

MINUTES OF CABINET MEETING HELD 13 DECEMBER 2010

PRESENT

Cabinet Members:

Councillor Cereste (chair), Councillor S Dalton, Councillor Elsey, Councillor Hiller, Councillor Holdich, Councillor Lamb, Councillor Lee, Councillor Scott, Councillor Seaton and Councillor Walsh.

Cabinet Adviser:

Councillor Benton.

1. Apologies for Absence

No apologies were received.

2. Declarations of Interest

No declarations of interest were given.

3. Minutes of Cabinet Meeting – 8 November 2010

The minutes of the meeting held 8 November 2010 were agreed and signed as an accurate record.

Following a request from the Leader of the Council, Cabinet agreed to amend the order of the agenda to receive the Annual Audit Letter as the first item of business.

11. Annual Audit Letter

Cabinet received a report recommending approval of the Annual Audit Letter 2009/10 subject to any comments Cabinet wished to make. Cabinet was advised by Julian Rickett from Price Waterhouse Cooper that next year's report would be subject to new international reporting standards. Councillor Seaton welcomed the report and thanked the finance team within the council for their work.

CABINET RESOLVED TO:

Approve the Annual Audit Letter 2009/2010.

REASONS

The Council is required to consider the statutory Annual Audit Letter and make appropriate arrangements in response to recommendations.

ALTERNATIVE OPTIONS

The External Auditor may take on board responses received prior to its formal publication, though he has a duty to produce and arrange for the publication of the Annual Audit Letter as soon as reasonably practical. No specific alternative options are submitted to Cabinet for consideration.

STRATEGIC DECISIONS

4. TRANSLATION AND INTERPRETATION POLICY

Cabinet received a report recommending the approval of the draft Translation & Interpretation Policy following a referral from the Solicitor to the Council and the Cabinet Member for Community Cohesion, Safety, and Women's Enterprise. The Cabinet Member for Community Cohesion, Safety, and Women's Enterprise introduced the report highlighting the need to clarify why money was spent and on what services it was and would be spent on.

Councillors Scott and Holdich spoke in support of the policy emphasising the need to retain translation services to ensure the most vulnerable and needy of residents received the necessary support from services that the council provided. Councillor Seaton advised Cabinet that this policy emphasised that translation services were not automatically provided and consideration was taken to ensure that the neediest people were not discriminated against.

CABINET RESOLVED TO:

Approve the draft Translation & Interpretation Policy.

REASONS

The Council is not required to have a Translation & Interpretation Policy, but if it adopts a policy its approach to this issue is then made clear.

ALTERNATIVE OPTIONS

Status quo: No policy, but Council adopts sensible good practice. This approach was rejected because although the Council currently operates good practice, if there is no policy to show that it does so, this invites continued criticism from those who believe the Council does not operate effectively in this area.

To have a different policy: this was rejected because the draft attached captures the Council's current approach which is good practice for the benefit of all sectors of its service users.

To charge for translation & interpretation services: this was rejected as it was not in keeping with the Council's Sustainable Community Strategy and in the majority, if not all cases, could put the Council at risk of being in breach of the Equality Act 2010, at risk of judicial review, or at risk of failing to provide statutory services if it meant people were unable to communicate with the council as a result.

5. THE FUTURE OF PETERBOROUGH COMMUNITY SERVICES (THE PROVIDER ARM OF THE PRIMARY CARE TRUST)

The Leader of the Council advised that this report should be withdrawn from the agenda as ongoing issues were still to be resolved.

Cabinet AGREED to remove the item from the agenda.

6. PETERBOROUGH PLANNING POLICIES DPD – PREFERRED OPTIONS VERSION

Cabinet received a report recommending the approval of the Peterborough Planning Policies DPD ('Consultation Draft') for the purposes of public consultation in early 2011. The Cabinet Member for Housing, Neighbourhoods and Planning introduced the report advising that it was a technical document that sought to agree the basis for the approval of future building designs.

Richard Kay, the council's Policy and Strategy Manager for the Delivery team, advised Cabinet that public consultation on the document would begin in February 2011 before returning the document to Cabinet ahead of final approval from full Council. The document also contained details of listed buildings and buildings of local importance. Richard Kay highlighted suggested changes from the Planning and Environmental Protection Committee concerning the criteria when considering replacements of existing dwellings in the countryside, restrictions on the change of use for retail units in District Centres and also parking standards for disabled parking allocation.

During debate, Cabinet members highlighted concerns over car parking allocation in residential areas and the allocation of sufficient spaces to alleviate perceived problems as well as the changing use of retail units in district centres.

CABINET RESOLVED TO:

Approve the Peterborough Planning Policies DPD ('Consultation Draft') for the purposes of public consultation in early 2011.

CABINET FURTHER RESOLVED TO:

1. Request an amendment to Criteria (h) of Policy PP5, on page 55 of the agenda papers (page 15 of the planning document), to be amended so as to read:

“(h) of a similar size and scale to the original dwelling, or a larger than original dwelling may be permitted where this is appropriate to both the size of the plot and its setting in the landscape;”

2. Request an amendment in appendix A “Parking Standards” on page 85 of the agenda papers (page 45 of the planning document), to add the following at the start of the standards:

“The disabled parking standards in the tables below range from 2%-6% of all spaces, depending on the type of development proposed. The City Council is investigating whether these standards should be raised to 8% or 10%, and would welcome views on this suggestion. Disabled parking provision in large mixed development schemes should be distributed so that disabled people can access all of the site and not just the entrance to a single building.”

3. Request an amendment in appendix A “Parking Standards”, part C3 on page 94 of the agenda papers (page 54 of the planning document), to add additional words in the 'Informative notes' column which stipulates that where a garage is proposed to count as one of the required parking spaces, the garage must be of a sufficient size and design to be able to accommodate an average sized car (with the exact wording and a specific size criteria to be agreed in consultation with Highways colleagues prior to the document being published for consultation).
4. Request an amendment in appendix C “Building of Local Importance” on page 107-116 of the agenda papers (page 67-74 of the planning document), to split the

properties currently listed under 'Fletton' into two categories accordingly, namely 'Fletton' and 'Woodston'.

REASONS

Cabinet is recommended to approve the Planning Policies DPD (Consultation Draft) for public consultation because it will help deliver high quality development, will encourage and support investment in the city due to up to date and clear policy requirements, will provide more clarity as to what design of development the Council wants to see (subject to consultation) and will provide local residents with an opportunity to comment on proposals.

ALTERNATIVE OPTIONS

It is a statutory requirement to produce the Planning Policies DPD therefore the alternative option of not producing this document was rejected. Alternative policies options were consulted upon with the public in 2008.

7. VILLAGE DESIGN SUPPLEMENTARY PLANNING DOCUMENT (DRAFT VERSION FOR CONSULTATION)

Cabinet received a report recommending the approval of the Design and Development in Selected Rural Villages SPD ('consultation draft') for the purposes of public consultation in early 2011. The Cabinet Member for Housing, Neighbourhoods and Planning introduced the report highlighting the additional powers that this would bring to villages when planning applications were being determined that affected them.

CABINET RESOLVED TO:

Approve the Design and Development in Selected Rural Villages SPD ('consultation draft') for the purposes of public consultation in early 2011.

REASONS

Cabinet is recommended to approve the SPD (consultation draft) for public consultation because it will provide local residents with an opportunity to comment on proposals, it will (once adopted) help deliver high quality development in villages and will give parishes a clear policy tool for them to use when commenting on future planning applications.

ALTERNATIVE OPTIONS

Whilst not a statutory requirement to produce the SPD, the alternative option of not producing this document was rejected because:

- Parishes have been left somewhat in limbo since the previous government amended the planning regulations (2004) which effectively ended, for planning purposes, the statutory basis which was previously applied to Village Design Statements or Parish Plans. This SPD directly takes its content from those prepared VDSs and Parish Plans, and, in effect, gives back the statutory weight they once had;
- There is considerable support for the production of the document, especially from the parish councils; and
- The document will greatly assist planning officers and Members in determining planning applications, including enabling a consistent and transparent decision making process to be undertaken.

8. PETERBOROUGH CITY COUNCIL LOCAL ENTERPRISE PARTNERSHIP

Cabinet received a report recommending it noted the current position in regard to the Greater Cambridge Greater Peterborough Local Enterprise Partnership and to delegate authority to the Chief Executive to continue negotiations with partners and to finalise the governance structure of the Local Enterprise Partnership (LEP). The Cabinet Member for Business Engagement introduced the report advising that to ensure timelines were adhered to and business around the establishment of the partnership could be concluded without referring to Cabinet for each decision, the Chief Executive should be authorised to continue the negotiations.

CABINET RESOLVED TO:

Note the current position in regard to the Greater Cambridge Greater Peterborough Local Enterprise Partnership and to delegate authority to the Chief Executive to continue negotiations with partners and to finalise the governance structure of the Local Enterprise Partnership (LEP).

REASONS

The Greater Cambridge – Greater Peterborough LEP proposal has been accepted by the Government and further work now needs to be done to work up the detail before a Board can be established. This needs to be done before 1st April 2011. With so many partners involved, the negotiations are very fluid and change quickly. It would not be possible for every suggested change to be considered by the Cabinet, or even by the Leader, and the Chief Executive needs to have the ability to make decisions about the shape of the LEP, working with our partner organisations.

ALTERNATIVE OPTIONS

The LEP is not formally recognised until a Board is formed. One alternative is to do no further work and allow the LEP proposal to fall. This has been rejected because a large amount of work has been done by the Council and partner organisations to work up the LEP proposal. It is considered that there may be substantial benefits to the region from having an effective LEP established.

Another alternative is not to delegate any authority to the Chief Executive and require all negotiation about the formulation of the Board and shaping of the LEP to be done through Cabinet. This is impractical and has been rejected for that reason.

9. COUNCIL TAX BASE 2011/12

Cabinet received a report recommending the endorsement of the calculation of the Council Tax Base for 2011/12 at a level of 55,971 Band D equivalent properties and to note the estimated position of the Collection Fund and authorise the Executive Director - Strategic Resources to calculate the final figure on 15th January 2011 and notify the Cambridgeshire Police Authority and the Cambridgeshire & Peterborough Fire & Rescue Authority. The Cabinet Member for Resources recommended approval of the document.

CABINET RESOLVED TO:

1. Endorse the calculation of the Council Tax Base for 2011/12 at a level of 55,971 Band D equivalent properties; and
2. Note the estimated position of the Collection Fund and authorise the Executive Director - Strategic Resources to calculate the final figure on 15th January 2011 and

notify the Cambridgeshire Police Authority and the Cambridgeshire & Peterborough Fire & Rescue Authority.

REASONS

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.

ALTERNATIVE OPTIONS

None required at this stage.

10. BUDGET AND MEDIUM TERM FINANCIAL STRATEGY

Councillor Seaton advised Cabinet that due to the delay in the publication of the Local Government Grant Settlement, this agenda item would be adjourned until 20 December 2010 when it would be clearer how the city council's finances would be affected.

MONITORING ITEMS

12. OUTCOME OF PETITIONS

Cabinet received a report recommending it notes the action taken in respect of petitions presented to full Council. The Leader of the Council recommended approval of the recommendations.

CABINET RESOLVED TO:

Note the action taken in respect of petitions presented to full Council.

REASONS

Standing Orders require that Council receive a report about the action taken on petitions. As the petitions presented in this report have been dealt with by Cabinet Members or officers it is appropriate that the action taken is reported to Cabinet, prior to it being included within the Executive's report to full Council.

ALTERNATIVE OPTIONS

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

Meeting closed at 11.25 a.m.