure strategy' in support of the Peterborough Core Strategy, thus meeting the requirements of Government's PPS12 on development plan making whereby we are required to prepare such an infrastructure strategy.
- 4.8 As such, we have prepared an IDP to act as a key, robust document which meets other necessary requirements in addition to EEDA's 'basic' IDP toolkit.

IDP as a financial tool and bidding document

- 4.9 The most crucial aspect of delivering infrastructure is securing funding. The IDP will act as an essential base document for any bids for funding which the city makes; as officers across the City Council will testify, the most successful bidders are those who set out a clear evidence base of funding need, a clear context for the bid, and can demonstrate clear governance and delivery arrangements. The IDP meets these criteria.
- 4.10 It is very difficult to accurately predict what infrastructure is needed (short or long term), what it will cost and who will fund it. The IDP can only be regarded as an attempt in this regard. But it does help to log all our infrastructure needs (from essential needs to more aspiration needs), and helps coordinate the delivery of such infrastructure, which in itself can bring considerable cost saving through efficiency of delivery.

Structure and Content of the IDP

- 4.11 The IDP is fundamentally structured around a 'package' approach to infrastructure. These packages are 'spatial' (e.g. the city centre, urban extensions etc) and 'thematic' (e.g. transport, utilities, education etc). The Executive Summary at Appendix 1 has further details on this, and the other elements which make up the structure and content of the IDP.

5. CONSULTATION

- 5.1 Throughout 2009, the IDP has had extensive consultation internally with officers, and selectively with external bodies (eg PCT). There has not been, nor is there any intention to have, any direct wider public consultation on the document. However, because the IDP will form the evidence base of the Core Strategy and other Council strategies (most notably those relating to developer contributions), then indirectly the IDP will be available for comment and scrutiny by the public when those respective strategies which rely upon it are themselves subject to consultation.
- 5.2 Consultation with the Sustainable Growth Scrutiny Group took place on 16 November. In summary, observations and questions were asked around the following areas:
- There was currently no provision for young people detailed within the IDP. The poor provision for young people was one of the main issues within Peterborough and we needed to build more assets for them.
 - The Eldern Pub in Orton had recently been closed again and the local community were keen to use it as a youth facility. Was the City Council able to do something about this?
 - The Alconbury Airfield had recently been sold. Due to the large number of proposed housing in the City, could any of our allocation be transferred to that development?
 - During the life of the Plan there may be a change of Government and it could be possible that EERA could disappear along with housing targets. What incentive was there to keep the IDP if those two things happened? *(Officers responded to the Group that they were not sure how radical future changes would be. The IDP detailed what we would be looking at in the long term and as it was a live document it could be adapted very quickly.)*
 - The document made reference to the Community Infrastructure Levy which was up to individual Councils to decide whether they wanted to implement it within their area. Had a decision on whether to implement the Levy in Peterborough been made? *(Officers responded by stating that the intention was to take the Planning Obligations Strategy to Cabinet in February 2010 and this document would probably make a brief reference to the CIL. Endorsement from Cabinet would be sought for officers to research the CIL in detail for submission to a future Cabinet meeting towards the end of 2010/early 2011.)*
 - How realistic were the proposals contained within the IDP as the document appeared to contradict what was actually happening on the ground? *(Officers responded to the Group by stating that we needed to be realistic about what we wanted to achieve as it would not be possible to ask for the best of everything as it would not be viable. We needed to ask what as a city we wanted to see from developments such as Great Haddon. Officers had been identifying the gaps of the funding for the growth agenda*

and public funds would not be able to deliver all of the IDP aspirations. The IDP was a starting point and officers would be happy to bring updates to future meetings.)

5.3 The Sustainable Growth Scrutiny Group Recommended to Cabinet that:

- (i) youth provision is seriously looked at within the IDP; and
- (ii) examine what the City Council delivers on the ground is what we aspire to within the IDP.

6. ANTICIPATED OUTCOMES

6.1 It is anticipated that Cabinet will approve the IDP.

7. REASONS FOR RECOMMENDATIONS

7.1 Cabinet is recommended to approve the IDP because it will help coordinate the delivery of our growth aspirations and help secure funding for the associated infrastructure to support that growth.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 There is no statutory requirement to prepare an IDP. However, if the Council were not to do so, the Council would be more at risk of failing to secure sufficient infrastructure funding, and would be at risk of delivering infrastructure in a less coordinated and less efficient manner.

9. IMPLICATIONS

9.1 The IDP does not have direct implications for society. However, if we are to achieve the vision, objectives and target of the SCS and LAA, we will need timely provision of infrastructure. As such, if the IDP is successfully produced, used and updated, the gains (financial, economic, social and environmental) that can be achieved through the IDP could be substantial (through successful bids, improved cross-departmental efficiency, working and coordination, and through encouraging investment by virtue of having a sound and coherent growth 'story'). If Cabinet adopts the IDP, the Council is well ahead of its 'competitor councils' in this regard, and should reap rewards accordingly, because very few local authorities have even attempted to undertake the challenging task of preparing a comprehensive IDP.

9.2 Legal Implications: There is no legal requirement to prepare an IDP. In addition, the IDP does not set out any new Council policy or strategy within the document, and as such there are no legal requirements to adhere to, or are being set, in this regard.

9.3 Financial Implications: There are no immediate financial implications flowing from the approval of the IDP. The detailed financial implications will be assessed as individual development schemes and infrastructure items develop.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

The IDP refers to, and been informed by, a wide range of publicly available documents, including: the Sustainable Communities Strategy, the various documents forming the Local Delivery Framework, and regional documents (such as the East of England Plan and the Regional Economic Strategy). Full details are contained within the IDP document.

Peterborough Integrated Development Programme (IDP) (for Cabinet on 14 December 2009)

EXECUTIVE SUMMARY



Opportunity Peterborough
urban regeneration company



EXECUTIVE SUMMARY

Introduction and Purpose of an IDP

The Peterborough Integrated Development Programme (IDP) provides a single delivery programme for strategic capital-led infrastructure. The purpose of the IDP is to:

- Summarise key strategies and plans for Peterborough, highlight their individual roles and importantly show how they complement one another.
- Set out what infrastructure and support Peterborough needs for the next 15 years or so, why we need it, who will deliver it, and what it might cost. For a variety of audiences, it shows, and gives confidence to them, that we have a coordinated plan of action on infrastructure provision.
- Form the basis for bidding for funding, whether that be from: Government; Government Agencies; lottery and other grants; charities; private sector investment; and developer contributions (s106 and potentially CIL).

In this context, the IDP is the fundamental bedrock to support two emerging policy documents of the City Council: the Core Strategy (CS) and the Planning Obligations Implementation Scheme (POIS).

The IDP identifies key strategy priorities and infrastructure items which will enable the delivery of the city's growth targets. The projects that are proposed are priorities for funding. They are not unstructured 'wish-lists', instead they are well evidenced investment priorities that will contribute to enhancing the area's economic performance, accommodating physical growth and providing a basis for prosperous and sustainable communities.

Document Preparation

The document has been prepared by Peterborough City Council (PCC) and Opportunity Peterborough (OP), with the assistance from EEDA and other local strategic partners within Peterborough.

Key strategies and plans for Peterborough

The IDP summarises key plans, strategies and associated targets within them, including:

- The Sustainable Community Strategy, with its vision of a 'bigger and better Peterborough';
- The Core Strategy, with its emerging targets of around 26,000 new homes and complementary job growth;
- Growth aspirations, such as the proposed Great Haddon urban extension;
- Regeneration aspirations, such as the intensification of the City Centre and the regeneration of our Neighbourhoods; and
- Regional aspirations for Peterborough, as set out in documents such as the East of England Plan and Regional Economic Strategy.

The IDP also makes commentary on the latest social and economic issues which the City faces, such as employment and unemployment rates, job creation, and skill levels.

Issues, Opportunities and Infrastructure Needs

To deliver the targets and aspirations of the key plans and strategies there is a need for significant amounts of infrastructure. The IDP groups these needs into 'packages' of infrastructure requirements, under two broad headings:

- Spatial packages i.e. infrastructure needs to deliver large scale spatial initiatives such as the city centre and urban extensions.
- Thematic packages i.e transport, environmental, utilities, etc, infrastructure needs to complement the growth.

Infrastructure Schedule

To complement the main IDP report is a schedule of named infrastructure items, listed under the aforementioned spatial and thematic packages. This schedule is intended to be 'live' and updated frequently as and when infrastructure is completed, added or deleted.

Total Infrastructure Cost

Whilst only regarded as a 'snap shot' in time, the following illustrates the kind of financial cost of providing the infrastructure to support the growth (with full details and breakdown in the schedule):

Infrastructure theme	Infrastructure Cost (min est)	Infrastructure Cost (max est)
Transport	£500m	£1,000m
Education	£175m	£200m
Environment	£65m	£120m
Utilities / Services	£120m	£200m
Employment	£10m	£20m
Community Infrastructure (including affordable housing)	£380m	£465m
Totals (appx)	£1.250bn	£2.005bn

Governance Arrangements and Funding the Infrastructure

The IDP sets out, in brief terms, how the City intends to manage its infrastructure programme, though it notes this is under review at the moment partly reflecting the outcome of this IDP and other key documents such as the imminent final draft Core Strategy.

The IDP also sets out some preliminary ideas as to how the infrastructure will be funded. This is not a straight forward issue, and will involve contributions from a wide range of public sources (councils, agencies and government departments) and private sources (utility companies; private sector developers). The IDP itself will be an essential tool in bidding for funds and justifying contributions from such public and private partners.

Future IDP Reviews

The IDP is holistic. It is founded on a database for infrastructure provision that reflects delivery by the private sector, the City Council and a range of agencies and utilities. All partners are committed to developing the IDP's breadth further through engagement with a broader range of stakeholders, including those from the private sector.

This document shows a "snap shot" in time and some elements will need to be reviewed in the context of activity on the growth agenda such as the emerging Core Strategy, City Centre Area Action Plan (CCAAP), and the Long Term Transport Strategy (LTTS) plus other strategic and economic strategies and plans that are also identifying key growth requirements. As such, it is intended that this IDP will continue to be refreshed in order to remain fit-for-purpose.

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CABINET	AGENDA ITEM No. 6.1
14 December 2009	PUBLIC REPORT

Contact Officer(s):	Steven Pilsworth, Head of Strategic Finance Shirley Pleszkan, Interim Revenue and Benefit Manager	Tel. 384564 452654
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COUNCIL TAX BASE 2010/11

RECOMMENDATIONS	
FROM : Executive Director Strategic Resources	Deadline date : 15 th January 2010
<ol style="list-style-type: none"> To endorse the calculation of the Council Tax Base for 2010/11 at a level of 55,395 Band D equivalent properties. To note the estimated position of the Collection Fund and authorise the Executive Director Strategic Resources to calculate the final figure on 15th January 2010 and notify the Cambridgeshire Police Authority and the Cambridgeshire & Peterborough Fire & Rescue Authority. 	

1 ORIGIN OF REPORT

This report forms part of the preparation for setting the Council's Budget. It needs to be considered so that figures for the tax base and the Collection Fund can be used in setting Council Tax and notified to the other affected authorities.

2 PURPOSE AND REASON FOR REPORT

This report is before Cabinet to consider under its Terms of Reference No.3.2.7. To be responsible for the Council's overall budget and determine action required to ensure that the overall budget remains within the total cash limit.

3 TIMESCALE.

Is this a Major Policy Item/Statutory Plan?	YES Part of Budget Process	If Yes, date for relevant Cabinet Meeting	14 December 2009
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4 INFORMATION RELATIVE TO DECISIONS REQUIRED

4.1 Council Tax Base Calculation 2010/2011 (Annex A)

- 4.1.1 The Council Tax Base calculation is part of the Budget process. The gross tax base for 2010/11 is estimated at 56,239 Band D equivalents this is reduced by 1.5% to allow for losses on collection to give a net council tax base of 55,395.
- 4.1.2 The net tax base for the current year is (2009/10) 54,835, giving an increase for 2010/11 of 1.02%.

4.1.3 The figure of 55,395 Band D equivalents reflects the best estimate, based on the latest factual position. The regulations provide for the Billing Authority's records to be calculated based on data as at 30th November 2009, together with a forecast of any changes arising after that date until the end of the relevant financial year, in this case, 31st March 2011.

4.2 Collection Fund Surplus

4.2.1 The surplus on the Collection Fund, as at 31st March 2010, is required to be calculated by the 15th January 2010 and the Police and Fire & Rescue Authorities advised so that it forms part of their budget setting.

4.2.2 An estimated surplus of £1,126,213 from Council Tax collection has been calculated. The City Council's share of this surplus is £934,085 and this will be built into the budget for 2010/11. The remainder is shared with the Police and Fire & Rescue Authorities in proportion to their share of the Council Tax.

5 CONSULTATION

No external consultation has been undertaken.

6 ANTICIPATED OUTCOMES

That Cabinet endorses the calculation of the Council Tax Base. Also, that they authorise the Executive Director Strategic Resources to calculate the Tax Base figure on 15th January 2010 and advise this to the Cambridgeshire Police Authority and the Cambridgeshire & Peterborough Fire & Rescue Authority.

7 REASONS FOR RECOMMENDATIONS

The Council Tax Base could be set at a higher or lower level. However, this could have the effect of either inflating unnecessarily the amount of Council Tax to be set or setting the tax at a level insufficient to meet the Council's budget requirements. A similar position could arise if the surplus or deficit were set at a higher or lower level.

8 ALTERNATIVE OPTIONS CONSIDERED

None required at this stage

9 IMPLICATIONS

This report does not have any implications effecting legal, human rights act or human resource issues

10 BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

Local Government Finance Act 1992

Local Government Act 2003

The Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003.

Council Tax Banding List

Parish Council	Number of Properties on Valuation List in Bands								TOTAL	TAXBASE
	A	B	C	D	E	F	G	H		
Ailsworth	9	21	98	40	48	28	7	0	251	234.51
Bainton	13	8	9	28	19	19	34	1	131	146.55
Barnack	72	102	20	90	66	28	31	1	410	362.67
Borough Fen	27	13	6	0	2	4	0	0	52	38.20
Bretton	3,892	626	292	279	186	136	19	0	5,430	3,577.47
Castor	50	107	24	56	46	43	19	16	361	340.74
City (non-parished)	23,257	13,652	9,068	4,329	2,051	610	254	18	53,239	37,086.60
Deeping Gate	0	22	31	48	47	33	12	0	193	201.27
Etton	4	17	8	13	2	8	5	0	57	51.90
Eye	723	387	472	207	100	29	14	0	1,932	1,434.20
Glington	130	146	111	99	102	63	32	1	684	607.44
Helpston	33	90	90	84	79	25	21	0	422	391.08
Marholm	1	20	9	13	13	9	9	1	75	75.52
Maxey	29	46	40	38	49	52	33	0	287	298.71
Newborough	103	139	246	113	39	22	7	0	669	550.91
Northborough	40	178	153	81	70	41	10	1	574	503.63
Orton Longueville	2,336	1,296	519	324	246	102	66	3	4,892	3,439.54
Orton Waterville	1,555	781	621	541	586	234	77	2	4,397	3,495.28
Peakirk	18	22	35	41	22	32	9	0	179	176.89
Southorpe	0	0	6	10	14	12	15	1	58	69.88
St Martins Without	1	3	2	4	0	3	2	2	17	19.54
Sutton	0	0	0	7	7	22	12	2	50	68.95
Thorney	263	390	159	123	55	43	27	0	1,060	822.60
Thornhaugh	3	21	15	9	17	9	12	2	88	97.74
Ufford	17	3	7	7	20	32	17	2	105	123.95
Upton	0	14	0	4	2	3	2	0	25	24.64
Wansford	6	28	25	22	37	55	38	0	211	240.86
Wittering	784	249	65	32	4	2	3	4	1,143	750.99
Wothorpe	2	4	18	21	20	20	40	5	130	162.91
Totals	33,368	18,385	12,149	6,663	3,949	1,719	827	62	77,122	55,395.17

2009/10	32,954	17,456	11,863	6,434	3,900	1,692	825	62	75,186	54,834.65
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CABINET	AGENDA ITEM No. 6.3
14 th DECEMBER 2009	PUBLIC REPORT

Cabinet Member(s) responsible:	<i>Piers Croft, Cabinet Member for Strategic Planning, Growth and Human Resources</i>	
Contact Officer(s):	<i>Shahin Ismail, Head of Delivery</i>	452484

PETERBOROUGH'S NEW GROWTH DELIVERY ARRANGEMENTS

RECOMMENDATIONS	
FROM : <i>Cabinet Member for Strategic Planning, Growth and Human Resources</i>	Deadline date : 14 th December 2009
1. That Cabinet approves the proposed changes to the growth delivery arrangements set out in this paper.	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet following a referral from Cllr Piers Croft, Cabinet Member for Strategic Planning, Growth and Human Resources.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is for approval of proposed changes to growth delivery arrangements.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.4 To promote the Council's corporate and key strategies and Peterborough's Community Strategy and approve strategies and cross-cutting programmes not included within the Council's major policy and budget framework.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	
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4. PROPOSED CHANGES

4.1 Rationale for changes

- 4.1.1 The credit crunch that began in 2007 has virtually eliminated the funding traditionally available for growth developments and it is unlikely these funding mechanisms will ever recover to levels seen before. The economic downturn has also created a heightened pressure for economic development and city marketing activities. A full rationale for the changes proposed can be found in the Annex to this report.

4.2 The Way forward

- 4.2.1 Over the last year, the Council has been working to ensure its growth delivery arrangements positively adapt to these changes. A dialogue with capital market specialists has been initiated, who have advised on the in-house processes and arrangements that will be needed to generate investor confidence in the city, and on the technical approaches for making a case for them to fund key projects. The arrangements discussed below (and in more detail in the annex) will combine capital market infrastructure finance expertise with world-class development skills, enabling the growth agenda to continue to be delivered.

4.2.2 As well as refreshing project delivery arrangements, the changes will also strengthen the commitment to building a strong economic base in the city. These proposals will, through changes to Opportunity Peterborough, enhance the approach to economic growth and development within the city and the wider sub-region, helping to realise the ambition to create conditions for greater levels of entrepreneurship and enterprise.

4.3 Overview of the new arrangements

4.3.1 These proposals result in the continued successful partnership between the Council and Opportunity Peterborough and introduce strengthened capabilities in both organisations.

4.3.2 Opportunity Peterborough will build on its core strength: a more focused economic development role, upskilling the local workforce and marketing and promoting the city to businesses. The council's delivery team will be strengthened in two ways: by building a dedicated growth delivery team and establishing the Peterborough Development Partnership. The diagram below shows the proposed model:



4.3.3 The benefits will be:

- A focus on improving adult skills to access good quality jobs across the city
- A focused economic development role
- Attracting inward investment by promoting the city and marketing it for new businesses
- The ability to present growth projects as investment opportunities to the capital markets
- A planned programme of project delivery underpinned by Planning, Housing and Environmental Strategy
- A strengthened growth project assurance function
- A single point of contact for developers and landowners
- The evolution of a City Prospectus, setting out key messages for investors
- An acceleration of projects delivery

4.4 Opportunity Peterborough

4.4.1 Opportunity Peterborough will enhance its focus on economic development, business engagement and support, and city marketing. It will assess economic conditions and organise appropriate interventions to strengthen the local economy. The types of interventions that may be made could include working with large firms and their supply chains to improve the local supplier base and programmes to assist nascent business clusters in securing investors and customers.

4.4.2 The business engagement and support function will help people start up businesses, handle inward investment enquiries, and provide advice on a range of business management issues, whilst the city marketing function will focus on building the Peterborough brand and using marketing campaigns to encourage investor activity.

4.5 Peterborough City Council's Delivery Function

4.5.1 The function will cover three primary areas: policy and strategy, programme assurance, and relationship management.

4.5.2 The policy and strategy team will bring together planning policy, strategic housing and environmental strategy. The team will ensure that growth projects are properly informed by policy considerations. This team is already in existence, but will be strengthened by the addition of an environment strategy function.

4.5.3 The programme assurance function will provide a project development service and integrate growth projects with the council's project and programme assurance machinery. The team will probe development proposals and make sure they are financially sound, are aligned to the city's strategic objectives, and will ensure joined up working with other capital projects in the city.

4.5.4 The relationship management function will be a single point of contact for dealing with investors and developers, providing consistent advice and messages and being empowered to make decisions or facilitate them to enable progress. Although the city has an attractive product to offer investors, in the past the council and its partners have undersold this because we have not put ourselves into investors' and developers' shoes and set out our stall in such a way as to attract their attention. This new function will address that issue. The Council's land asset base will be managed from within this team.

4.6 Peterborough Delivery Partnership (PDP)

4.6.1 Although part of the Council's Delivery division, the PDP will serve a clearly differentiated function. The PDP will be led by a Head of Peterborough Delivery Partnership who will be accountable to the Chief Executive, and staffed with a very small core team. Its primary function will be to action mandates from the Delivery Function, transforming these into coherent, viable development programmes. To enable this, it will put together relevant investors and other stakeholders, obtaining the right mix of public and private finance to deliver developments successfully. It will oversee the physical delivery of the scheme, ensuring these programmes are tightly and actively managed throughout the construction period.

4.6.2 The PDP will commission expert capability to conduct a direct dialogue with the capital markets and to organise its development requirements in such a way as to make them attractive to long-term investors. Alongside this specialist infrastructure finance capability, world-class development specialists will be commissioned, with the skills and high-profile experience needed to deliver large mixed-use schemes in both private and public sector settings.

4.7 Financial Implications

4.7.1 Opportunity Peterborough are able to adapt to the new arrangements within their existing budgets, whilst releasing funding that is necessary for the enhanced capabilities of the Council's growth function and the Peterborough Delivery Partnership. This funding, coupled with other changes internally, and existing sources of growth funding means that the new arrangements should be able to be contained from within the budget allocations contained within the MTFP elsewhere on the agenda. The ongoing funding arrangements will be reliant on individual business cases for scheme specific projects.

4.8 Human Resources Implications

4.8.1 Currently, detailed organisational structures are being developed in accordance with the Council's HR process that will show the posts required by the new structures, both within the Council and Opportunity Peterborough. The structure is broadly defined subject to appropriate consultation with those affected.

4.8.2 Once these have been finalised, it will be clear how specific individual staff are impacted, but at this point it is likely that:

- there will be some secondments from Opportunity Peterborough to the Council
- that some existing Council staff will transfer between departments
- that there will be some redundancies

4.8.3 The Head of HR is advising on the development of these proposals, and Employment Committee will be consulted as appropriate on these changes once structures have been finalised and all implications are understood.

4.9 Legal Implications

- 4.9.1 The external capability to be commissioned into the PDP is envisaged to work as a managed service provided to the council by an individual supplier or a supplier consortium. This service will be procured in the usual way through a process led by the Executive Director of Strategic Resources will be through an approved procurement route.

5. CONSULTATION

- 5.1 The proposals above have been developed with Opportunity Peterborough, and have the support of the Opportunity Peterborough Board. The Homes and Communities Agency (HCA) and East of England Development Agency (EEDA), as the two funding partners of Opportunity Peterborough, support the proposals. Normal consultation with staff will formally commence following Cabinet's approval.

6 ANTICIPATED OUTCOMES

- 6.1 The changes outlined above will help minimise duplication and overlap between different parties in driving growth for Peterborough forward, improve alignment and allow the city the access to new skills and capabilities that are necessary to attract major investment in the current climate. In particular, it will help
- strengthen the city's economic development function within Opportunity Peterborough create focus on prioritising and developing key projects into high-feasibility, deliverable schemes
 - better manage relationships between key stakeholders in a more integrated way, with a new single point of contact approach
 - assure the delivery of these schemes through the new Peterborough Delivery Partnership

7 REASONS FOR RECOMMENDATIONS

- 7.1 The reasons for the recommendations are explained in detail in Section 4, but in summary:
- It is likely to be several years before traditional financing opportunities are available again, and these are unlikely to ever be to the same value as before to the downturn. For Peterborough's growth agenda to meet its ambitious targets, it must move forward with innovative finance models.
 - A specialist capability is needed to access the financial markets in a different way.
 - There is a greater need for focused economic development activity in the current climate, a function that Opportunity Peterborough is well placed to drive.

8 ALTERNATIVE OPTIONS CONSIDERED

- 8.1 A total in-house option was considered, but the expertise needed does not exist within the Council nor could a local authority reasonably be able to recruit such expertise in the future.
- 8.2 A fully externalised growth delivery service was rejected due to prohibitive cost and to ensure control of growth schemes was retained by the Council.
- 8.3 The options of continuing 'as is' was rejected as it would significantly constrain the medium term growth possible for the city compared to the recommended option.

9 BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

List here documents and any other information used to write this report. DO NOT include exempt items OR any previously published documents. Be specific. Anything you list here must be available for public inspection for several years after the decision date.

ANNEX 1: THE CASE FOR REFRESHING GROWTH ARRANGEMENTS

Background

Opportunity Peterborough (OP) was founded by Peterborough City Council (PCC), English Partnerships (now Homes and Communities Agency HCA) and East of England Development Agency (EEDA) as an Urban Regeneration Company in 2005, to enable and facilitate sustainable growth, following successful lobbying in 2004 to add Peterborough to the London-Stansted-Cambridge growth area.

Over the past four years, working in partnership with its founding members, OP has:

- Commissioned and overseen the preparation of the Integrated Development Study (IGS) which underpins the city's emerging Local Development Framework (LDF)
- Commissioned and overseen the preparation of a Consultants Recommended Option for the City Centre Area Action Plan, again a key document in the city's LDF
- Led the preparation of an Integrated Development Programme (one of 4 such pilots across the Region) setting out the infrastructure requirements that flow from the IGS and underpinning the LDF and emerging s.106 Strategy
- Championed the designation of southern South Bank as the largest Carbon Challenge project in the UK by central government
- Coordinated the delivery of the Eco-Innovation Centre in Peters Court to incubate small green businesses
- Led the preparation of a city centre Public Realm Strategy and first phase implementation in Cathedral Square/St Johns Square
- Led the preparation, launch and ongoing promotion of a new city brand to change perceptions of the city, support growth and attract inward investment
- Commenced essential preparatory work on a number of key development schemes
- Supported and assisted a range of projects including early stage work on a University offer for the city
- Collaborated with the council in developing the ideas in this paper about a fresh approach to delivering growth in Peterborough

These are significant achievements for the city and have laid the foundations for taking forward the delivery of the planned growth in Peterborough in accordance with the founding partners' aspirations.

Current Position

The traditional approach has been to prepare projects for delivery and bring them to the market for private sector developers to invest. However, across the country (and to some extent globally) regeneration programmes have slowed down, paused or in some cases been abandoned as the financial foundations underpinning them eroded through the credit crunch period. The Financial Times reported in July that \$150bn of funds was available for investment globally in regeneration schemes, but that the projects to invest in were simply unavailable on viable terms.

In Peterborough since the credit crunch began during 2007 the market's appetite for development has all but disappeared. The only significant residential development that has taken place in the last year or so has been of affordable housing; the North Westgate scheme retail scheme has stalled; and other opportunities now present significant financial viability challenges.

The most pressing reason to introduce a fresh delivery vehicle is simply that of "horses for courses". During a bull property market, and when investors and developers are confident, an

Urban Regeneration Company (URC) acting on a Council's behalf can co-ordinate and optimise the development efforts of private and public sector organisations and secure better outcomes for a city as a consequence of this activity. During a bear market - and we are experiencing the most severe bear market for several generations - there is so little activity taking place that this co-ordination role is less significant and a different approach is required.

The Way Forward

The council took steps to address the implications of the credit crunch and its consequential recession promptly, and has been working for more than a year to bring the fresh capabilities described in this paper to fruition. A dialogue was initiated with capital markets specialists who have been advising on the in-house processes and arrangements that will be needed to generate investor confidence in the city, and on the technical approaches required to make out a case for projects to be funded. The new delivery arrangements will combine capital markets infrastructure finance expertise with world-class development skills.

In essence, the case for remodelling delivery arrangements comes down to two facts:

- The sources of finance that have fuelled regeneration programmes for the last few decades have disappeared and will not return for some time; most commentators doubt that financial markets and the macro-economic behaviours that underpin them will ever return to the state they were in during 2006, shortly before the credit crunch
- Other sources of finance are available, but these have traditionally only been accessed by organisations with the capability to address the owners of these funds on their own terms using their own language.

Peterborough's new delivery arrangement therefore requires these core capabilities:

- The ability credibly to engage in deal-focused discussions with large private financial institutions looking to place funds in long-term infrastructure investments
- The ability actively to manage a project's financing throughout the course of a regeneration scheme, optimising risk across the parties so as to minimise the costs of capital while assuring investors' returns are achieved
- Control over, and active management of, the projects themselves - shared with stakeholders, but ring-fenced and tightly focused within (at the correct time) a special purpose vehicle (SPV): land, floorspace, usage, masterplanning, design, procurement of construction, delivery of build

Peterborough City Council's Cabinet decided on 15 December 2008 to support the establishment of a new delivery vehicle for the reasons set out here, and that decision was mirrored by Opportunity Peterborough's Board on 22 January 2009. Both parties participated in recent discussions with the Local Government Association's (LGA) Finance Director, who agreed that the approach was lawful and that elements of our thinking were being implemented in other parts of the country; and Treasury officials have backed this, stating that they only need to be consulted if we intend to utilise the devices such as the Private Finance Initiative (PFI) that they promote and supervise.

Looking more widely at the policy and strategy issues involved, Peterborough City Council spoke recently at the annual conference of 4Ps (now renamed as Local Partnerships), the government's agency for promoting and progressing public-private partnerships (PPPs), in particular through PFI. We made the case for the local government community to look beyond the packaged schemes such as PFI organised by government, and pointed out the frequent failures of government-backed schemes such as Government Homebuy and the more recent mortgage rescue scheme. Noting that bank credit remained severely limited in availability, we argued that the appropriate response for local government was to return to techniques it had used in the (distant) past and engage

directly with the capital markets, packaging our regeneration schemes as technically-presented investment opportunities to long-term private institutional investors. Our arguments were in part echoed in subsequent comments by the 4Ps chairman and by the head of the Treasury's PPPs function, with whom we have subsequently commenced wider discussions about the approach.

Finally, project delivery is not the only part of the overall growth portfolio being refreshed. The changes proposed also strengthen the city's commitment to building a capable economic development function which would deliver a focussed and coordinated approach to economic growth and development within the city and the wider sub region centred around an economic intelligence hub to facilitate informed decisions about economic policy and interventions. In this way the city could realise its ambition to create the conditions for greater levels of entrepreneurship and enterprise, backed by a strong and coordinated business support framework leading to the growth of new and existing businesses in key sectors which support and drive the overall growth of the city economy. Central to this is tackling the skills agenda in Peterborough to ensure the city has an appropriately skilled workforce that meets the need of existing and new business in the city. Use of the new city brand is also key to changing perceptions about Peterborough and placing it in the market as an attractive location for businesses and investment. This meets the enhanced expectations of the UK government as expressed in its sub-national review of economic development and regeneration, and also helps future-proof our arrangements against the uncertainty presented by an upcoming general election.

Summary of the proposed new arrangements and their benefits

There will be three capabilities working on the economic development and growth agenda: Opportunity Peterborough, Peterborough City Council's delivery function and a new capability inside the Council known as the Peterborough Delivery Partnership (PDP).

Opportunity Peterborough will adopt a more focused economic development role, described below; the council's delivery team will be strengthened; and the PDP will host the project delivery and financial architecture capability needed to enable projects to be brought forward in the difficult market conditions that now apply.

The benefits will be:

- More control for Peterborough City Council and its partners through the strengthened growth client and project assurance function
- A focused economic development capability to address key shortcomings in the local economy and its various markets
- The right capability to take Peterborough's growth requirements and translate them into investment opportunities using tried and tested financial techniques that will enable long-term investment opportunities to be presented to the capital markets
- An acceleration of projects delivery



Details of each of the new components

Opportunity Peterborough

Functions and capabilities:

The new Opportunity Peterborough will focus on three activities:

- a) Economic development
- b) Business engagement and support
- c) City marketing



- a) *Economic development* is a critical capability required in the city, and even more so than normal in the current economic climate. Opportunity Peterborough would retain a function that would collate evidence about economic risks, strengths, opportunities and threats and organise interventions in the local economy that sought to strengthen its diversity and resilience. The team would work with the council's bidding unit to raise the cash needed to support these interventions. Examples of the sort of interventions that economic development functions often deploy are labour market interventions focused on upgrading a pool of skills; work with large firms and their supply chains to address shortcomings in the local supplier base; and programmes to assist nascent business clusters in securing investors and customers to accelerate them along a growth curve.
- b) *Business engagement and support* is a part of the one-stop shop for businesses still envisaged for Stuart House, with the co-location of Opportunity Peterborough with the council's planning and highways services. This function helps people start up businesses, handles inward investment enquiries, helps firms find the right location, matches suppliers with customers, provides advice on a range of business management issues, and will link with the new Relationship Management Office (RMO) inside the council's delivery function to ensure that investors and businesses are dealt with coherently and professionally.
- c) The *city marketing* function will build on the work that Opportunity Peterborough has led to build the fresh brand for Peterborough, launched at last year's *Ambassadors' Dinner* event. Peterborough still has work to do to if its broad reputation is to match the quality and character of the city itself, and developing the marketing campaigns that flow from the new brand, and embedding these in the specific business development programmes of our sectors, businesses and clusters is critical to upgrading people's perceptions of what Peterborough has to offer. Effective city marketing drives investor appetite and will contribute to a buoyant and more resilient economy.

Funding

Subject to support for these proposals from the other funding bodies (the Homes and Communities Agency [HCA] and the East of England Development Agency [EEDA]) Opportunity Peterborough

can adapt to this new configuration within existing budgets, and release funding for the enhanced capabilities within the council and the new delivery partnership.

Governance

Opportunity Peterborough will continue to be managed by a Board containing representatives of the three funding bodies and independent business people.

Peterborough City Council's Delivery team

The council, which owns most of the relevant accountabilities and possesses the bulk of the skillsets and resources, should upgrade its own regeneration capability so as to optimise the regeneration outputs achieved from its core activities in these domains:

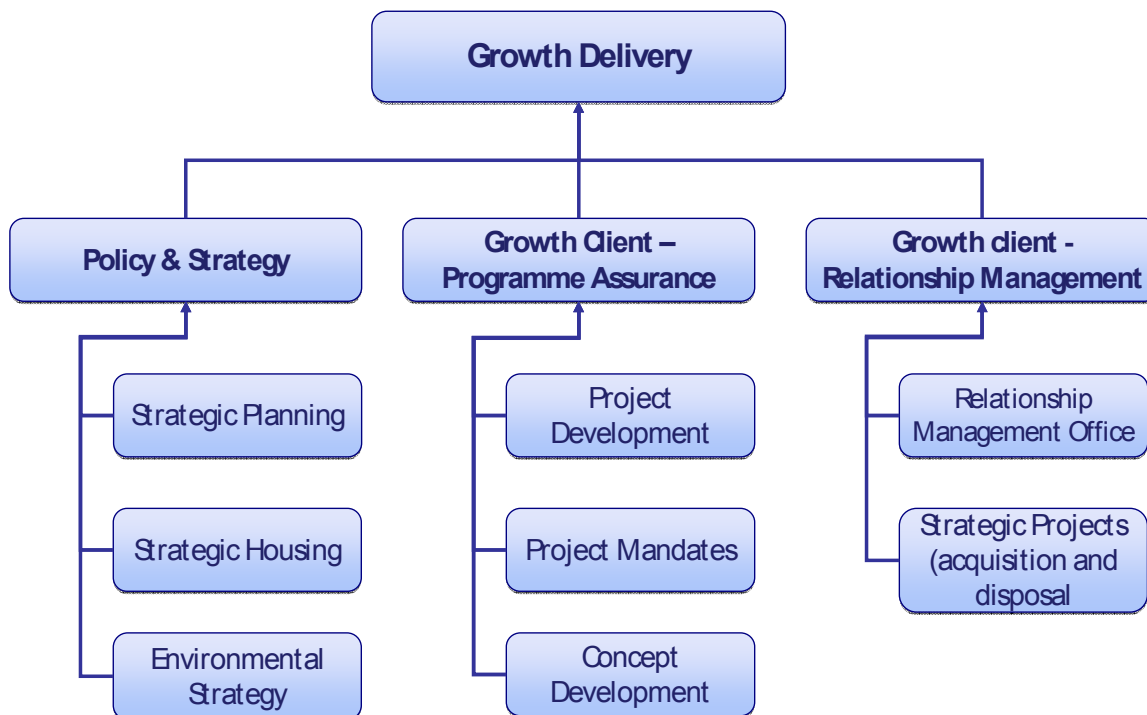
- Strategic planning and planning policy
- Civic leadership
- Community engagement and the disciplines of democracy
- Neighbourhood management
- Ownership of key relationships with major investors
- Account management of investors and key local businesses
- Ability through leadership to bring together and corral the efforts of other stakeholders
- Asset acquisition and disposal
- Focusing of spend through business as usual, grants and project funding to achieve regeneration outcomes
- Strategic highways and transport infrastructure planning and asset management
- Infrastructure funding through Section 106 and other development tariffs
- The development control function
- Accountability for the effectiveness of the Local Strategic Partnership (LSP – the Greater Peterborough Partnership)
- Regional, national and European engagement in economic management and policy matters

There has been significant progress on upgrading core capabilities in these regards (project governance has improved significantly and an incentivised bidding unit has been established) and it will be relatively straightforward to build a small, focused regeneration function to take on the roles of investor management and scheme incubation by pooling and dedicating the time spent by key individuals in the various functions described above.

Functions and capabilities

The council's new Delivery team will contain these functions:

- a) Policy and strategy
- b) Growth client - programme assurance
- c) Growth client – relationship and asset management



- a) *Policy and strategy* contains the existing planning policy and housing strategy functions and a new environmental strategy function, which will build on the Environment Capital work hosted by Opportunity Peterborough for the last year or so, tightly integrating the green agenda into the city's growth plans. The council's planning policy team is adopting a more assertive stance, and will work vigorously to shape the planning policies underpinning the land allocations relevant to the PDP's delivery of schemes by providing accurate, evidence-based, innovative and coherent planning frameworks for the city's growth.
- b) The *growth client - programme assurance* team will provide a project development service and integrate growth projects with the council's project and programme assurance machinery. It will run the Project Governance Group, jointly chaired by the Heads of Strategic Finance and Delivery, which combines the council's project "gateway" process with oversight of the capital programme. Setting jargon aside for a moment, this team will probe development proposals and make sure they are financially sound; that they are aligned to the city's strategic objectives; and that they don't duplicate others' work.

The team will also host project managers working on delivering developments in the city. Most developers working on large schemes are more than willing to fund the presence inside the council of a project manager reporting into a senior member of this team because it provides them with huge peace of mind about their ability to resolve problems speedily. The basic model is that in return for an affordable but adequate fee the Council agrees to establish and provide someone senior to chair a project board involving council staff from the various disciplines; provide a desk and council email address; and provide access to a senior manager who can problem-solve if issues get stuck. Hosting project managers in this way is a win-win-win for developers, the council and our communities: it accelerates the delivery of approved developments; is hugely beneficial reputationally; and provides priceless visibility across a range of schemes, enabling us to align and cross-fertilise activity, at no cost to the council.

An example of this way of working is running at the present time inside the council, through which King Sturge, acting on behalf of Peterborough District Hospital, has placed project managers inside the council to progress its work with the council's planning policy, development control, highways and other teams. The Deputy Chief Executive chairs a project Board which brings together senior officers from all relevant teams. The arrangement has provided a far better mechanism for the swift resolution of issues and problems than the orthodox approach it replaces. To date, no developer who has been offered this approach has declined to take the offer up.

- c) The *Growth client – relationship and strategic projects* team has two parts. The strategic projects component will be “cut and paste” from its current location in Strategic Resources. Effectively, this move is the council’s way of putting its asset base into play in order to obtain financial leverage through the development partnerships to be brought into being by the PDP, although this will need to be balanced against the need for obtaining benefits from capital receipts. Instead of treating our investment and operational assets as being financially ring-fenced inside the council’s balance sheet, Peterborough City Council will be deploying those assets alongside cash and other resources brought to bear by partners in the construction of development schemes to deliver growth.

The Relationship Management Office (RMO) is a new function.

Although the city has an attractive product to offer investors, in the past the council and its partners have undersold this because we have not put ourselves into investors’ and developers’ shoes and set out our stall in such a way as to attract their attention. The work on city marketing that led to the city’s new brand which was unveiled this year and which will now be progressed by the new Opportunity Peterborough offers a platform to address this.

We need to do more than work on branding and engagement with branding, however, and change three characteristics of the way the city engages with potentially incoming businesses:

- a) Ensure that whichever part of the city’s public administration happens to be approached, a smooth client relationship management processes clicks into action depending on the size of the enquirer and the nature of their enquiry, with common information being shared – and used – across the network of contacts that incoming businesses have to deal with.
- b) Through leadership, training and shared reflection using client feedback, assure consistent, coherent and practically highly competent responses across this network of interfaces, so that enquiring about developing in or relocating to Peterborough becomes a smooth process through which business confidence is increased.
- c) Through the systematic sharing of information achieve leverage from the capabilities and balance-sheets of the firms who make enquiries – in other words, put different pieces of the jigsaw puzzle together; link businesses together who have common needs or the skills and resources to help each other; aggregate a series of separate enquiries into a coherent pattern and present a solution that will help businesses invest effectively.

The Product

The city has an attractive product to sell:

- Commitment to growth over the medium and long term through the creation of 20,000 new jobs in the city with all the attendant expansion in housing, education, health, retail and leisure that entails.
- Commitment to coordinate, focus and enable that growth through the use of a new delivery vehicle which draws on the expertise of structured finance specialists, development management specialists and the council’s own planning and delivery teams.
- A well defined list of priority growth projects.

This provides, even in a recession, an array of attractive investment opportunities for both the private and public sector.

The Clients

Peterborough's growth projects will largely be funded and delivered by a very wide range of external stakeholders and the vast majority will be private sector. In the context of the product described above these stakeholders should be thought of, and treated as, clients.

Their buy-in to the details of Peterborough's growth agenda and its delivery process is essential if development is to come forward in the best way for the city. To achieve that buy-in, the council must persuade them that its way of working will deliver better value to them than proceeding in isolation.

Client Relationship Management – how it looks

There are many successful client relationship models in both the public and private sectors and they all share several key principles:

- One point of contact - a team or, preferably, an individual with clear responsibility for the successful management of the client.
- Empowerment – the main client contact should preferably be a key decision maker and, in areas where they are not, be empowered to facilitate those decisions and delegate tasks.
- Continuity and consistency – it should be possible for anyone to gain a full history of a client relationship and pick up the reins at short notice. A simple, accessible client relationship database is essential to achieve this.

Funding

This structure will be funded from budgets already in place for existing staff within the council and some secondments from Opportunity Peterborough that will come with their existing budgets.

Governance

The Head of Delivery will report in to the Chief Executive, and all the council's democratic and process controls, including Scrutiny, will apply to executive decision-making, as set out in the constitution. The position is in fact part of the council's oversight apparatus, providing the support for corporate project and programme assurance across all council activities, not just growth.

Peterborough Delivery Partnership

Functions and capabilities

The Council has built a unique capability over the last year as its thinking evolved into the proposals set out in this paper. No other authority to our knowledge has equipped itself with the ability to conduct a direct dialogue with the capital markets and to organise its development requirements in such a way as to make them attractive to long-term investors, without the structured finance contortions that have fallen into disrepute elsewhere. Alongside this specialist infrastructure finance capability we will engage world-class development specialists with significant, high-profile experience in delivering large mixed-use schemes in both private and public sector settings. These capabilities will be combined in the PDP with very experienced local government staff, including a senior corporate council officer to ensure that the council's interests are protected at all times.

The new delivery partnership (PDP) will be mandated by the council to deliver schemes that have been validated and approved by its growth delivery project development function. It will

- Receive mandates from Peterborough City Council and its partners to deliver specific, geographically-bounded, regeneration and growth schemes
- Transform these mandates into coherent, practicable, financially viable, fundable and deliverable development programmes

- Assemble syndicates of investors and stakeholders and designing and giving birth to special-purpose vehicles to deliver each development programme
- Secure the appropriate mix of public and private finance for each SPV
- Proactively manage the allocation and financing of project risk across the life of a development programme so as to optimise the cost of capital
- Oversee each SPV's programme delivery
- Oversee the decommissioning of SPVs at development programme conclusion

The mandates given to the delivery vehicle should meet certain thresholds and criteria concerning maturity and deliverability, so that the vehicle does not receive mandates to finance and deliver schemes that are largely conceptual. Criteria for a delivery vehicle mandate has been prepared by council officers, as have process flows demonstrating how mandates will emerge through careful consideration through the council's programme and projects gateway process.

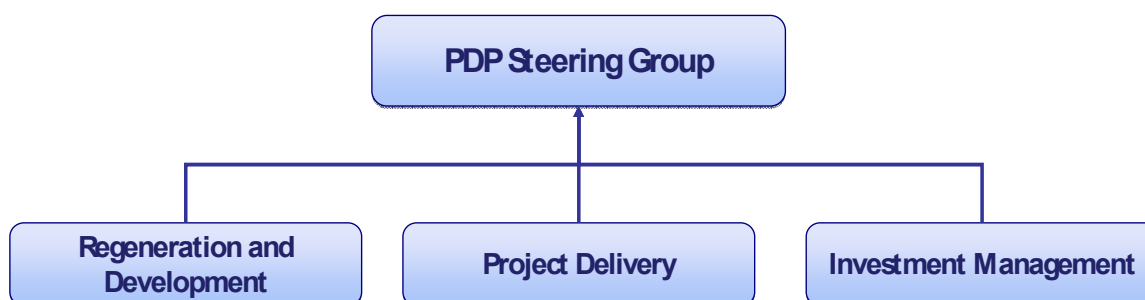
The delivery vehicle should from its inception utilise the council's web-based programme and project management software so that the highest standards of documentation, decision-making, audit and real-time reporting visibility are built in to its core ways of working.

The easiest way to explain what this means in practice is to use a worked example: the South Bank. The council's growth function, including specialist staff seconded from teams such as planning policy, development control and highways, will work with PDP specialists to agree the scope, content, objectives and broad financial architecture for a comprehensive and coherent development of the South Bank, building on the framework already put in place. This vision for the scheme will be signed off by elected Members through the usual constitutional processes and will be subject to full democratic oversight, including debate at the appropriate Neighbourhood Councils. The PDP's team will be mandated to refine this scheme through dialogue with the marketplace. Once the refined, deliverable, scheme is signed off by the council, the council will run a procurement process to establish a special purpose vehicle (SPV) to deliver the scheme. In other cases, we may find that Opportunity Peterborough's economic development work identifies a gap in provision or facilities locally. For example, it might become evident that there is insufficient flexible managed workspace for start-up businesses, perhaps in a specific sector. Opportunity Peterborough's articulation of this need would flow into PCC's project development processes, where the case for taking action to address the need would be tested. If the idea survived the gateways tests run within PCC and a funded project emerged at the end of the challenge process, the council would mandate the PDP to integrate the delivery of an appropriate facility into its development plans.

Each SPV will have its own bespoke financial architecture, governance and management arrangements, just as the council's existing and planned SPVs do – for example, the partnership with the local NHS; Cross Keys Homes; and the Leisure and Culture Trust – and will be required by law to evidence full procurement and operational regulatory compliance. Because of the capital markets expertise that will have been deployed to create the financial architecture that underpins the plans, one or more investment funds will be prepared to submit proposals to the SPV for its financing. Because the financial markets value scale, there is every opportunity for such funds to perform as regional infrastructure funds, as long as the projects that are brought to them for consideration are framed appropriately technically.

Although this process – which is simple in concept – can be described in a few sentences, because of the scale of infrastructure and other investment required, and the specific challenges posed by market conditions combined with Peterborough's economic, social and demographic dynamics, each scheme will take considerable amounts of time to bring to financial close and the commencement of construction.

The PDP will be led by a new post, Head of Peterborough Delivery Partnership who will be accountable to the Chief Executive, and staffed with a very small core team, shown below. Its staffing resource will be flexible according to the project funding being expended at the time.



Funding

These proposals depend on the continued support of our public sector funding partners, the HCA and EEDA, to have the best chance of success. Our expectation is that we will be given the chance to prove that these new arrangements can accelerate the delivery of the city’s growth agenda, and that when satisfactory progress is demonstrated during 2010/11, government funding through its specialist agencies will be maintained – and probably augmented.

Our strategy for financing the new delivery vehicle is as follows:

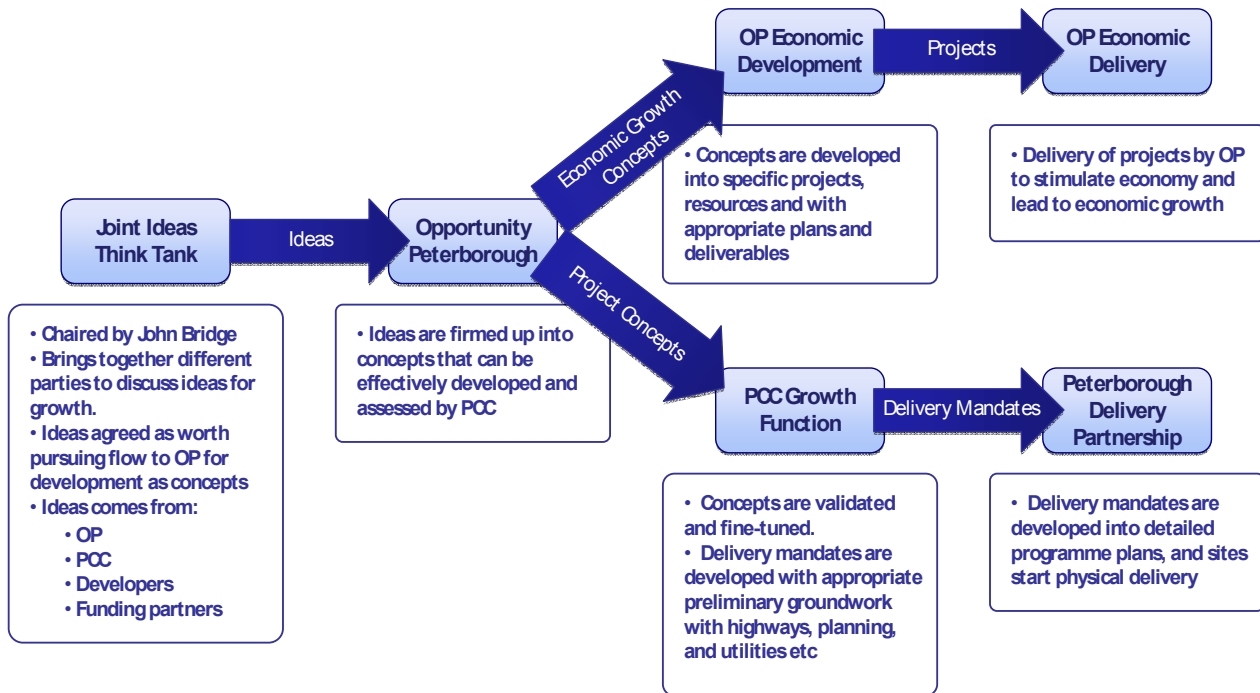
Source	Commentary
Growth Area Funding (GAF)	Allocated against specific physical assets to be acquired and/or constructed by the projects, GAF can provide some of the early stage project finance needed for the South Bank and City West/North Westgate programmes
Public sector assets	Peterborough City Council, HCA and EEDA land assets should be utilised by the new vehicle, on project-specific bases, in order to facilitate progress on the initial developments to be pursued.
Existing growth spend	Some of the funds currently being used on these projects within Peterborough City Council and Opportunity Peterborough can be diverted into the new delivery vehicle
Ring-fencing and aggregation of council growth revenues	Peterborough City Council’s Executive Director of Resources is modelling and preparing to implement the aggregation into a coherent budget a number of revenue streams, including the hypothecation to growth infrastructure of growth in the council tax base (a simple to implement, albeit limited, version of Tax Increment Funding). Additional capitalisation of fees work against properly managed projects may also be possible.
Additional revenue funds	The increased focus on delivery will enable the new delivery vehicle to attract additional output-dependent funding from public agencies such as the Homes & Communities Agency (HCA)
Private investors	By the end of year three we intend that the quality of the project delivery work will enable the new delivery vehicle successfully to attract private funding as a consequence of its ability to deliver investment opportunities to the capital markets. If necessary, this arrangement could be accelerated.

Governance

The council’s new growth client, described above, will mandate the PDP and hold it to account through delivery contracts whose content is embodied in executive decisions subject to democratic oversight. In addition to this, a small and senior steering group, including Cabinet representation, funding partner representation and an independent business presence, will be formed to meet quarterly and assure itself of appropriate progress against deliverables and milestones. This steering group will publish minutes of its non-commercially confidential discussions.

From idea to delivery

Part of the revised arrangements includes a new 'think tank' to bring key stakeholders together to share ideas for growing the city. Led by the chair of the OP Board, it will output ideas for which there is agreement amongst partners warrant more thorough examination. Ultimately, ideas from the think tank can drive economic growth through projects in Opportunity Peterborough, or be physical developments taken to completion by the Peterborough Delivery Partnership.



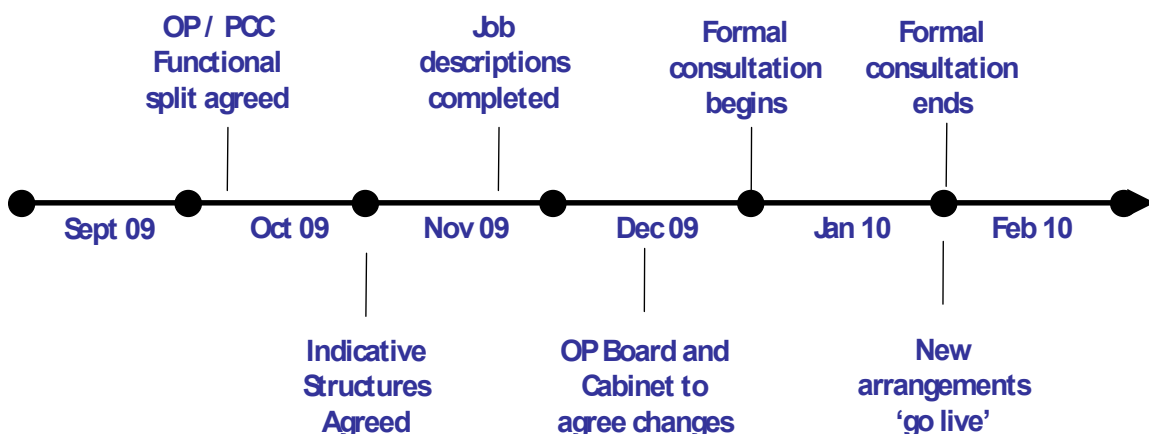
Procurement

The PDP is envisaged to work as a managed service provided to the council by an individual supplier or a supplier consortium. This service will be procured in the usual way through a process led by the Executive Director of Strategic Resources, with decision-making managed in accordance with the constitution, exactly as has taken place recently for the ICT service. The delivery process will be controlled by the council's growth client and further assured by the presence inside the PDP of a senior council officer.

Stakeholder engagement

Stakeholder support is essential for these changes to succeed – not only the funding partners, but also our local business community. A communications plan has been drawn up and is being implemented as this report is presented to Cabinet, aimed at explaining the refresh set out here and setting out a broad timeline for the activity that will follow.

4.8 Timescales



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CABINET	AGENDA ITEM No. 6.4
14 th DECEMBER 2009	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr David Seaton, Cabinet Member for Resources.	
Contact Officer(s):	Ben Ticehurst, Deputy Chief Executive	452303

REFRESHING THE LOCAL STRATEGIC PLAN

R E C O M M E N D A T I O N S	
FROM : Cabinet Member for Resources	Deadline date : 14 th December 2009
Cabinet is asked to:	
1	Endorse the strategy of collaborating with other public services in Peterborough to reduce costs through the three workstreams set out in 4.3.3 below.
2	Delegate to the Chief Executive in consultation with the Executive Director of Strategic Resources, the Leader and the Cabinet Member for Resources the authority to implement a collaborative procurement exercise with other public services to procure the capability required effectively to implement the three workstreams

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet following a referral from Cllr David Seaton, Cabinet Member for Resources.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is for Cabinet to endorse and approve the recommendations above.

This report is for Cabinet to consider under its Terms of Reference No. 3.2.1 To take collective responsibility for the delivery of all strategic Executive functions within the Council's Major Policy and Budget Framework and lead the Council's overall improvement programmes to deliver excellent services.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	
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4. PROPOSED CHANGES

4.1 Context

- 4.1.1 Public sector budgets face significant reductions from 2011 onwards. For the council, this might involve a five percent or even a ten percent reduction in grant. If the various public services in Peterborough combine our overheads by sharing front- and back-office activities and by working together better to manage our supply networks we can at least partially adapt to this reduction in income by removing unnecessary costs.

- 4.1.2 There are other areas of unnecessary cost arising out of the ways public services are presently organised, which can be summarised by the observation that a range of agencies have been established separately to focus on discrete problem sets. If, instead, public services worked as though we belonged to a single entity and acted on the information we

possess about the cost, timeliness and effectiveness of various interventions, we could achieve better outcomes at a significantly reduced cost. Such a change would also make the experience of dealing with public services much more straightforward for our customers.

4.2 Efficiency achievements

- 4.2.1 Peterborough City Council has delivered £24m in cash savings through Business Transformation since autumn 2006. During the last year or so an effective programme has also been launched within NHS Peterborough. Naturally, during this period much of what could be considered to be “low hanging fruit” has been harvested.
- 4.2.2 The council’s effectiveness in this area has been recognised with a series of awards, the most significant of which, the Local Government Chronicle Efficiency Award, has just been won.

4.3 “Total Place”

- 4.3.1 The government is sponsoring a number of projects under the “Total Place” banner. The idea is that the total amount of taxpayer-funded activity in an area is counted and the services that spend the money then find ways to collaborate so as to achieve the same or better outcomes at a lower input cost.
- 4.3.2 Peterborough City Council declined to be a “Total Place” pilot, having seen the onerous supervisory regime attached. Instead, just as we did in 2006 by getting going with business transformation before most councils, we have commenced discussions with the other local public services about taking action to collaborate in order to reduce costs.
- 4.3.3 We envisage three broad programmes:
1. A public services alliance – shared business units
 2. Demand transformation – switch to prevention instead of cure
 3. Better supplier and contract management

4.4 What needs to be done

- 4.4.1 The background paper *Green Shoots: better public services* rehearses the arguments more fully, but in essence, we need to take the following steps:
1. Reach agreement with our public sector partners on the need for change and on the sorts of changes required
 2. With them, define the (technical and financial) capability required to bring about this change
 3. Procure that capability
 4. In the meantime, take costs out wherever possible by aggregating activity and reducing overheads

5. CONSULTATION

- 5.1 The proposals have been discussed extensively with senior officers within the Council, and early engagement has taken place with key partners within Peterborough.

6 ANTICIPATED OUTCOMES

- 6.1 The creation of a public service alliance will enable public sector bodies in Peterborough to reduce costs and improve efficiency through shared back office business units that eliminate existing duplication wherever possible.
- 6.2 An increasing focus on prevention instead of cure will not only reduce costs in the medium to long term across public organisations, but will also raise service standards as people receive interventions and responses earlier and more specifically targeted to their needs.

7 REASONS FOR RECOMMENDATIONS

7.1 The reasons for the recommendations are outlined in section 4 above, and in more detail within Annex 1. In outline, however, the main reasons are below:

- Core funding is likely to be reduced across public sector bodies, with obvious potential impact on services if nothing is done
- The opportunities presented by exploiting efficiencies and economies of scale *across* public sector bodies in Peterborough has the potential to generate substantially greater cost savings than by examining each in isolation
- The skills, capabilities and investment necessary to realise such savings and improvements across public bodies will be impractical to achieve without a strong, highly capable private sector partner

8 ALTERNATIVE OPTIONS CONSIDERED

8.1 The options of continuing 'as is' with a largely internal Council transformation programme was considered, but leaves the Council with a situation of increasingly diminishing returns; in short, the success of the business transformation initiative in improving efficiency means the opportunities for improvement that remain are generally fewer and smaller in scale. They are therefore unlikely to realise the efficiencies necessary to offset potential funding reductions and overhead increases.

9 IMPLICATIONS

9.1 The implementation of the work programme outlined in the report is crucial to the delivery of savings that will be needed to deal with the financial challenges in the medium term financial plan from 2011/12. A capacity bid is included within the 2010/11 draft budget to support this work.

9.2 The Council will implement a collaborative procurement exercise with other public services to procure the capability required effectively to implement the three workstreams mentioned in 4.3.3 above.

10 BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

Annex 1: Refreshing the LSP: a focus on delivery and improvement

Peterborough's local strategic partnership (LSP), the Greater Peterborough Partnership (GPP), has provided very effective mechanisms for bringing local organisations together to improve outcomes for the city's communities, and has successfully brought about the adoption of a single set of strategic objectives for the city's public services, key businesses and third sector organisations.

It recognises the need now to build on these achievements by further strengthening its improvement capability and introducing more effective delivery interventions to address some of the issues on which Peterborough continues to lag behind its peers.

The GPP executive committee is receiving a report and presentation roughly simultaneously with this paper coming to the council's Cabinet which proposes a refresh of its operational arrangements. These are shaped by three principal considerations:

1. The way Peterborough's public services run *business as usual* needs to change if there are to be step changes in performance in a climate of sharply reducing public funding – we need to move much further along the silo-single entity spectrum towards a virtual *Peterborough Public Services Alliance* with shared overheads and integrated service commissioning based on customer preferences not historical organisational divisions
2. This will require technical and financial business change capability not currently available
3. A fresh GPP architecture focused solely on improvement activity should be created with a much leaner attitude towards the use of resources (expensive public servant time, principally) currently expended in hundreds of briefing/networking meetings

The GPP refresh has been designed in conjunction with this paper and the Green Shoots agenda.

To protect and hopefully enhance public services in a time of spending reductions the *Peterborough Public Services Alliance* will need to create three new entities or capabilities: a shared front office, a shared back office and a shared service commissioning and supplier management function.

These will be the vehicles to deliver the four workstreams proposed in the original *Green Shoots* paper, which on reflection can be reduced to three:

1. A public services alliance – shared business units
2. Demand transformation – switch to prevention instead of cure
3. Better supplier and contract management

The debate about public spending

We won't know until next summer exactly what scale of reduction is to be applied to public spending from 2011 onwards, but £75bn a year is considered plausible, resulting in ten percent cuts for a local authority like Peterborough City Council. Other public services will face similar challenges. It is worth noting that the Government's room for manoeuvre is more limited than in previous recessions because of the massive revenue obligations already accepted through Private Finance Initiative (PFI) and other public-private partnership (PPP) schemes; because of the sheer scale of the shortfall in revenues; and because of the heightened sensitivity of the productive parts of the economy to reductions in publicly funded activity.

Efficiency: what is to be gained?

Firstly, consider the alternative: in the absence of urgent collective action by the city's public sector organisations, each will face its own spending reductions in the coming years with its inherited

structure of fixed costs. Efforts to protect frontline services from the impact of funding reductions will be aggravated by the maintenance of separate clusters of overhead: separate back and front office costs. The costs of customer service will be kept artificially high by the continued separation of demand for outcomes into organisationally-segregated flows. The ability for the city's public services to benefit from scale economies and long-term planning of investment will be minimised by keeping financial and operational boundaries intact.

The approach outlined in the Green Shoots paper, by contrast, will maximise the opportunity to protect front-line services and, if skilfully managed over a sustained period of time, actually enhance customer experience in many areas. We will have delivered a changed culture in which outcomes are the key focus, but where there is a robust appreciation of and ability to control the costs and quality of inputs. Instead of separate silos we will have achieved scale or scope economies where these bring financial benefits without risking delivery. Instead of our communities getting less for less we will have found a way to keep what matters most in our current portfolio and to have achieved more for less in some areas. Perhaps most importantly for the city's long term, the council will have been able to keep its head above water financially, in spite of horrendous pressures, so as to keep driving the city's growth agenda, delivering the city's university, more homes, more jobs and a green infrastructure.

Is Peterborough going it alone?

Officers have declined to step forward and engage in the government's *Total Place* pilots because the evidence to date is that these will engage enormous amounts of resource in gathering information but release relatively little resource for actually adjusting models of service delivery.

Officers' view has been that there is a pressing need to secure a mandate to implement a pragmatic action plan that creates the capability needed to respond to the combined challenge of reduced funding, continuously rising public expectations and the pressure on service delivery models brought about through comprehensive area assessment (CAA).

However, the sorts of arrangements envisaged by this paper and the wider framework to be presented to the GPP in November (deliberately) have some of the characteristics of delivery partnerships that have been established by high performing and well-regarded local authorities such as Westminster, Kent, Hampshire and Hertfordshire, who have embraced a mixed-sector culture, challenging the previous inertia and driving where appropriate private sector commercial skills through their organisations allowing them to deliver excellence in performance, value and customer service. We have done these things too, as is reflected in the number of awards PCC has and is receiving currently (Customer Services, Finance, Business Transformation, Waste and Environment, Procurement etc..) but mainly in the areas where change programmes have focused. The authorities mentioned embarked on their own Green Shoots programme a couple of years ago and we need to drive this programme hard to stay at the forefront of good practice in local government.

Efficiency: delivery issues, risks and phasing

Peterborough City Council has delivered £24m in cash savings through Business Transformation since autumn 2006. During the last year or so an effective programme has also been launched within NHS Peterborough. Naturally, during this period much of what could be considered to be "low hanging fruit" has been harvested.

As a consequence, the transformation workstreams proposed in the *Green Shoots* paper are ambitious and will require significant technical expertise as well as financial investment if they are to succeed. The public sector partners will not be able to provide all the technical expertise from in-house teams, but a mechanism may be able to be found to fund some or all of the investment from existing public sector balance sheets.

Shared partner consideration needs to be given to the design of appropriate commercial and governance architecture, a procurement strategy and project management arrangements. This body of work is in effect a project in its own right, and one of its outputs will be the production of a risk log for the subsequent delivery activity.

At this stage, therefore, consent is sought simply for the establishment of a project in collaboration with public sector partners to settle the design issues set out above together with a delegation to the Executive Director of Strategic Resources to launch a procurement exercise through the council's Professional Services Partnership in order to secure the private sector partner(s) once the design, a supporting financial model and a project plan is agreed.

We also intend to progress promising discussions with our public sector partners and neighbouring authorities about shared services and other collaborative opportunities. Practical initiatives to combine overheads and reduce costs are needed during the next eighteen months as we assemble the architecture for the city's public services alliance.

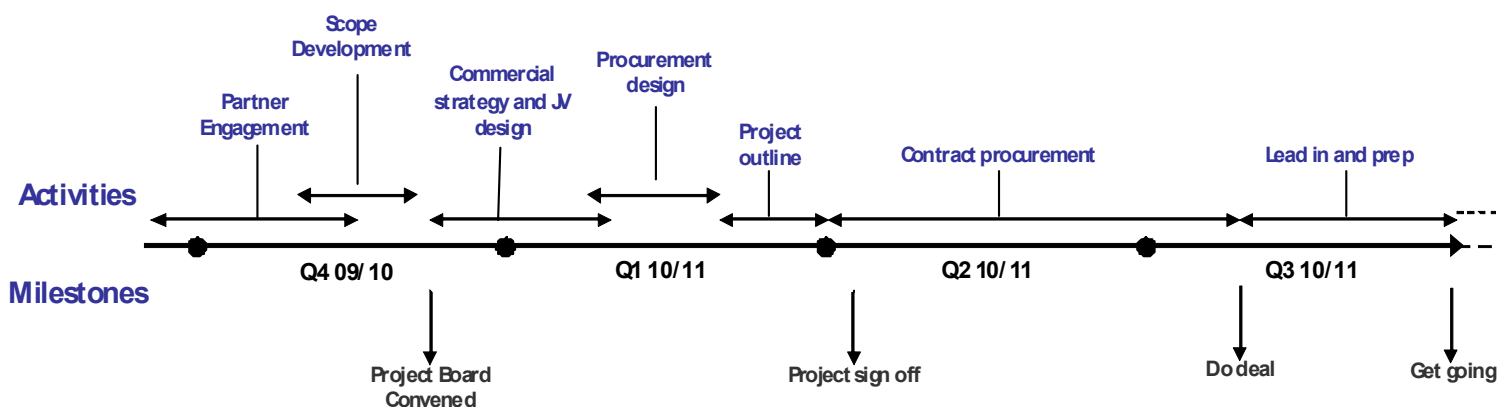
Capability required

A full requirement specification describing the characteristics required of the private sector partner will be one of the outputs of the design project discussed above, and will be used to structure the sourcing process. Obvious candidate factors are:

- Technical competence across a significant percentage of the probable skills requirements
- Financial strength
- Extensive and varied public sector experience with significant exposure to local government and health service consulting and managed service provision
- A strong track record of delivery
- Commercial flexibility and a willingness to accept risk
- An appetite for local engagement rather than a business model that simply delivers from an HQ elsewhere

Next steps

Implementing a limited pilot



Appendix 2: market engagement

“Consultants” and “privatisation”: a rational decision framework

There has been political and officer debate throughout the period of the business transformation programme about the way “consultants” have been used to drive programme outcomes, and more recently about the use of third parties to manage previously in-house services. Peterborough’s programme has been characterised by a preference for in-house solutions and a refusal to hand problems, and easy margin, over to the private sector. When an options appraisal shows that it is right to source a service from a third party, we take cost out before entering into a contract, so that only those benefits that genuinely flow from the partner’s resources, scale or skill sets are being paid for - we don’t pay private sector firms to fix the problems we can fix our-selves.

The council’s Cabinet reaffirmed its commitment to neutrality about service sourcing at its budget Policy Forum recently, stating that what matters is what works best when all factors are taken into consideration.

However, given that we have stated consistently that the workstreams which comprise the green shoots programme will require third party support, it seems sensible to put this debate on a robust and rational footing and set out clear business and ethical principles governing the decisions to be taken over the next few years. There is too much at stake for the city’s communities for us to allow correct leadership decisions to be hostage to an immature debate about “privatisation” or “consultants”.

There are in fact eight different reasons why and ways in which Peterborough City Council makes use of third party suppliers in its service delivery arrangements. Most of these have been used in the right way at the right time using sensible commercial frameworks for as long as people can remember. All are likely also to feature in the delivery arrangements we establish with our public sector partners to deliver the green shoots programme in the coming years.

It is worth noting that each of the following sections also describes a generic market opportunity for the council’s own increasingly significant trading activities.

1 Economies of scale and scope

Information and communications technology (ICT) is a service area which benefits from economies of scale. Unit costs reduce when provision is aggregated; less headcount is needed to deliver matching service levels when additional desktops are available to support; the benefits of automation and remote configuration and support increment in line with growth in volume; suppliers can profitably employ people with specialist skills when they have multiple clients to support. Peterborough City Council could not hope to compete financially nor in terms of competency with large, multi-client serving firms. For these reasons, it was correct to opt for a man-aged service provision for the council’s ICT services. ICT is used here as an example to illustrate the scale and scope rationale for engaging with a commercial partner; it is not the only area of activity to which these considerations apply.

2 Labour market risk

Some service areas require specialist skills and have the characteristic of there being wide variations in competence/productivity. For example, although there is (of course) a normal distribution of skills across the set of housing and council tax benefit assessors, the best decile are many times more accurate and productive than the average (in other words, the distribution has a kink at the right-hand edge).

Other labour markets have a similar character - social work specialisms, supply teachers, planners are all examples. (Professional sports also work this way!) These markets are also characterised by shortages and significant competition amongst buyers - which typically generates salary inflation and high levels of staffing churn.

Often, the best performers recognise the value they generate through the application of their skills and many choose to work as freelancers in agency or interim placements.

Councils faced with the effects that these labour markets have on their workforce and pay bill often contract with agencies to establish call-off supply frameworks so that when turnover levels are such that throughput and/or quality standards are threatened high quality temporary staff can affordably be procured (with discounts rewarding exclusivity or first-tier supplier status).

3 Long-term requirements for retained specialist skills

There are service areas which require the constant availability of specialist technical or advisory skills, but not at volumes which would enable the client/employer to offer attractive employment/career packages to capable practitioners. Specific engineering skills required by highways teams are an obvious example. Peterborough City Council has a nil volume call-off contract with WS Atkins for precisely these reasons: it is likely to be the case every year that we need advice and technical input from people who know a lot about bridges, and it is very helpful if the people we speak to are already familiar with our bridges and road system - but we don't need to have people who are very knowledgeable about bridges sitting inside the Town Hall every day waiting for someone to need their help, and we cannot predict with great confidence how many days input we will need each year, nor how this requirement will ebb and flow over the years.

4 Peaks and troughs in demand

Some services experience seasonal peaks and troughs of demand - outdoor leisure activities, school admissions and council tax billing enquiries are obvious examples. In these cases, many councils have arrangements such as zero-hours employment contracts, in-house temporary staffing agencies (these can be shared across organisational boundaries: this will almost certainly be a green shoots project) or preferred supplier arrangements with temporary staffing agencies to provide additional labour to help deal with peak volumes.

5 Short-term single position skill sets

Mature agency and interim markets exist for technical and management skills in local government, and they persist because there is constant demand from clients. All councils use agency staff and interim managers, just as all households occasionally hire specific skill sets to get jobs done that require specific capabilities. Peterborough City Council's use of interims tends to be characterised by a strong focus on change and deliverable outcomes, which is the correct way to work with this form of supply.

One of the reasons why there is sometimes debate about "consultants" connected to the council's business transformation programme is that people mistakenly believe the council is procuring third party support under this heading. In fact the third party support to the business transformation programme is quite different, as explained in the next section.

6 Variety of requirements but a disciplined approach to procurement

Peterborough's Professional Services Partnership (PSP) was established to introduce commercial consistency and discipline to the third party contributions to its business transformation programme. The programme grew incrementally having delivered on its initial mandates, and paired a team of in-house project managers with specialist suppliers (type 1) and interims (type 5) to deliver a large number of projects, controlling delivery through the benefits realisation processes now embodied in the council's project management software Verto. The range of technical skills required on the programme is highly eclectic and beyond the reach of any single resourcing supplier.

Before the PSP was procured, suppliers working on projects negotiated individual contracts using various terms and conditions; invoicing and payment terms and processes varied; accountability arrangements were unique to each supplier; and margin varied depending on the skill of the client negotiating the deal. There was a great deal of duplication of and unnecessary variation in administrative activity, and although every project was cash-positive, costs were higher than necessary as a consequence of every commercial package being bespoke. Equally, there were significant and uncontrolled compliance risks and consequential legal and financial exposure for the council concerning consultants' authorisations to work in the UK, compliance with money-laundering regulations and requirements for the provision of Professional Indemnity and other insurances.

The PSP has imposed onto this landscape a uniform set of commercial expectations and business processes. Suppliers who were not prepared to trim margin chose to cease trading with the council; suppliers who failed to comply with disciplines surrounding accounting for progress and invoicing did not get paid. All the compliance issues require evidenced and auditable resolution before suppliers are admitted into the arrangement. The PSP has worked smoothly from its first month, paying suppliers promptly against accurate invoices for correctly ordered work packages based on approved business cases. It presents a coherent face of the council to the marketplace, and effortlessly qualifies out shoddy, flabby or poorly organised suppliers.

The PSP is a managed service procured by the council from Amtec using compliant processes under which the council has full control over the content and pace of the programme, with real-time visibility of deliverables delivered through Verto. Mandating officers to use the PSP when it is the appropriate vehicle ensures that commercial terms reflect the council's preferences and that margin creep cannot take place, and enables through Verto the assurance of programme delivery.

7 Risk and reward

Some challenges fall into the "too difficult for us" category, for every organisation. Often this is because fixing the problem requires disturbing an inviolable unwritten rule that governs the organisation or some people within it. In local government, for example, it is quite often the case that councils outsource services quite unnecessarily because they cannot face directly taking a decision to reduce headcount. Sometimes there is simply a lack of capability, insufficiently focused accountability and insufficient importance being attached to the outcome for it to have become intolerable to the organisation.

Energy management has been a good example of this for Peterborough City Council. If I run a council service, I rent my rooms from the council's property services team - but actually, it makes no difference to me what the rent is, since the people who own the property services team also fund my rent. Someone else pays my electricity bills - or, more accurately, I don't have to deal with the matter of paying my electricity bills - and since it makes no difference to me financially whether these are expensive or cheap, consistent or varied, I don't pay any attention to the matter. Elsewhere, the council employs people to care about reducing energy use, but they aren't personally incentivised by achieving reductions in my energy use, so they only seek to educate and persuade, and I can choose to attend to their messages or ignore them depending on my personal perspectives on the issue.

The outcome of this dynamic is a local authority that doesn't know the quantum nor cost of the energy it consumes and has no non-ideological drivers in place to do anything about this fact. The simple device of putting someone in charge of reducing energy use and only paying them well if they demonstrate sustainable success would fix this problem if it is susceptible of fixing.

The risk-reward approach (almost a form of special purpose vehicle [SPV]) should be considered for challenges matching the characteristics set out above - when a problem is not effectively owned by a single person with sufficient incentive and a clear mandate to tackle it, risk-reward may provide the path to a solution (often an interim solution that can be replaced by a fresh business as usual, in-house if appropriate, arrangement in time).

8 Balance sheet risk

Finally, third party involvement is often mandated by government in cases where significant private finance is required to deliver an outcome. The transfer of the council's housing stock to Cross Keys Homes triggered the creation of a line of credit in excess of £100m to the new SPV for it to draw on in refurbishing the properties - secured against a rental income stream modelled over 30 years. Our Private Finance Initiative (PFI) and Building Schools for the Future (BSF) schools are basically variations on this theme.

The rationale for this approach contains a number of strands which it useful to disentangle, since this type of engagement with third party suppliers will certainly form part of the delivery plan for green shoots as well as for the city's growth programme.

There are five factors involved in decisions to use third parties in SPVs over and above the considerations about scale and expertise already discussed, one of which has yet to be absorbed

by government officials with the consequence that taxpayers contribute more than they should be required to to many deals.

Balance sheet strength - having a partner with a very substantial balance sheet as part of a public-private SPV is attractive because it brings a number of financial benefits: funding can be acquired more cheaply, for longer periods of time and using a much wider range of instruments (in other words, not just debt, project finance or equity) than is the case when weaker balance sheets are brought together. The whole PPP benefits from the smoother and more efficient financing made possible.

Risk allocation - in all collaborations between two or more parties there is a tacit or explicit allocation of risks. What makes sense (and is often not permitted by government packaged schemes such as Large Scale Voluntary Transfer of council homes [LSVT] or PFI schemes) is for the party with the best understanding and capability to own a risk. (For example, it can be argued that head teachers would be better equipped to own caretaking risks than sub-contracted facilities management suppliers in the schools PFI setting.) Councils sensibly look for third party suppliers to take ownership of risks when their size or capability equips them to respond to instances of that risk more effectively than the council can itself.

Management focus - local authorities face an extraordinarily difficult management task as a consequence of the huge number of services they are required to provide or commission. Investors being asked to put their cash at risk in connection with just one set of these services, such as the management of people's homes or the provision of a school, understandably demand the creation of a ring-fenced entity that focuses solely on that enterprise.

Visibility - linked to the previous point, the establishment of an SPV can assure investors and other partners in an enterprise that all its activities and risks are visible to management and therefore capable of being controlled.

Money management - finally, if the clear financial and management boundaries of an SPV are coupled with a management capability that understands how risk varies over time and according to environmental factors, then money can be treated in just the same way as any other input factor procured from a supplier marketplace. For example, a privately financed school has a series of risk profiles: pre-planning, procurement phase, construction, commissioning, initial operation, business as usual. Since risk is different in each of these phases, it follows that there is choice over the supplier of money to take on exposure to that risk. Using the principle expressed earlier ("What makes sense is for the party with the best understanding and capability to own a risk"), a project should at least explore alternative sources of finance as its risk profile changes, because the probability is that a supplier of money that is more comfortable with a specific risk profile will charge a lower rent for that money. This is the dynamic that created the profitable after-market in PFI deals a few years ago - PFI overprices risk by insisting on its aggregation and allocation to one partner.

CABINET	AGENDA ITEM No. 7.1
14 December 2009	PUBLIC REPORT

Contact Officer:	Lindsay Tomlinson, Senior Governance Officer	Tel. 452238
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OUTCOME OF PETITIONS

R E C O M M E N D A T I O N S	
FROM : Directors	
<p>1. This report recommends that the action taken in respect of the petitions presented to full Council be noted.</p>	

1. ORIGIN OF REPORT

1.1 This report is submitted to Cabinet following submission of petitions to Council.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to update Cabinet on the progress being made in response to the petitions in accordance with Standing Order 10.

2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.1 – ‘to take collective responsibility for the delivery within the Council's Major Policy and Budget Framework’.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO
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4. PETITIONS PRESENTED TO FULL COUNCIL ON 14 OCTOBER 2009

4.1 PETITION TO SAVE THE SCOTT CLOSE RECREATION GROUND AND RESTORE ITS PLAY EQUIPMENT

This petition was presented to Council on 14 October 2009 by Councillor Wilkinson.

The Council’s Neighbourhood Manager, South, has confirmed that the South team Neighbourhood Officer visited the area on 20th October and reported that discussions with residents had suggested that they had heard that the land was to be developed for housing and that the area would then be opened up into Harlton Close allowing through access, which is why the majority of the residents of Harlton Close had signed the petition. Residents said that they would prefer if play equipment was put back and the access from Scott Close only to remain, but the officer felt that the main motivation was to ensure that the current situation of no access to Harlton Close from the recreation area remained the same.

There were a number of alleys in the surrounding area and there was an unsuccessful petition request from the residents of Harlton Close and some of the surrounding streets

last year to have the alley from Harlton Close to Newborn Close closed. Further investigation with the Planning department has not substantiated any plans to develop this land for housing. Section 106 funds totalling £32,000 was spent on play equipment at Byron Close and Park Farm and the remaining funds have been earmarked for a proposed Skate Park and Youth Shelter in nearby areas of Stanground. There are no current plans to re-install play equipment at Scott Close.

4.2 PETITION TO SAVE THE 403 & 413 BUS SERVICES

This petition was presented to Council on 14 October 2009 by Councillor Lamb.

The interim Head of Environment, Transport & Engineering has responded to Councillor Lamb advising her that the Executive Director, Operations is due to meet with Councillor Hiller and Teresa Wood, Group Manager for Transport and Sustainable Environment, to discuss the results of the consultation and the proposals emerging from this. He advised that it is proposed to implement the Call Connect service in two phases. The proposal is to initially implement phase one to the west of the Peterborough unitary area. Therefore, for Glington, it is proposed to retain the 403/413 Local Link service at this time, perhaps with some timetable changes. Usage of the 403/413 service will be closely monitored to ascertain any increase in passenger numbers. In addition, should the Call Connect service be approved and implemented, it will also be closely monitored to measure its usage prior to any proposals to implement in other areas. A final report on the bus service review will be considered by Cabinet as part of the budget setting discussions.

5. REASONS FOR RECOMMENDATIONS

- 5.1 Standing Orders require that Council receive a report about the action taken on petitions. As the petition presented in this report has been dealt with by Cabinet Members or officers it is appropriate for the action to be reported in this way so that it will be presented in the Executive's report to Council.

6. ALTERNATIVE OPTIONS CONSIDERED

- 6.1 Any alternative options would require an amendment to the Council's Constitution to remove the requirement to report to Council.

7. IMPLICATIONS

- 7.1 There are no legal or Human Rights Act implications.

8. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

- 8.1 The Council's Constitution, petitions presented to Peterborough City Council and responses to those petitions from officers.