

MINUTES OF CABINET MEETING HELD 26 MARCH 2012

PRESENT

Cabinet Members: Councillor Cereste (chair), Councillor M Dalton, Councillor Sam Dalton, Councillor Fitzgerald, Councillor Hiller, Councillor Holdich, Councillor Lee, Councillor Scott, and Councillor Walsh.

Cabinet Adviser: Councillor Goodwin

In attendance: Chloe Fuller (Peterborough Youth MP) and Callum Hurley (Peterborough Youth Council vice chairman)

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Seaton.

2. DECLARATIONS OF INTEREST

Councillor M Dalton declared a personal interest in item 4 on the agenda as the land of a family business bordered a piece of the land contained in the document (page 19 site reference SA5.5).

Councillor S Dalton declared a personal interest in item 4 on the agenda as the land of a family business bordered some of the land contained in the document (page 19 site reference SA5.5).

3. MINUTES OF CABINET MEETINGS 10 FEBRUARY 2012

Cabinet agreed the minutes of the meetings held 10 February 2012 were accurate.

STRATEGIC DECISIONS

4. PETERBOROUGH SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT (DPD)

Cabinet received a report setting out the recommendations made by the Independent Inspector and subsequently, seeking Cabinet's approval to recommend the Site Allocations DPD to Council for adoption.

Councillor Hiller introduced the report, thanking officers for the work they had undertaken to finalise the document. Councillor Walsh raised a concern over the benefit of a rail freight interchange. Councillors Holdich and Cereste added that internal development was needed to provide for a growing city.

Cabinet noted the conclusions of the independent Inspector and **RESOLVED** to:

Recommend to Council the adoption of the Peterborough Site Allocations Development Plan Document, incorporating modifications as recommended by the Inspector ('Main Modifications') and other minor editorial modifications ('Additional Modifications').

REASONS FOR THE DECISION

Council only has two options available to it; either adopt the document with the modifications or not adopt the document. The former was recommended, as it was a statutory duty to prepare a Site Allocations DPD, and, in adopting it, Peterborough would have a clear and robust policy document setting out its vision, objectives and sites for future growth.

ALTERNATIVE OPTIONS CONSIDERED

The option of not adopting the DPD is not recommended, because in doing so the council:

- Would not have sufficient sites available to deliver the planned growth of the city set out in the adopted Core Strategy; and
- Will be at considerable risk of having to consider ad hoc major planning proposals from developers with no real basis or policy in place for decision making (which in turn could lead to poorly planned growth, reduced investment in Peterborough, lower job growth, increased housing waiting list and insufficient provision of infrastructure due to uncoordinated, developer-led, development schemes).

5. TREES AND WOODLAND STRATEGY

Cabinet received a report presenting the City Council's updated Trees and Woodland Strategy for consideration and - if appropriate - referral to Full Council for consideration as part of the major policy framework.

Councillor S Dalton introduced the report, thanking officers for their work in preparing the document, highlighting a 'right tree right place' planting approach and directing resources to the most needed places.

Councillors Holdich and Hiller noted the involvement of parishes in the development of the strategy and Councillor Fitzgerald stated that the 2012/13 budget provided the necessary funding to begin work on the strategy proposals.

Cabinet **RESOLVED** to:

Recommend the Trees and Woodland Strategy – Policies and Priorities to Council for adoption having considered the comments made by Environment Capital Scrutiny Committee and possible additional resource requirements post 2012/13.

REASONS FOR THE DECISION

To update the City Council's Trees and Woodland Strategy to take account of its legislative requirement introduced by the Natural Environment and Rural Communities Act S40 and The Natural Choice: securing the value of nature – Environment White Paper CM8082.

In addition it would help the Council facilitate compliance with:

- Occupiers Liability Act 1957) [revised 1984]) which requires it "to take reasonable care" to maintain its trees and woods in a reasonably safe condition.
- Section 3 (1) of the Health and Safety at Work Act 1974 which places general duties upon the Council to those other than employees and states:

“It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not exposed to risks to their health and safety”.

ALTERNATIVE OPTIONS CONSIDERED

Consideration was given to retaining the 1998 Trees and Woodland Strategy. This was rejected as it does not adequately reflect legislative requirements that have come into force since adoption. In addition, the existing document does not provide a defensible tree management system for the Council.

6. STATEMENT OF COMMUNITY INVOLVEMENT (INCLUDING NEIGHBOURHOOD PLANNING GUIDANCE) - DRAFT

Cabinet received a report to update and gain approval on how Peterborough City Council wished to consult and assist the public on all matters relating to planning, neighbourhood planning and community action planning and also seeking approval from Cabinet, for the purposes of public consultation, of the draft Statement of Community Involvement (SCI).

Councillor Hiller introduced the report noting that Peterborough was progressing ahead of many other Authorities in the preparation of the document. The Council's Group Manager Strategic Planning & Enabling, advised Cabinet that scrutiny consultation resulted in no recommended changes to the document but sought a commitment for the council to assist parishes and public groups when looking become more involved. A six week consultation would include the Neighbourhood Committees and Parish Councils.

Cabinet **RESOLVED** to:

1. Approve the draft Statement of Community Involvement for the purposes of public consultation, subject to any minor changes necessary in order to ensure that it aligned with the final neighbourhood planning regulations published in mid March;
2. Agree, for the interim period between 6 April 2012 and the adoption of the Statement of Community Involvement (scheduled for later in 2012), that the provisions set out in the draft Statement of Community Involvement in respect of Neighbourhood Planning be applied; and
3. Endorse the continued production of Community Action Plans, based on the outline detailed at paragraphs 4.23 to 4.29.

REASONS FOR THE DECISION

It is a statutory duty to prepare an SCI. While the council already has an SCI in place, it is considered somewhat out of date and in need of a refresh. This will ensure communities are fully aware of how and when best to get involved in planning matters, whether that be plan making, planning applications or Neighbourhood Planning.

With respect to Community Action Plans (CAPs), whilst they are not a statutory duty, it is considered important that a clear and concise 'action plan' is prepared for each neighbourhood which cuts across a wide range of service providers. This will make it easier for residents to understand what is being provided (and prioritised) in their area, in a single easy to use guide. It will also help ensure service providers are coordinated in the way they deliver services, which should deliver efficiency savings and a better overall outcome.

ALTERNATIVE OPTIONS CONSIDERED

The council could decide not to issue a refreshed SCI, but this would mean the existing SCI would remain in force which has out of date commitments and expectations. Refreshing the SCI is a relatively quick process and only requires a relatively small amount of officer time. The benefits, therefore, are high compared with the costs of its production, especially considering the substantial amount of change to the planning system over the past few months.

The council could decide not to prepare CAPs, but this would not fill an identified gap, at the local community level, of having a coordinated approach to service delivery, supported by a full spectrum of partners. In the current times of austerity, it is essential to enable smarter decision making through a process which will ensure maximum benefit from the Single Delivery Plan.

7. EQUALITY OBJECTIVES

Cabinet received a report requesting it agree the Equality Objectives for the Council for the next 2 years as required by section 149 of the Equality Act 2010 and The Equality Act 2010 (Statutory Duties) Regulations 2011.

Councillor Walsh introduced the report thanked officers for their work, highlighted that the all current systems were reviewed and advised that the council sought to become a beacon authority for equality issues.

Cabinet **RESOLVED** to:

Approve and agree to publish the three equality objectives recommended by the Equality and Diversity Steering Group, namely:

- a) To undertake a full review of strategic functions, policies and procedures across the authority, to ensure legislative compliance and best practice is embedded within our systems;
- b) To establish Corporate Governance and Partnership arrangements that ensure the Equality Duty is delivered; and
- c) To establish a Quality Assurance Process that meets the recognised standards for assessing the Equality impact of our internal processes and policies and those relating to our service delivery.

REASONS FOR THE DECISION

The Council is required by Section 149 of the Equality Act 2010 Public sector equality duty, and the Equality Act 2010 (Statutory Duties) Regulations 2011 to publish one or more objectives that it believes need to be achieved to further the aims of the General Equality Duty. This must be done no later than 6th April 2012 and at least every four years after that.

ALTERNATIVE OPTIONS CONSIDERED

- 1) Not to agree any equality objectives. This has been rejected as an option as it would put the authority in breach of its statutory duties;
- 2) To agree different objectives. This has been rejected as it is considered that the recommended objectives are the most appropriate at this time. Furthermore to reconsider alternatives now would result in a shorter time for consultation and put the authority at risk of failing to publish our objectives within the legal timeframe required; and
- 3) To publish the objectives as part of a larger document similar to the draft Single Equality Scheme presented to Cabinet in November 2011. This has been rejected because there is no longer any requirement to have a single equality scheme, and it is

considered more appropriate to concentrate on publishing and working towards achieving the specific objectives of the authority.

8. USE OF CONSULTANTS - CONSULTANCY AND INTERIM POLICY

Cabinet received a report to consider and approve the Consultancy and Interim Policy for adoption as recommended by the Sustainable Growth Scrutiny Committee of 6th March 2012 (Appendix 1) arising out of original recommendations of the scrutiny review group.

Councillor Cereste introduced the report with the council's Head of Corporate Services adding that the single policy brought together various existing policies and regulations into one document.

Cabinet considered the report and were advised that approval of businesses cases was required for long term appointments and that permanent employment was offered in some instances; over £100m of savings had been identified in the last 5 years as a result of using consultants and all were employed correctly and appropriately; and business cases were available on the council's Verto project system for Members to view. The source of the recommended threshold of £50k for referral to the Cabinet Member would be reported back. Cabinet also commended the inclusion of the Skills Transfer section of the policy.

Cabinet **RESOLVED** to:

Adopt the Consultancy and Interim Policy.

REASONS FOR THE DECISION

The recommendations are in line with the recommendations of the original Scrutiny Review, as endorsed by Cabinet in June 2011.

ALTERNATIVE OPTIONS CONSIDERED

Much of the policy draws together practice or requirements that are already in place e.g. in contract regulations, so it could be possible not to have a specific policy. However it is considered helpful, and more transparent, to have the specific policy as outlined.

9. CHILDREN'S SERVICES UPDATE

Cabinet received a report updating it with details of improvement actions undertaken since the 12th December 2011 meeting in response to the findings of the Ofsted Inspection of Safeguarding carried out in August 2011.

Councillor Scott introduced the report highlighting the progress already made and that new assistant directors were taking up posts to enhance and further the improvement work already seen since December.

The Executive Director of Children's Services advised Cabinet that new management staff were in place, numbers of social workers had increased, no outstanding assessments for children existed and a new early intervention team had already provided services for over 100 children and families.

Cabinet **RESOLVED** to:

Notes the improvement activity and progress within Children's Services.

REASONS FOR THE DECISION

The Council needs to secure immediate improvements to safeguard children and in the longer term put in place a sustainable high quality Children's Services in Peterborough.

ALTERNATIVE OPTIONS CONSIDERED

Not applicable.

10. BUDGET MONITORING 2011/12

Cabinet received a report informing it of the provisional financial performance for revenue and capital based on known information to date and containing performance information on treasury management activities, the payment of creditors in services and collection performance for debtors, local taxation and benefit overpayments.

Councillor Cereste introduced the report with the Council's Executive Director of Strategic Resources advising that financial improvement in the region of around £300k that was 13% in terms of the outturn position for the current financial year compared to the budget that was approved at full Council in February.

Cabinet **RESOLVED** to:

1. Note the improvement in the provisional outturn for the council's revenue budget, reducing the level of reserves required to deliver a balanced budget;
2. Note the updated reserves position, including the general fund and capacity fund;
3. Note the position on the capital budget monitoring; and
4. Note the performance on treasury management activities, payments of creditors and collection performance for debtors, local taxation and benefit overpayments.

REASONS FOR THE DECISION

This monitoring report for the 2011/12 financial year is a precursor to the closure of accounts and decision making framework to form part of the process for producing the Statement of Accounts.

ALTERNATIVE OPTIONS CONSIDERED

The council's outturn is considered as part of setting the following year's budget including how any over and under spends on the reported outturn position can be met. Consideration on addressing the overspend included a reduction in the general fund balance below the minimum £6m balance which is not deemed to be appropriate and finding additional savings. It was considered that any other short term savings in the current financial year will have an unacceptable impact on services.

11. OUTCOME OF PETITIONS

Cabinet considered a report recommending it noted the action taken in respect of petitions presented to full Council.

Councillor Cereste introduced the report and requested that further information should be included in future reports on the outcomes of officer actions.

CABINET RESOLVED TO:

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

REASONS FOR THE DECISION

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.

11 a.m.