

PETERBOROUGH CITY COUNCIL

MINUTES OF COUNCIL MEETING HELD ON 13 OCTOBER 2010

The Mayor – Councillor Keith Sharp

Present:

Councillors: Allen, Arculus, Ash, Burton, Cereste, Collins, S Dalton, S Day, Dobbs, Fitzgerald, Fower, JA Fox, JR Fox, Goldspink, Goodwin, Harrington, Hiller, Holdich, Jamil, Khan, Kreling, Lamb, Lane, Lee, Lowndes, Miners, Morley, Murphy, Nawaz, Newton, North, Over, Peach, Rush, Saltmarsh, Sanders, Sandford, Scott, Seaton, Serluca, Shaheed, Simons, Stokes, Swift, Thacker, Todd, Walsh, Wilkinson and Winslade.

Announcement from the Mayor:

The Mayor asked those present to join him in a minute's silence as a mark of respect for the two runners who died in the Great Eastern Run on Sunday 10 October 2010.

In accordance with the Council's Constitution (Part 4, Section 3, Standing Orders which apply to the Council and Committees), Members confirmed their agreement to photographs being taken during the signing of the Corporate Parenting Pledge (agenda item 4).

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Benton, M Dalton, D Day, Eley, Fletcher, Hussain and Nash.

2. DECLARATIONS OF INTEREST

The following declarations of interest were received:

Councillor Miners declared a personal interest in respect of agenda item 8 (i): Notice of Motion relating to changes regarding Disability Living Allowance, as he was employed by a charity for the disabled.

Councillor Sandford declared a personal interest in agenda item 8 (ii) Home of the Environment Capital 2010, as a board member of the Peterborough Environment City Trust.

3. MINUTES OF COUNCIL MEETING HELD 14 JULY AND CONTINUED ON 26 JULY 2010

The minutes of the Council Meeting held 14 July, and continued on 26 July 2010 were approved subject the addition of Councillor Stokes to the list of Members present on 14 July 2010.

4. CORPORATE PARENTING PLEDGE TO CHILDREN IN CARE

The Mayor welcomed two representatives from the Children in Care Council, Jack Wagstaff and Chloe Ford to the meeting. He advised that following an introduction from the Cabinet Member for Children's Services, Jack Wagstaff would address Members to explain what the Corporate Parenting Pledge meant to children in care.

In presenting the Pledge to Council, Councillor Scott advised that every local authority was required to have in place a Pledge (or Promise) for Children in Care. She emphasised that the corporate parenting role also applied to the Council's partners in

areas such as health, education, police, and youth services. The Pledge represented the culmination of the history of corporate parenting in the city and reflected the Council's commitment to children in care. Councillor Scott paid tribute to the many city councillors (both past and present) who had, over the years, played an important role in corporate parenting and developing the Council's services for children.

In addressing the meeting, Jack Wagstaff described how it felt to be taken from familiar surroundings, family and friends and placed in care. He emphasised that Members' support for the Pledge was important to children in care as it demonstrated that the Council cared about their lives and future achievements.

Councillor Scott advised that the Pledge, which had been developed jointly by the Corporate Parenting Group and the Children in Care Council, set out the Council's commitment to children in care and its belief that being taken into care should not hold any child back. The Council had high expectations of what children in care could achieve and was committed to supporting them to achieve their full potential. In conclusion, Councillor Scott stated that the Pledge gave all Members the opportunity to champion children in care and urged them to add their support by signing the document.

The Mayor, Deputy Mayor, Leader of the Council and the Cabinet Member for Children's Services signed the Pledge. The Mayor then announced a brief adjournment to allow other Members to add their signatures to the document.

The meeting adjourned at 7.25 p.m. and reconvened at 7.40 p.m.

5. COMMUNICATIONS TIME

5 (i) Mayor's Announcements

Members noted the report outlining Mayoral engagements for the period 3 July to 30 September 2010.

5 (ii) Leader's Announcements

The Leader announced that he had recently attended the 8th European Week of Regions and Cities Open Days event in Brussels in order to showcase the Sustainable City Visualisation Project. The project, which was receiving interest and recognition from business leaders and government officials throughout the world, had been jointly developed by the Council, IBM, Royal Haskoning and Green Ventures. It enabled an extensive array of environmental performance data covering energy, water, transport and waste systems to be displayed on a Google Earth platform known as the 'Peterborough Platform', allowing performance to be monitored and effective working with utility suppliers to plan a sustainable energy and water infrastructure.

5 (iii) Chief Executive's Announcements

There were no announcements from the Chief Executive.

6. COMMUNITY INVOLVEMENT TIME

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

There were no questions from members of the public.

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

Details of the above questions and associated responses are set out at **Appendix A.**

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

Details of the above questions and associated responses are set out at **Appendix A.**

6 (iv) Petitions

Councillor Sanders presented a petition on behalf of residents of Tintern Rise, Eye seeking replacement of the available grass area in order to ensure essential access and sufficient parking provision.

7. EXECUTIVE BUSINESS TIME

7 (i) Questions with Notice to the Leader and Members of the Executive

Questions were submitted in respect of the following:

- The cost of consultant services in respect of the research project 'Working with Rural Communities';
- Members' Interests;
- Environment Capital aspirations and objectives;
- Proposal for a Local Enterprise Partnership;
- Progress in respect of a designated transit site for gypsies and travellers;
- Top ten paid positions within the authority;
- Statements for children with special needs;
- Savings resulting from the purchase of Bayard Place;
- Westcombe.

A summary of all questions and answers raised within agenda item 7 (i) is attached at **Appendix B.**

7 (ii) Questions without Notice on the Record of Executive Decisions

Members received and noted a report summarising:

- Decisions from the Cabinet Meeting held 29 September 2010;
- Use of the Council's special urgency provision and waive of call-in provisions in respect of the following Cabinet Member Decision Notices:
 - (i) Peterborough Bridges Refurbishment Programme 2010/11
 - (ii) Termination of Betta Cars Contract
- Cabinet Member Decisions taken during the period 2 July to 30 September 2010.

A question was asked about the following:

Petition for pavement resurfacing in Dudley Avenue and Rockingham Grove

Councillor Sandford advised that this matter remained unresolved. He asked the Leader to refer the matter to the relevant Cabinet Member and sought a meeting on site with the Cabinet Member and relevant Ward Councillors to discuss the issues. Councillor Cereste agreed to this request and advised that a site meeting would be arranged.

8. COUNCIL BUSINESS TIME

8 (i) Notices of Motion

1. Motion from Councillor John Fox

Councillor Fox advised that he wished to withdraw this motion, which had proposed the introduction of a Citizens' Award Scheme.

2. Councillor John Fox moved the following motion:

That this Council:

- (i) Notes that the Government is debating the following changes to the rules regarding Disability Living Allowance (DLA):
 - a) A child under the age of 16 who is eligible for DLA shall stop receiving payments once they have spent 84 days, (which may be linked rather than consecutive) in hospital or other medical setting;
 - b) A child under the age of 16 who first becomes eligible for DLA whilst in hospital or another medical setting is not able to start receiving payments until they have been discharged home;
- (ii) Acknowledges that research shows that there are extra costs for a family when their child is in hospital or another medical setting, which includes loss of earnings, travel, parking, childcare for siblings and meals away from home and that the level of care provided by parents remains the same or increases when their child is hospitalised, with many families at their child's bedside 24/7.
- (iii) Acknowledges that many health professionals recognise that the presence of a parent is important for the child's wellbeing and can help their recovery and that parents are often experts in their child's care and sometimes required to continue carrying out the same, if not increased, level of care; and
- (i) Requests the Leader of the Council to write to our Members of Parliament asking them to oppose any proposed actions that reduce the amount of DLA to parents with disabled children and actively lobby the Government to prevent the introduction of any such measures.

The motion was seconded by Councillor Judy Fox and CARRIED unanimously.

3. Councillor Goldspink moved the following motion:

That this Council:

- (i) Agrees that it was a mistake to abolish free bulky waste collections and introduce a £23 charge;
- (ii) Notes that around 12,000 bulky waste loads per annum that used to be collected by the Council are now potential fly tips which will have to be cleared up by the Council;
- (iii) Acknowledges the concerns of Members and public alike that fly tipping is on the increase, understands that an amber indicator for this performance area is

inadequate for an environment city and agrees to call on Cabinet to abolish the charge immediately.

This was seconded by Councillor Murphy.

Following debate, a vote was taken and the motion was DEFEATED: 12 in favour, 37 against and 1 abstention.

4. Councillor Fower moved the following motion:

That this Council:

- (i) Recognises that it is important to provide accurate and timely information to the press and public;
- (ii) Notes that local Councillors are likely to have a better understanding of many issues within their wards than Cabinet Members;
- (iii) Recognises that the current practice of quoting only Cabinet Members in press releases is archaic and undemocratic;
- (iv) Revises its current practice in the interests of openness and accountability, to require the Communications Team to contact the relevant local Councillor(s) for a one-line quote if a press release is to be issued that affects their ward.

This was seconded by Councillor Sandford.

Following debate, a vote was taken and the motion was DEFEATED: 7 in favour, 34 against and 7 abstentions.

8 (ii) Executive Recommendations

(a) Revised Biodiversity Strategy

Cabinet, at its meeting of 29 September 2010 received the Council's updated Biodiversity Strategy for consideration prior to its submission to full Council for adoption as part of the Major Policy Framework. The update to the Strategy took account of the Biodiversity duty introduced by the National Environment and Rural Communities Act S40 and the Department for the Environment Food and Rural Affairs Guidance to Local Authorities.

Councillor S Dalton moved the recommendation and this was seconded by Councillor Hiller.

It was RESOLVED to:

Adopt the Biodiversity Strategy as part of the Council's Major Policy Framework.

(b) Home of Environment Capital Policy 2010

Cabinet received the proposed Home of Environment Capital Policy 2010 at its meeting of 29 September 2010. The Council's current Environment Policy did not take into account Peterborough's growth targets, global environmental challenges, or the wide range of policies, plans and strategies that had been developed since 2000 that now contributed to environmental improvement.

Councillor S Dalton moved the recommendation and emphasised that adoption of the policy would ensure that environmental considerations were placed at the heart of all

Council policies, strategies and services, ensuring that Peterborough could grow substantially and sustainably.

This was seconded by Councillor Goodwin.

A query was raised concerning the objective of the Home of Environment Capital Policy and the way in which it supported the city's aspirations to become the Environment Capital. In response, Councillor Dalton advised that the policy endorsed the Council's commitment to becoming the Environment Capital and marked the launch of the Council's approach to ensure that Peterborough was recognised as a place where environmental issues were put first, and a city which aspired to be a role model and leader in all aspects of sustainable development.

Following a vote (41 in favour, 4 against, and 4 abstentions), it was RESOLVED to:

Adopt the Home of Environment Capital Policy 2010 as part of the Council's Major Policy Framework.

(c) Executive Arrangements

Council had considered a report outlining changes to executive arrangements resulting from the Local Government and Public Involvement in Health Act 2007 at its meeting of 26 July 2010. Cabinet, at its meeting of 29 September 2010, had received a report outlining the response to the public consultation exercise concerning this matter and had recommended that Council adopt the 'new style' Strong Leader and Cabinet model.

The Mayor advised that the Solicitor to the Council had, with the endorsement of Cabinet, submitted a detailed report in relation to this matter (agenda item 8 (iii) (a)) and that this item would therefore be debated at that point in the meeting.

(d) Proposal to Change the Name of Fletton Ward to Fletton and Woodston Ward

At its meeting of 29 September 2010, Cabinet considered a request to change the name of Fletton Ward to Fletton & Woodston Ward to reflect the fact that Fletton ward is made up of the Fletton and Woodston areas.

Councillor Hiller moved this item with an additional recommendation that the Council agree to consult all appropriate persons on the proposed change of name from Stanground Central Ward to Stanground and Fletton East Ward.

Members were informed that the ward Councillors for Stanground Central ward had received representation from a number of their constituents commenting that they lived in Fletton rather than Stanground, and that the current name of the ward did not reflect the geographical area it covered – therefore it would be sensible to commence a consultation on a proposed change of name from Stanground Central to Stanground and Fletton East Ward and to run this concurrently with the consultation for the proposed change of name from Fletton to Fletton and Woodston Ward.

Council was advised that responsibility for ward names had been transferred from the Electoral Commission to the Local Government Boundary Commission for England (LGBCE) which had advised that both ward names were currently 'protected'. However, the Council had received assurance that permission to change the ward names would not be unreasonably withheld, providing the Council undertook an effective consultation process that supported the proposed name changes. The Council would need to request consent from the LGBCE following consultation with

appropriate persons before holding a meeting and passing a resolution to change the name of both wards.

This item, including the additional recommendation, was seconded by Councillor Lee.

Following debate, it was RESOLVED to:

- (i) Agree to consult all appropriate persons on the proposed change of name for Fletton Ward to Fletton and Woodston Ward; and
- (ii) Agree to consult all appropriate persons on the proposed change of name from Stanground Central Ward to Stanground and Fletton East Ward.

8 (iii) Reports and Recommendations

(a) Report from Solicitor of the Council with endorsement of Cabinet – New Executive Arrangements under Local Government and Public Involvement in Health Act 2007

At its meeting of 29 September 2010 Cabinet received a report outlining the response to the public consultation concerning changes to the Executive arrangements used at the Council. The Local Government and Public Involvement in Health Act 2007 had introduced changes to the models of executive arrangements and the Council now had a legal obligation to change to one of two models: either an Elected Mayor and Cabinet model or a 'new style' Strong Leader and Cabinet model.

Cabinet had recommended that the Council adopt the Strong Leader and Cabinet style model of Executive Arrangements and had noted that this option would provide more flexibility to change the executive arrangements again when the Government introduces additional changes to executive arrangements which were anticipated in the forthcoming Localism Bill.

Councillor Cereste moved the recommendation and this was seconded by Councillor Stokes.

Clarification was requested regarding the outcome of the website-based public consultation exercise which had sought views on the two options available. It was clarified that the consultation exercise had resulted in 43 respondents favouring an elected Mayor and Cabinet model, with 25 preferring the Strong Leader and Cabinet Model.

Following debate, a vote was taken (37 in favour, 0 against, 10 abstentions) and it was RESOLVED to:

Adopt the 'new style' Leader and Cabinet model under Part 3 of the Local Government and Public Involvement in Health Act 2007.

(b) Report from the Monitoring Officer – Changes to the Constitution

Council received a report outlining changes to the Constitution. The proposals had been developed in consultation with the Council's Constitution Review Group comprising Group Leaders and the Deputy Leader.

The report further recommended that, subject to the approval of the changes outlined within the report, Council approve the recalculation of the seat allocations under the political balance rules and appoint the members of the Planning Review Committee

that would deal with the call-in of planning decisions (and also determine any other new appointments to committees that were proposed).

Councillor Cereste moved the recommendations, which were seconded by Councillor Lee.

In response to a query, Councillor Cereste assured Members that the possibility of webcasting future meetings would be kept under review and a low cost method of achieving this would continue to be sought.

Before moving to the vote, the Mayor advised that the following Members had been nominated to the Planning Review Committee:

Councillors Allen, Benton, Cereste, Elsey, Holdich, Lamb and Seaton (Conservative);
Councillors John Fox and Saltmarsh (Peterborough Independent Forum);
Councillor Sandford (Liberal Democrats). Sub: Councillor Fower.

It was RESOLVED to:

- (i) Approve the changes to the Constitution outlined within the report and to authorise the Monitoring Officer to undertake any consequential amendments to, and updating of, the Constitution;
- (ii) Approve the re-calculation of the seat allocations under the political balance rules and appoint the following as Members of the Planning Review Committee:

Councillors Allen, Benton, Cereste, Elsey, John Fox, Holdich, Lamb, Saltmarsh, Sandford (Fower as sub) and Seaton.

The Mayor
7.00 pm - 9.55 pm