

SUSTAINABLE GROWTH SCRUTINY COMMITTEE

TUESDAY 6 MARCH 2012

7.00 PM

Forli Room - Town Hall

AGENDA

Page No

1. Apologies for Absence

2. Declarations of Interest and Whipping Declarations

At this point Members must declare whether they have an interest, whether personal or prejudicial, in any of the items on the agenda. Members must also declare if they are subject to their party group whip in relation to any items under consideration.

3. Minutes of Meetings Held on: 10 January 2012 and 30 January 2012 1 - 24

- 10 January 2012
- 30 January 2012 – Joint Meeting of the Scrutiny Committees and Commissions - Budget

4. Call In of any Cabinet, Cabinet Member or Key Officer Decisions

The decision notice for each decision will bear the date on which it is published and will specify that the decision may then be implemented on the expiry of 3 working days after the publication of the decision (not including the date of publication), unless a request for call-in of the decision is received from any two Members of a Scrutiny Committee or Scrutiny Commissions. If a request for call-in of a decision is received, implementation of the decision remains suspended for consideration by the relevant Scrutiny Committee or Commission.

5. Peterborough 'Statement of Community Involvement', Neighbourhood Planning and Community Action Plans 25 - 112

6. First Interim Report on the Performance of the Serco Partnership 113 - 120

7. Complaints Monitoring Report 2010-2011 121 - 134

8. Consultancy and Interim Policy 135 - 144

9. Forward Plan of Key Decisions 145 - 160



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Committee Members:

Councillors: C Burton (Chairman), S Allen (Vice Chairman), N Arculus, D Day, J Peach, E Murphy and N Sandford

Substitutes: Councillors: D Fower, G Nawaz and M Jamil

Further information about this meeting can be obtained from Paulina Ford on telephone 01733 452508 or by email – paulina.ford@peterborough.gov.uk

**MINUTES OF A MEETING OF THE SUSTAINABLE GROWTH SCRUTINY COMMITTEE
HELD AT THE BOURGES/VIERSEN ROOM - TOWN HALL
ON 10 JANUARY 2012**

- Present:** Councillors C Burton (Chairman), S Allen (Vice Chairman), N Arculus, D Day, J Peach, E Murphy, N Sandford
- Also Present:** Jeffrey Pusey, Youth Council
Peter Godly, Youth Council
- Officers Present:** Paul Phillipson, Executive Director – Operations
Simon Machen, Head of Planning, Transport and Engineering Services
Anne Keogh, Housing Strategy Manager
Mike Kealey, Acting Head of HR
Mike George, HR Analyst
Carrie Denness, Principle Solicitor
Dania Castagliuolo, Governance Officer
Paulina Ford, Senior Governance Officer, Scrutiny

1. Apologies for Absence

No apologies were received.

2. Declarations of Interest and Whipping Declarations

Agenda item 5 - Public Consultation Response to the Draft Peterborough Housing Strategy 2011-15

Councillor Murphy declared a personal interest in that he was part of the 'Can Do' operation in Millfield which was mentioned in the Draft Housing Strategy.

Agenda item 7 - Forward Plan

Councillor Murphy declared a personal interest in that he lived near Vawser Lodge.

3. Minutes of meetings held on:

- 13 October 2011
- 18 October 2011
- 8 November 2011

The minutes of the meetings held on the above dates were all approved and an accurate record.

4. Call in of any Cabinet, Cabinet Member or Key Officer Decisions

There were no requests for call-in to consider.

5. Public Consultation Response to the Draft Peterborough Housing Strategy 2011-15

The purpose of the report was to seek comments from the Committee on the draft consultation report that set out the comments received and responses proposed to key

issues which had arisen from the public consultation on the draft Peterborough Housing Strategy 2011-15 (incorporating the Peterborough Strategic Tenancy Policy). The Strategy set out the council's policies, commitments and programme for the period 2011-2015 for a wide range of housing matters. There were four headline priority areas within the Strategy:

- supporting the delivery of substantial yet sustainable growth;
- securing the regeneration and improvements to Peterborough's housing stock;
- meeting existing and future housing needs; and
- encouraging the development of mixed and sustainable communities

The Housing Strategy Manager and the Head of Planning, Transport and Engineering Services went through the Strategy and highlighted any changes that had been made to the Strategy as a result of the consultation.

Questions and observations were made around the following areas:

Draft Housing Policy

Policy HS6 – Use of city council land to delivery housing growth

- Members noted that HS6 Policy was to be changed to make provision to allow the council to dispose of land by something other than best value. Members were concerned that when it came to the disposal of land not enough was being done to advertise the disposal and that disposal of land may be at under value. *Members were advised that the disposal of property at less than best value had always been an option providing the reasons were clear, transparent and justifiable. The Council's policy was always to obtain the best value for the asset for which it disposes unless it was for social good and a rational or reason of why it was being disposed of for less than good value would have to be given. The decision would have to go through a Cabinet Member decision notice which would clearly state the reasons why the asset was being sold for less than best value. It would then allow challenge to the decision.*
- When does the Committee have an opportunity to scrutinise the Capital Asset Disposal Policy. *The Principal Solicitor advised Members that there was no actual Capital Asset Disposal Policy per se but a disposal strategy, disposal of assets are dealt with via the Medium Term Financial Plan and therefore Members can scrutinise the proposals via the Plan. Members were also advised that the disposal of land by the Council was governed by section 123 of the Local Government Act 1972 as such any disposal of land must accord with the legislative provisions. The Act clearly set out how and when the Authority could dispose of land and that market value / best value for the land should always be sought unless other issues dictated otherwise.*

Policy HS 35 – Managing the growth of the Housing in Multiple Occupation (HMO) sector.

- In the wording of Policy HS35 there is a suggestion of adding the wording 'exploring the use of a 'selective licensing scheme' for rented accommodation in the 'Operation Can Do' area. Could you consider firming this up by changing the wording. Members were informed that there were various groups looking into this but nothing had been confirmed yet. The wording could be refined to say 'fully investigate' rather than explore.

Policy HS6 – Use of city council land to delivery housing growth.

- Does it mean that if co-operatives want to make use of land to build their own homes they could. *As part of the disposal strategy that would be one option.*

Strategic Tenancy Policy

- Will the Strategic Tenancy Document be a separate policy when it is finally published? *Members were informed that it would be published as a separate document and as an appendix to the Peterborough Housing Strategy 2011-15.*
- If people have a secure tenure they should be able to trade down their property and still retain their tenure. This would encourage people to change houses that are no longer suitable for them. The wording in the document indicates that you are only expecting people to trade down. Could people move in to a larger property when circumstances

change and still retain their secure tenure? *There was a choice base letting system in operation therefore people had to check what was available through the weekly allocations addition. Housing Associations may try to encourage someone to downsize so that they could gain a four bed house if they were able to find a two bed house for that person and they would therefore retain their secure tenure. If someone up sizes because they are over crowded in their current accommodation then it is likely they would take their secure tenancy with them. If they want a particular property in a particular area and it was at an affordable rent then they would have to make the choice to give up their secure tenure. The point of the strategic tenancy policy was not to dictate to the Housing Associations it was meant to be a headline overarching policy to which they have due regard when formulating their own individual policy. It was a guide to offer flexibility.*

General Comments

- Have we ever achieved the 1,420 homes per annum target and if not should we be looking at revising the target. *The Housing Strategy can not change the housing allocation in the City that is the function of the Local Development Framework. The core strategy was only adopted last year. There had been the lowest rates of house building in 70 years in this country and it was unlikely to change in the near future.*
- Are we still committed to becoming the Environment Capital? It does not appear to be reflected in the Housing Strategy that we are. *There was a commitment to achieving the Environment Capital. The core strategy set out the environmental performance standard requirements for new developments in the city and there were imposed planning conditions to achieve that. The final document would stress that the council's agenda was to become the Environment Capital.*
- How many comments were received on the Housing Strategy? *There were various ways that people could comment by writing, emailing, or responding via a portal on the website. People responding via the portal had the opportunity to go straight to the text they wished to comment on and submit their comments for that section only. The number of comments in the document were not a reflection of the number of consultation responses. Some people would have made numerous comments. Similar comments had been grouped. Sixteen responses had been received which included numerous housing associations, two developers, Stuart Jackson MP and the Police.*
- Homeless presentations and homelessness were increasing dramatically. The latest figures on affordable completions and starts were down to single figures. Does this therefore mean that the Housing Strategy will not deliver 1400 homes and any significant number of affordable homes in the near future? *Because of significant changes in government funding around affordable housing most registered providers had been stock taking and looking at what their options were for the future and this had impacted on the short term for delivery. The Housing Strategy therefore had to be flexible in how it provided, facilitated and delivered affordable housing. There was a finite amount of money in the stock transfer pot to invest in affordable housing. We need to ensure that there is a mechanism through offsite contributions to keep creating more money for the authority to invest in affordable housing.*
- How have the changes in the draft Housing Strategy taken into account the rising number of homelessness? *Housing Needs have changed their focus to homelessness prevention to try and avoid people getting to the situation where they had to present as homeless.*

RECOMMENDATIONS

The Committee noted the report and recommends that all comments made at this meeting to be forwarded to the Cabinet for consideration.

6. Human Resources Monitoring Report

The Acting Head of HR presented the report which informed the Committee of HR developments, updates and priorities over the past year. This included:

- Training and development
- Organisational development
- Employee Relations
- HR Team Service Delivery

Also included was a People Report which provided key workforce statistics as at December 2011.

Members wanted to know what had been the key challenges and key achievements over the past year. The Acting Head of HR informed Members that key challenges had been supporting the organisation to achieve the outcomes of the Medium Term Financial Strategy and in particular the head count reductions and changes in the terms and conditions.

In the last twelve months HR had:

1. Managed over 180 redundancies resulting in no employee litigation against the council or any employee tribunals.
2. Engaged with the Unions to reach an agreement for ways to save money through changing terms and conditions.
3. Managed two major TUPE transfers to Enterprise and Serco.
4. Addressed the attendance issues to reduce absenteeism from 5% to 3%.
5. Achieved the Bronze Investors in People Standard and was now working towards the Silver award.
6. Embedded the Performance Review Process.

Questions and observations were made around the following areas:

- The Chair commented that the People Management Report contained too much information at a lower level and suggested that in future a more simplified report be provided. The Chair suggested that before the next report that officers attend a Group Representatives meeting to discuss the presentation of the data.
- The report states that only 68% of all employees have had an annual Performance and Development Review (PDR). Was it envisaged that all employees would eventually have a PDR. *The goal had been to have almost 100% of employees having had a PDR, there would never be a 100% completion as there would always be some staff on maternity leave or long term sick. 98% would be a realistic target. There was a continual push from HR to Managers to try and achieve this.*
- What happened to employees who exceeded expectations and got either a grade 4 or grade 5 in their review? Did they receive a financial reward? Was there a way of incentivising people to exceed expectations? *No formal recognition scheme was in place. There were mechanisms in place to award honorariums and it was also taken into account when people were promoted.*
- Do you keep track of any redundancies that are made at our outsourcing partners Serco and Enterprise? *The only linkage the Council had was through the Trade Unions. The Client Manager would manage the contract.*
- Have any payments been made above the statutory redundancy payments either for Payment in Lieu of Notice or for no publicity clauses and what did they add up to and does this include legal costs. *All of the redundancy payments were in line with the Councils redundancy policy. The Councils redundancy terms were better than the statutory payment. The cost to the Council for voluntary redundancy and compulsory redundancy was exactly the same. The employee who takes voluntary redundancy benefits from not having to work their notice period which was Pay in Lieu of Notice would receive a tax free payment for the notice period. Those taking voluntary redundancy would have to sign a compromise agreement which helped to protect the Council from litigation. Legal fees for solicitors to facilitate the compromise agreement cost £200 plus VAT. The amount paid out in redundancy was well below the amount that they could potentially receive had they decided to go to a tribunal.*

- Are honorarium payments being made and if so how much has been paid out. *Approximately £10,000 in a twelve month period had been paid out in honorarium payments. There was a strict honorarium policy stating how much could be paid to ensure one person did not get £10,000.*
- The BME employee numbers had gone down. What was being done to address this? *The BME employee numbers had gone down and this was partly due to outsourcing to Enterprise. This was currently being looked at to see what action could be taken to encourage more BME applications.*
- What was the council doing to help disabled people in applying for jobs? *The council operate the positive symbol which guarantees that any disabled person would get a job interview and the council was audited annually on this.*
- How many people were employed from within the City and how many were employed from outside the city boundaries. *The HR Analyst informed Members that there were statistics to show this information but that he did not have them with him and would provide them after the meeting.*
- Members were advised that pay rates had been set at a National Level and there would be a third year at which these would be frozen for most staff. Pay would also be frozen for a fourth year for those who were on the HAY Pay scale which was for management. Staff were able to move up the scale incrementally which was related to their service. Once at the maximum of the scale they would remain there without a pay increase. Terms and Conditions were continually being looked at to see where additional savings could be made. In the past year there had been a reduction in mileage rates and the introduction of payment by staff for parking in council car parks.
- In the report there was a table which gave statistics of sickness occasions by category. One category was 'No Reason Given'. Can you advise why this is? *The sickness policy states that an employee who had been off sick must provide a reason. HR would seek to review and follow up any cases where a reason had not been given to ensure it was completed.*
- What comes under the sickness category "Other"? *Members were advised that "other" was not just something that was put down with no genuine reason there was a list of criteria which fell underneath the category 'Other'.*
- The report states that *"the percentage of sickness that is long term is above the mean average but below the middle (median) value"*. What justification do you have for adopting the median value? *Members were informed that benchmarking clubs use the median average and the quartiles to give more of an idea of where each authority was placed.*
- *Members were informed that Trade Union (TU) representatives that had been employed in roles within the council and had now been outsourced to Enterprise and Serco meant that there had been a reduction in the number of TU Representatives working for the council. It was important that there was a strong relationship of working with Trade Unions as it helped provide a significant reduction in litigation. To engage with trade unions on changes in Terms and Conditions was much better than trying to deal with every employee. Working closely with Trade Unions could benefit a company greatly.*
- What advantages does PCC gain from having the Bronze Investor in People award? Did it give a higher profile to the City and what plans were in place to achieve the higher level awards. *There were three main benefits for having the Investors in People award:*
 - *By going for the Bronze and bringing all of the registrations in to one there was a saving of approximately £15K a year for the Investors in People costs.*
 - *Attractiveness as an employer which helps attract the best people*
 - *It acts as a health check on how good the HR systems and processes, people development, recruitment and succession planning are doing. It gives an external audit on how good the people management processes and policies are.*

PCC were currently working towards the silver award and would then go for the gold award.

- A number of the statistics in the report show that Children's Services are underperforming in terms of PDR's and sickness. Was this a priority for the new Interim Director of Children's Services to investigate? *The statistics show the current general state of Children's Services. HR had been doing their part to help improve the situation in line with the Ofsted report. A team of four additional HR resources had been diverted to provide dedicated support to Children's Services. Additionally the HR tool called the HR Review Process which had been recognised by Ofsted was now being used in some areas of Children's services to look at a range of issues like the bottom 10% performers, succession planning and what the structure of the organisation should be going forward. As the improvement comes through the amount of HR support would be reduced.*
- What consideration was given in the reduction of working hours or career breaks to mitigate the need for redundancies. *Members were advised that everything was done to reduce compulsory redundancies like redeployment of staff, voluntary redundancies and changes in terms and conditions. In addition to this an email address was set up called reduceyourhours.com which invited every member of staff to put forward suggestions for reducing working hours but there was little response.*

ACTION AGREED

The committee noted the report and requested that:

1. The HR Analyst provide the Committee with statistics showing how many employees of the Council live within the City and how many live outside the city boundaries.
2. That the Acting Head of HR report back to the Committee in six months time with a progress report containing comparison data against the last six months. HR Analyst and the Director of HR to attend a Group representatives meeting prior to the formal meeting to agree how the information should be presented.

7. Forward Plan of Key Decisions

The Committee received the latest version of the Council's Forward Plan, containing key decisions that the Leader of the Council anticipated the Cabinet or individual Cabinet Members would make during the course of the following four months. Members were invited to comment on the Plan and, where appropriate, identify any relevant areas for inclusion in the Committee's work programme.

ACTION AGREED

To note the latest version of the Forward Plan.

8. Work Programme

Members considered the Committee's Work Programme for 2011/12 and discussed possible items for inclusion.

ACTION AGREED

To confirm the work programme for 2011/12 and the Scrutiny Officer to include any additional items as requested during the meeting.

9. Date of Next Meeting

Tuesday 6 March 2012

CHAIRMAN 7.00 - 9.35 pm

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**MINUTES OF A MEETING OF THE JOINT MEETING OF THE SCRUTINY
COMMITTEES AND COMMISSIONS - BUDGET
HELD AT THE COUNCIL CHAMBER- TOWN HALL
ON 30 JANUARY 2012**

Present: Councillors C Burton (Chairman), S Allen, N Arculus, F Benton, G Casey, D Day, S Day, G Elsey, M Harper, D Lamb, Nadeem, P Nash, J Peach, B Rush, G Simons, J Stokes, M Todd, JA Fox, JR Fox, B Saltmarsh, E Murphy, Shabbir, J Shearman, Martin, N Sandford

Also Present: Niamh Kingsley, Youth Council
Peter Godly, Youth Council
Councillor Scott, Cabinet Member for Children's Services
Councillor Holdich, Cabinet Member for Education, Skills and University
Councillor Fitzgerald, Cabinet Member for Adult Social Care
Councillor S Dalton, Cabinet Member for Environment Capital
Councillor M Dalton, Cabinet Member for Communications
Councillor Seaton, Cabinet Member for Resources
Councillor Khan, Leader of the Labour Group

Officers Present: Gillian Beasley, Chief Executive
Paul Phillipson, Executive Director for Operations
Terry Rich, Director for Adult Social Services
Malcolm Newsam, Executive Director for Children's Services
John Harrison, Executive Director for Strategic Resources
Steven Pilsworth, Head of Corporate Services
Vicky Palazon, Financial Services Manager – Planning and Reporting
Dania Castagliuolo, Governance Officer
Paulina Ford, Senior Governance Officer, Scrutiny

1. Apologies for Absence

Apologies were received from Councillors Harrington, Sharp, Jamil, North and Over. Councillor Martin attended as substitute for Councillor Jamil. Apologies for absence were also received from the following Cabinet Members: Councillor Cereste, Leader of the Council and Cabinet Member for Growth, Strategic Planning, Economic Development and Business Engagement. Councillor Lee, Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning, Councillor Hiller, Cabinet Member for Housing, Neighbourhoods and Planning and Councillor Walsh, Cabinet Member for Community Cohesion and Safety.

2. Declarations of Interest and Whipping Declarations

Councillor Murphy declared a personal interest in that he worked for a Regeneration Partnership in Peterborough. Councillor Sandford declared a personal interest in that he was a board member of the Peterborough Environment City Trust.

3. Budget 2012/13 and Medium Term Financial Plan to 2012/22

The Chair welcomed everyone present and explained that the purpose of the meeting was to provide an opportunity for all Members of each Scrutiny Committee and Commission to scrutinise the 2012/13 Budget and Medium Term Financial Plan to 2012/22 as part of the formal consultation process before being presented to Cabinet for approval on 10 February 2012. Prior to the formal meeting the Director for Strategic Resources had given members a briefing on the budget book in the form of a power point presentation.

Members were given an overview of the Medium Term Financial Plan and Budget by the Cabinet Member for Resources. He informed Members that in order to meet the financial challenges the Council was making £28m worth of savings. There were significant pressures in Adult Social Care and additional savings had been delivered to mitigate those pressures but it had not been enough. Reserves would have to be used to cover the current issues. Future challenges included a grant reduction of £5.6M equating to a £15M reduction over two financial years and would increase to £25M in four years time.

Questions and observations were made around the following areas:

Budget Section	Question / Comment	Response
Adult Social Care	How do our figures compare to other Authorities?	Peterborough had experienced around a 10% increase in costs associated with providing care for older people. The strategy that was being adopted was around reablement which aims to ensure that as many of those older people requiring care have short bursts of care to reable them to allow them to return home to live independently. There had been an increase in the over 85 population in Peterborough and this would therefore put pressure on the social care budget going forward.
Adult Social Care	The budget mentions that there are plans to close the two remaining residential care homes owned by the Council. Will this increase the pressure to spend more money at places like Southern Cross homes?	Adult Social Care had featured heavily in the press nationally and there had been a lot of discussions on looking at new ways to fund Adult Social Care. A review was being conducted into the remaining council run care homes to work out the best way forward. It would be a balance of making savings and investment. There was a need to reprovise the remaining facilities. There would be an investment in the service which might mean closing the existing facilities and opening a new one but this decision would not be taken until the review had taken place and recommendations had been put forward.
Adult Social Care	Are there any increases in fees and charges for Adult Social Care in this year's budget?	There were no new increases in fees and charges in this budget paper. Any increases that had been implemented this year were from last years budget and only apply to those who could afford to pay.
Adult Social Care	What credibility can be given to the current figures being put forward in this year's budget?	There was a need to review adult social care services and budgets. Further detail of this had been included within the budget consultation document. A combination of an increasingly elderly population, with people living longer, and other adults developing more complex needs was placing significant pressure on adult social care budgets. The council currently operated a pooled arrangement with the Primary Care Trust (PCT) who manage the budget on our behalf. The data and information was maintained by the PCT.

Budget Section	Question / Comment	Response
	<p>It is difficult to forecast expenditure. Every year there seems to be a loss on the forecasting. Do you feel that you have the forecasting right this time? How realistic is the pressure of the £9.4m and what is being done about it. Can you give us assurances that the standard of care will not be reduced?</p>	<p>A significant amount to work had been done with the PCT to prepare for transferring the service back to the council from March 2012, including understanding the pressures and how these pressures could be mitigated in future. The estimates included were reasonable based on the known information.</p> <p>Some services would continue to be delivered by independent providers, but it was important to get value for money. The aim was to improve the standard of care.</p> <p>To deliver an effective Adult Social Care Service there needed to be an effective commissioning organisation and there would be a need to intelligently manage the market.</p>
Capital Programme	<p>As part of the Capital Programme there is £3m allocated this year and £3m for next year on residential homes replacement. Is there a way of staggering the investment or structuring the specifications for the nine additional extra care facilities in such a way that we could get some efficiency on the capital spend?</p>	<p>The budget was not necessarily the finite figure for the reprovision of the facility, merely the council's contribution to the project. The budget was originally allocated for improvement to existing homes. Professional advice was now suggesting that the whole situation should be looked at as part of the review of home and residential care. Discussions were taking place with the private sector about the best way to provide care for the people that were currently in the Council owned care homes. The extra care was not being funded by the Council.</p>
Capital Programme	<p>The £6m budget allocated for residential homes replacement is showing that it is being met by corporate reserves not by a third party. Can you clarify if this is correct?</p>	<p>The £6m allocated is the whole amount that the council will pay for and this money comes from corporate resources not corporate reserves. This means that the money would come from borrowing or disposal of assets. Any additional costs over the £6m would have to be funded by the private sector.</p>

Budget Section	Question / Comment	Response
Capital Programme	Children's Services has a large capital budget which was heavily front loaded for the schools side of Children's Services. Would it be possible to get a breakdown cost of the build projects for each individual school so that we can assess the efficiencies being gained from the programme?	The projects were based on the need for school places and were listed within the budget book. The capital programme cost was reduced by 25% operating a framework contract which has now come to an end. A new framework agreement was being put in place for school builds. Six firms had attended a presentation to hear about the new projects and they would bid on a square foot basis. The square foot basis had come down significantly.
Capital Programme	The Capital Budget for children's services (non schools) seems very light considering the difficulties it is currently in.	The biggest capital investment in recent years had been in Children's Centres and refurbishment of two children homes. This work had now been completed. There were no major plans for capital investment at the moment but this may change.
Capital Programme	The Council is proposing in two years time to invest in water based taxi park and ride. When the idea was floated a few years ago members were told that water taxis would not be provided unless they could be run on a commercial basis. Why are you bringing this forward at a cost of £600k.	The Water taxis were a shift away from car transport and included within the capital programme as this project formed part of the council's Integrated Development Plan but it would not be funded unless it was from a developer or other external funding. It would also need to have its own revenue funding stream to be self sufficient. The £600k was an estimated cost for a developer or anyone else wishing to put the infrastructure in for water taxis. It would not be council money.

Budget Section	Question / Comment	Response
Capital Programme	Councillor Khan advised that some of the work on the street light column replacement had stopped. He requested assurance that the money in the budget would ensure that the areas where the work had stopped would continue.	The Director for Operations advised that he would go through the street light column replacement programme with him to identify where the work had stopped. The budget had identified £870k for the continuation of this work.
Capital Programme	Councillor Khan requested that the removal of the Russell Street subway and replacement with a crossing be reconsidered as he felt it would cause further problems.	The Russell Street subway had caused considerable safety problems over the years and therefore the removal of it and replacement with a crossing would provide a safer route across Bourges Boulevard to Mayors Walk for pedestrians and cyclists. Bourges Boulevard cut across the heart of the city and acted as a 'rat run'. Putting a crossing in place would cut down on this and encourage motorists to use the park ways.
Capital Programme	In the Capital Programme there is an item on Repair Assistance of £1.02m a year for the next ten years. Is that a real cost or is it a cash cost? Was it actually a capital item and do we get a return on this? Could this item be reduced and therefore reduce the borrowing.	The Repair Assistance grant was a grant that was provided to the housing team to reduce the risk of homelessness across the city. The purpose of this was to work with category 1 risk properties occupied by low income individuals to do small grants of work up to £20k per household which would ultimately prevent them from becoming homeless. Based on previous experience within the council, the cost of preventing homelessness and providing alternative accommodation had significantly reduced the council's revenue spend, therefore providing value for money.

Budget Section	Question / Comment	Response
Capital Programme	Members had been advised that the £7,485k budget over the ten years for Capital Cost of Disposals was the likely cost of delivering £36m of asset disposals over ten years. It did not seem likely that 20% of proceeds of sale going on the cost of disposal were efficient. Could the Cabinet Member comment on where the anticipated costs would come from.	The cost of capital disposals was an annual budget set aside in the capital programme. Presently, the asset disposal programme only reflected the known assets that had been determined to be disposed of and there was likely to be further assets identified as being able to be disposed in future budget plans. The ratio between the cost of disposal and actual asset disposal would therefore be reduced from 20%. You are correct to point this out.
Capital Programme	Councillor Arculus recommended that the Invest to Save Scheme be presented in more detail before it could be approved. In particular each project should be costed to ensure they satisfy the council's internal rate on returns criteria. Approvals of major capital items of spend without costings should not take place.	The purpose of putting the money in the budget was to seek the authority of Full Council to include within the overall borrowing limits up to £100m on invest to save renewable energy projects. Invest to save will be around making a better return as a result of that investment financially to the councils budget. There was no benefit or cost allowed for. Any scheme that was implemented would follow the normal process via a Cabinet or Cabinet Member Decision and have no adverse financial impact on the tax payer.
Capital Programme	On the summary of capital and treasury prudential indicators table in the budget the Invest to Save project does have an incremental	There was no secret list of projects and therefore there were no costings to provide more detail. There was no impact in this budget of spending £100m because there were no proposals to actually spend it. It was therefore neutral and it would only be spent if it had a positive impact. Any spend over £500k would need a decision notice.

Budget Section	Question / Comment	Response
	<p>impact on the level of Council Tax. The intention of invest to save is not just to cover its own cost it is also to drive down cost and generate efficiencies both capital and revenue.</p>	
Capital Programme	<p>Councillor Arculus seconded by Councillor Peach recommended that the draft budget to be presented before Cabinet should under the Invest to Save item of £100m include details of the criteria used to judge how the money would be spent.</p> <p>The recommendation was put to the vote and approved.</p> <p>(23 in favour, none against, 2 abstained)</p>	<p>Principles and criteria of the £100m invest to save capital monies would be presented to February Cabinet and made available to members as part of the budget consultation.</p> <p>An outline of these principles will be included for approval by Cabinet in their report of 10 February, and will form part of the approved MTFS.</p>
Capital Programme	<p>Was there a claw back mechanism allowing the council to receive a percentage of the capital efficiency savings made by our partners Enterprise and Serco?</p>	<p>Enterprise acts as the client for the commissioning department so any savings they make in terms of advice go through to the main council department.</p> <p>Serco have a specific role on procuring capital projects. The council would receive any savings made through capital projects and an estimate of this saving was included within the budget book. If the capital programme was to be reduced, there would be a negative consequence on the revenue saving included within the budget book.</p>

Budget Section	Question / Comment	Response
Children Services	Can you assure members that the dates for the opening of the new schools this year will be met?	The special school on Hereward College site would be opened in September. The Hereward College Secondary School would not open until Autumn 2013. The schools that the Council were in control of would open at the times stated in the budget.
Children Services	Do you believe that you have put enough money in the budget to improve our educational results?	There was enough money in the budget to increase our effectiveness. The budget was well balanced to give the schools the support they would require to achieve what the council would like them to achieve for the young people.
Children Services	The Government has introduced a pupil premium which will not go directly to the Local Authority and will go directly to the schools. What assurance can you give members that the money will be used on the young people for whom it was intended?	Schools were run by their School Leadership teams and Governors. The pupil premium had been increased from £460 to £600.
Children Services	Are there any future plans for more respite care facilities in Peterborough for children with severe disabilities?	Heltwaite Special School was being extended by an extra four classrooms providing approximately 30 extra school places. The new school that was opening on the former Hereward School site would specialise in autism and provide 90 places which would help those children who were currently being taught out of the city as it would allow them to be taught within the city.
Children Services	Have you set aside any budget to alleviate the pressure of finding school places for the further 800 places that will be required in the PE1 / City Centre area.	There were enough places overall for those children currently in the system. The main pressures were in PE1 and Hampton and a number of sites were being looked at as potential sites for additional places within those areas.

Budget Section	Question / Comment	Response
Children Services	Child Poverty was high in the PE1 / Central ward. What steps have you taken within the budget to reduce child poverty in the Central Ward?	Another review was being undertaken of poverty in the city and a new action plan was being put in place which incorporated working with all partners. Once this had been completed it would be brought to scrutiny.
Children Services	The budget proposals highlights a lot of support for schools, what other support will be provided for young people such as those children not in education (NEETS).	There was a team who looked after NEETS who were providing extensive support. The money was still in the budget for this team to operate.
Children Services	Councillor Murphy wished the following to be considered by Cabinet: The deletion of senior posts through the joint delivery of Children Services and Education with another authority and therefore not having to do so many out of authority fostering and adoption placements.	<p>Whilst sharing of senior posts was a good way to gain external expertise quickly for improvement programmes, this would be a policy issue that the Cabinet and Council would need to take. This would provide a major diversion from the improvement programme and could jeopardise progress - as such would not be advisable at the present time. Options for different operating models had been reviewed and were ruled out for a number of legal / operational reasons. An out of authority placement is one purchased from the independent sector and the costs would therefore be the same as would the volume irrespective of any joint delivery. The route to reducing out of county placements is to grow the in-house fostering and adoption service which we intend to do. Moving forward, the council would look at all opportunities to deliver Children Services.</p> <p>There was a need to focus on the delivery of the improvement plan and the permanent employment of a Director of Children's Services in December 2012. The budget did provide a reduction of £1.2m though the restructure of senior posts.</p>
Children Services	To what extent does the provision of school places in this budget reflect not just the current demand but also	Provision was based on birth rates and it was difficult to predict the influx of new arrivals into the city. However, planned growth of the city could be provided for. For example the building of Stanground St Michael's, the council had acquired land adjacent to the school should expansion in the future be required.

Budget Section	Question / Comment	Response
	future demand?	
Community Cohesion	What impact would the efficiency savings have on the Cohesion programme?	The Cohesion programme has had excellent results over the past two years and because of this the Cohesion programme was far more sustainable. The Government had announced a change in the focus on funding for violent extremism and moved towards moving the funding to the Police rather than the Local Authority. The council's budget was reflecting this change.
Council Finances	Members commented that in many cases where services had been outsourced the service had declined.	
Cultural Services	It mentions in the budget that the Arts Council would provide funding for an arts organisation called Metal to carry out its work in Peterborough. With the recent cuts from the Government towards the Arts Council can you assure us that this funding will be provided?	The funding from the Arts Council was predicated on the reduction in the budget that the Arts Council had received nationally. This was a secure pot of money and was allocated to Peterborough. Providing the Council put the money in as allocated then the Arts Council would put their money in.
Enterprise	There has been a reduction in funding to Enterprise of £420k. Can you advise what implications this will have on service delivery?	Discussions were currently being held with Enterprise to establish where the savings would be. Proposals would be brought forward within the next week to the Cabinet Member for Resources and they will be out before any final decision is taken by Full Council. Initial proposals did not include buses.
Family Recovery Project	The Family Recovery Project is a trial scheme with no money allocated for future years.	The Family Recovery Project was already up and running and was working with nineteen families. The finance would continue until 2012/13 The Government have articulated a new programme called the Troubled Families Programme. They were looking at providing funding for that programme each year for the next three years. The council had identified that it would be eligible to receive this funding. There would also

Budget Section	Question / Comment	Response
		be grant funding of 40% to come into the Authority to support the work with troubled families.
Neighbourhood Committees	Can you explain how the saving of £31k for the Neighbourhood Committee administration costs is going to be achieved?	This was budgeted money that was not being used and has therefore been removed.
Operations	In previous years we have overspent on the concessionary fares. Are we improving now?	This year there would be a capped rate for concessionary bus fares therefore there will not be an overspend.
Operations	Now that a decision has been made to keep the school crossing services in the budget where is the £43k going to come from.	In relation to the £1 in £1 out budget process there will be further negotiation around the Neighbourhood restructure to identify the £43k savings
Operations	Can you confirm that it is the Cabinet Members who put forward the budget proposals and not the officers?	Officers had put forward the recommendations; Cabinet then agreed them to go out to consultation.
Operations	To what extent are Peterborough's Environment Capital and transport aspirations being reflected in this budget?	<p>All of the work required on the network infrastructure was predicated on a 12% modal shift of transport towards buses, walking etc. The figures in the budget are indicative of working towards that modal shift. It is a Long Term Transport Plan which had just been refreshed. The investment in the parkways and the circular system of roads around the city after 35 years need a large amount of infrastructure update. The £13m would not be just council money it would also come from developers and the Department of Transport. The works would only go ahead if the appropriate level of transport increase occurs with the growth of the city.</p> <p>Members were informed that the Council had just won a substantial amount of money to go towards sustainable transport including cycling, walking and the new railway station. Christmas Park and Ride had been removed from the budget as it was not being used.</p>

Budget Section	Question / Comment	Response
Property Rationalisation	Strategic property proposals within the budget propose to keep the Town Hall and move as many people into the Town Hall and dispose of the other buildings. Keeping the Town Hall represents poor value for money as it requires a large amount of investment and provided no support to the environmental agenda of the Council. The building was completely energy inefficient. Why don't we move out of the Town Hall in to purpose built accommodation?	The Councils policy regarding property rationalisation had been put forward in the budget book. Part of the budget discussion was about strategy not just about numbers. If the proposed strategy was approved we would be looking at the most optimum use of the Town Hall and would deal with issues such as energy performance to bring it up to standard. Until a decision was made on the future use of the Town Hall you would not put investment into a property with a limited time span. The office space within the Town Hall could only accommodate around 275 people. There was a desire to retain the Civic elements of the Town Hall. There was a Salix fund pot of money to spend on green projects and this was being used on managing energy use in the Town Hall.
Queen's Jubilee and Olympic Torch	Why can't the £30k for the Queen's Diamond Jubilee, the £93k for the Olympic Torch and £50k for the Christmas Illuminations be funded by private investors instead of using council funds?	The Olympic Torch was part of a National Event and there was no additional sponsorship for this. The Christmas lights had received some sponsorship and so had the New Years Eve events. The Olympic Torch was a relatively small investment for the amount of publicity that the city would receive. It would attract more people to the city who would then spend money in the shops.
Queen's Jubilee and Olympic Torch	Councillor Nash requested that further details be given with regard to how the money for the Olympic Torch would be spent.	The Olympic Torch plans could not be discussed as the Olympic organisation had requested that all plans be kept secret to provide an element of surprise. Councillor Seaton informed Members that he would circulate a note to Members on the restriction.

Budget Section	Question / Comment	Response
Queen's Jubilee and Olympic Torch	Clarification was sought on how the £30k for the Queens Diamond Jubilee would be spent. Would it be used just for the City Centre or would it be used in the wards?	The money would be put towards a central event the location of which had not been decided yet. There was also the opportunity for Councillors to use their Community Leadership funding to help support local events.
Queen's Jubilee and Olympic Torch	<p>Councillor Murphy seconded by Councillor Sandford requested that a recommendation be put forward to remove the following amounts from the budget:</p> <ul style="list-style-type: none"> • £93k for the Olympic Torch • £30k for the Queens Diamond Jubilee. <p>The recommendation was put to the vote and refused. (2 in favour, 4 abstained, 19 against)</p>	
Restructure of Operation Services	The budget indicates that there will be savings of £204k with the closure of the Emergency Planning Office and that the responsibilities for emergency planning will be spread out across the authority. Can you assure	There was a keenness to ensure that the council fulfilled all of its legislative requirements with regard to emergency planning. A consultation process was currently being undertaken with staff affected. Assurance could be given that there would be the same level of performance provided going forward with regard to emergency planning.

Budget Section	Question / Comment	Response
	Members that present efficiency and effectiveness of that department will not diminish through this saving?	
Trees and Woodland Strategy	The council do not have a current Trees and Woodlands Strategy. There is a draft strategy that has not yet been presented. You are asking the Scrutiny Committee to agree to £1m expenditure on trees but have not given any detail on what the money will be used for. The Strategy should have been presented before the money was allocated.	The Trees and Woodlands Strategy had been out for consultation and the results of this will be presented to Scrutiny in March. At the same time there was a need to ensure that there was funding in the budget to delivery the Trees and Woodland Strategy. Work would be done with Enterprise to produce a risk management strategy to ensure the Trees and Woodland Strategy would be put in place. The Strategy could not be delivered without the funding. Time needs to be spent on cataloguing the trees in the city. There were a lot of big old trees in public places that need maintaining.
Trees and Woodland Strategy	Councillor Murphy seconded by Councillor Sandford requested that a recommendation be put forward to remove the following amount from the budget: Trees and woodland strategy - £1000K The recommendation was put to the vote and refused. (4 in favour, 4 abstained, 17 against)	

Additional questions that had been asked by Members of the Scrutiny Committees and Commissions and sent to the relevant officers and Directors prior to the meeting were tabled at the meeting with responses.

The Chair thanked all members of the Scrutiny Committee and Commissions for attending the meeting and the Cabinet Members and Directors for attending and responding to the questions.

RECOMMENDATIONS

The Committee recommends that:

1. All comments made at this meeting to be forwarded to the Cabinet for consideration at their meeting on 10 February.
2. That the draft budget to be presented before Cabinet should under the Invest to Save Capital Expenditure item of £100m include details of the criteria used to judge how the money would be spent.

ACTIONS

The Committee requested that the Cabinet Member for Strategic Resources provide the Committee with a briefing note detailing the restrictions imposed on the council by the Olympic Organisation with regard to the Olympic Torch plans.

CHAIRMAN 7.10 - 9.55 pm

SUSTAINABLE GROWTH SCRUTINY COMMITTEE	Agenda Item No. 5
6 MARCH 2012	Public Report

Report of the Executive Director of Operations

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PETERBOROUGH ‘STATEMENT OF COMMUNITY INVOLVEMENT’, NEIGHBOURHOOD PLANNING AND COMMUNITY ACTION PLANS

1. PURPOSE

- 1.1 The purpose of this report is to obtain the Committee’s views and comments on a review of the Statement of Community Involvement (attached) which is being presented to the Cabinet on 26 March 2012, for approval for the purposes of public consultation. The Committee’s views and comments will be taken into account and reported orally to the Cabinet.
- 1.2 If it is approved by Cabinet, officers propose to consult with the public and stakeholders on a draft of the Statement of Community Involvement in April and May 2012.

2. RECOMMENDATIONS

- 2.1 The Committee is requested to offer any comments on the draft Statement of Community Involvement, in accordance with the committee’s delegations under paragraph 5.4.3 of Part 3 of the Council’s Constitution, before it is presented to Cabinet on 26 March 2012 for approval for the purposes of public consultation.

3. LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY

- 3.1 This report links with the sustainable growth priority and the strong and supportive communities priority of the Sustainable Community Strategy.

4. BACKGROUND

Introduction

- 4.1 Planning is a high profile and contentious issue, whether that be plan-making (such as allocating sites for new development), determining planning applications or preparing ‘action plans’ for specific communities.
- 4.2 How we plan, and how people can get involved in planning decisions, is also under a period of significant change as a result of the Localism Act 2011.
- 4.3 It is, therefore, essential that the council sets out the ‘rules’ for all these matters, in order to ensure that:
 - the public has full knowledge of the process and know exactly when best to get involved;
 - officers prepare plans and deal with planning applications, in the knowledge that they are being prepared in accordance with Members’ wishes with respect to public engagement and consultation; and
 - Members have confidence that a robust and consistent process is in place.

4.4 As such, from time to time, it is important the council refreshes its consultation framework, and helps people get the most out of the planning system.

Statutory document setting out consultation arrangements

4.5 It is a statutory requirement for the council to set out how it will consult the public on planning matters, in a document entitled '**Statement of Community Involvement**' (SCI). The council adopted its first (and current) SCI in February 2008¹.

4.6 However, there have been considerable changes in the past four years, especially since the Localism Act 2011 was given royal assent in November 2011, such as:

- Changes to the local plan making Regulations (likely to come into force in Spring 2012);
- Revised guidance from Government, mostly in the form of a new National Planning Policy Framework (NPPF) which will replace all previous government guidance notes such as Planning Policy Guidance/Statements and Circulars (the final version of the NPPF is due in Spring 2012);
- The introduction of 'Neighbourhood Planning', which includes matters such as Neighbourhood Development Plans, Neighbourhood Development Orders, and the setting up of Neighbourhood Areas and associated Neighbourhood Forums (likely to come into force from 1 April 2012);
- The introduction of 'referendums' to approve matters prepared under Neighbourhood Planning powers;
- Proposed abolition of regional planning (likely to come into force later in 2012);
- New duties on developers to undertake pre-application consultation with communities which will be potentially affected by their proposals (and a duty to demonstrate how comments raised have been taken into account by the developer);
- Possible changes to planning application fee setting (though this now seems less likely than was previously thought);
- A general 'raised expectation' from the public, since the new coalition government has been in place, that planning decisions will be taken with greater involvement of the community; and
- The introduction in Peterborough of Neighbourhood Committees with devolved powers and delegated decision making.

4.7 Thus, officers are recommending that a refresh of the SCI be prepared and have drafted the attached. If Cabinet agree at its meeting on 26 March 2012, the draft will be issued for public consultation. Subsequently, a final version, taking into account any comments made, will be taken to Cabinet for adoption.

Principal changes to the SCI since the 2008 version

4.8 Some parts of the SCI are simply in need of updating from the 2008 version, to ensure that updated government guidance is properly reflected and any best practice taken advantage of. However, two new significant sections to the SCI have been added relating to a 'Pre-application Advice Note' and 'Neighbourhood Planning'.

Pre - Application Advice Note

4.9 The Localism Act has put in place much stronger requirements for developers to undertake consultation with communities before submitting a formal planning application to the city council. The Act also enables local planning authorities to prepare a local 'advice note' on this matter which a developer must have regard to when undertaking pre-application consultation.

¹ For the current adopted Peterborough SCI (2008), see:
http://www.peterborough.gov.uk/planning_and_building/planning_policy/draft_development_plans/statement_of_community_involve.aspx

- 4.10 To ensure the city council is well prepared in this regard, we set out in the SCI a draft 'advice note' and are seeking views on it. A final version will then be prepared, taking account of both the consultation response and any other national guidance issued in the meantime.
- 4.11 We anticipate developers will welcome this local advice note, because it ensures that there is a fair, transparent, level playing field for such pre-application work. Without the advice note, developers could only rely on the rather sketchy details published by Government to date, with the risk that a developer either undertakes too little or too detailed pre-application consultation, the outcome of which would be delay and an impact on our growth aspirations.

Neighbourhood Planning

- 4.12 A second significant new section in the SCI is entitled 'Neighbourhood Planning in Peterborough'. This section sets out how the council intends to take forward the wide range of issues which come under the 'Neighbourhood Planning' section of the Localism Act.
- 4.13 In short, 'Neighbourhood Planning' has two principal elements:
- A '**neighbourhood development plan**', which is defined in the Localism Act as 'a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan'.
 - A '**neighbourhood development order**', which is defined as 'an order which grants planning permission in relation to a particular neighbourhood area...for development specified in the order, or for development of any class specified in the order'.
- 4.14 In simple terms, a 'neighbourhood area' is either a parish council area (or part thereof) or, where a parish does not exist, an area as defined by a neighbourhood forum. The setting up of such 'areas' and 'forums' have their own set of procedures in the Localism Act, and must be complete before any neighbourhood plan or order is embarked upon.
- 4.15 Whilst not statutorily required, it is considered sensible and helpful to the public that the SCI sets out how the city council will fulfil its statutory functions under the Localism Act in terms of how the council will deal with any applications to become (a) a **Neighbourhood Area**; and (b) a **Neighbourhood Forum**, and against what criteria the council will approve or reject such applications together with the decision making process.
- 4.16 It is important to note that the Localism Act and the associated (currently draft) neighbourhood planning Regulations make it very clear that unitary, district or county councils do not prepare, or even lead preparation of, either neighbourhood plans or orders. They can only be initiated by the community themselves. The costs associated with their preparation fall partly on the local planning authority (i.e. Peterborough City Council) and partly on the Parish Council or Forum which has initiated the process.
- 4.17 The purpose, in part, of the Peterborough SCI is **not** to set the rules as to what a neighbourhood plan or order should contain, but rather what assistance the council will give a parish or neighbourhood forum to help them prepare such a plan or order. Clearly, it is important that the council is very clear in these matters so as to appropriately give confidence to neighbourhood areas as to what help they will get with preparing their plans or orders. Similarly, being clear will ensure that there are no false expectations as to the amount of resources the council is able to offer and the number of Neighbourhood Plans and Orders it can process in any given time period (especially in the current difficult financial climate). It is a very careful balance to be made, and officers feel the SCI is the right and proper place to agree this (following, of course, public consultation on the draft SCI).
- 4.18 In short, it is essentially saying that the council will support any neighbourhood wanting to prepare a 'plan' or 'order', but confirming that the lead on their preparation must come from the

community and the resources available from the council to help on individual cases will be limited and proportionate.

- 4.19 The SCI also sets out how the city council will manage the independent examination and referendum processes at the end of the Neighbourhood Plan or Order preparation and approval process.
- 4.20 It may be that the council gets very limited interest in neighbourhood plans and orders, partly due to the cost burden on communities, partly because we have just gone through a successful joint-working arrangement with parish councils in respect of the Design and Development in Villages SPD or partly because communities have no real desire to pursue their own development opportunities or set their own planning 'rules' for their area. Nevertheless, where communities do want to take advantage of the new legislation, the city council should support communities, ensuring they understand what they are and what help they might get in preparing them. To date, we have had some interest from a few parish councils. Whilst mostly this has been limited to '*what is neighbourhood planning?*' one (Newborough Parish Council) has formally declared its intention, from 1 April 2012, to prepare a Neighbourhood Development Plan.

Alternative options, instead of neighbourhood planning

- 4.21 The SCI also touches upon what alternative options a local neighbourhood has if it does not want to undergo the somewhat lengthy (and potentially costly) formal neighbourhood planning process. This includes taking advantage of Supplementary Planning Documents (a number have been adopted over the past two years) or Community Action Plans. This latter option is discussed in more detail below:

Community Action Plans

- 4.22 Alongside the planning system, the council's Neighbourhood Managers are preparing 'Community Action Plans' (CAP) for the city council's neighbourhood committee areas. A CAP should not be confused with the new Neighbourhood Planning as established by the Localism Act and described above – they are two very different documents. A Neighbourhood Plan is about land use matters, such as saying what development should go where. A CAP is about setting out what service providers (including the council, but also other providers such as the police and the health authorities) are to prioritise in a particular area, such as street cleaning, education facilities, maintenance and regeneration of play facilities, health facilities etc. i.e. they are about what the public, private and not-for-profit sector partners can or will do in a particular area, excluding anything to do with new development which would require (significant) planning permission, albeit the CAPs may inform planning decisions.
- 4.23 The Neighbourhoods Team will be initiating a series of CAPs, geographically modelled on the Neighbourhood Committee areas. Developed through the Neighbourhood Managers, they will require commitments and input from a wide range of council and other public, private and not-for-profit sector partners to be fully effective (e.g. police, health, voluntary sector, faith communities etc).
- 4.24 Each CAP (there will be seven in total) will follow a similar format, which will be modelled on the same content as the overarching citywide Single Delivery Plan. The Single Delivery Plan is the emerging plan that will address Peterborough's most challenging issues in a fully joined-up way. Seven priority themes have been identified in the Single Delivery Plan by partners, beneath which sit a series of more tangible projects. The seven priority theme headings will be used as the framework for the CAPs, with detail sitting beneath each heading which is specific to that locality whilst supporting the overall priorities for the city.
- 4.25 The seven priority themes are:
- Creating jobs through growth and improved skills and education
 - Supporting the most vulnerable families and tackling the causes of poverty
 - Safeguarding adults and children

- Helping people and organisations live more healthy and sustainable lives and reducing energy consumption
- Empowering people and creating cohesive communities
- Reducing crime and tackling anti-social behaviour
- Using our resources more efficiently, effectively and innovatively

4.26 Additionally, each CAP will contain an introductory section which paints a picture of the area, including population and demographic detail, information about facilities and services, and information about existing community groups and associations.

4.27 Once completed, each CAP will need to be approved through the normal routes – Neighbourhood Committee, Scrutiny and Cabinet. Where any decisions are required or any spend needed that originate from the CAPs then that will be subject to the usual corporate processes.

4.28 Members are asked to endorse the principle of preparing a CAP for each of the Neighbourhood Council areas.

5. KEY ISSUES

5.1 Subject to Cabinet's approval on 26 March 2012, we propose to consult on a draft revised Statement of Community Involvement in April and May 2012.

5.2 The Localism Act has put in place much stronger requirements for developers to undertake consultation with communities prior to submitting a formal planning application to the city council. The Act also enables local planning authorities to prepare a local 'advice note' on this matter which a developer must have regard to when undertaking pre-application consultation.

5.3 To ensure the city council is well prepared in this regard, we set out in the SCI a draft 'advice note' and are seeking views on it. A final version will then be prepared, taking account of both the consultation response and any other guidance issued in the meantime nationally.

5.4 A second significant new section in the SCI is entitled 'Neighbourhood Planning in Peterborough'. This section sets out how the council intends to take forward the wide range of issues which come under the 'Neighbourhood Planning' section of the Localism Act.

6. IMPLICATIONS

6.1 **Financial:** Preparation of an SCI has minimal costs, and can be met within existing budgets. Indirectly, the SCI commits the council to undertaking certain consultation tasks in the future. Most of these are of very low cost, and fall within existing established budgets. However, the Neighbourhood Planning requirements, which are new for 2012 onwards, will result in additional costs. The council has a statutory duty to support and facilitate Neighbourhood Planning and the 'service standards' set out in the draft SCI do not significantly increase our financial expenditure requirements compared with the statutory minimum service we must provide. Government has acknowledged that Neighbourhood Planning will incur an additional burden on councils (city council officers estimate the costs on the city council could be somewhere in the region of £20,000 per plan), and had previously indicated in 2011 to financially support councils accordingly in due course. However, to date, we are not aware of the level of that support, if any at all, and therefore this can not currently be relied upon, therefore costs will need to be absorbed from within existing budgets, primarily planning policy, until Government funding is forthcoming.

6.2 It should be noted that the draft SCI explicitly sets deadlines for receipt of various applications for receiving neighbourhood planning related matters from communities, as well as limiting the number of plans and orders the council is capable of facilitating in any given year (with waiting lists being put in place, if demand exceeds the council's ability to process proposals). This will ensure that a robust, fair and financially prudent process is in place to deal with Neighbourhood

Planning, and explained in advance to communities. To not set such deadlines and thresholds could result in unlimited neighbourhood planning matters being fed through the council, each one with associated costs on the council which the council would be obliged to meet i.e. an unlimited financial liability on the council.

6.3 The preparation of CAPs will have a relatively low cost and can be met within existing budgets. The CAPs, themselves, will help steer investment at the neighbourhood level, but not necessarily commit the council to expenditure directly, except by influencing existing budgets.

6.4 **Legal Implications:** The SCI, once adopted, must be adhered to by the council in the way it conducts its planning business. Failure to do so could result in legal challenges. However, members are being asked to comment on a draft for consultation, so there are no direct legal implications of this agenda report.

6.5 **Environmental:** there are no direct implications.

7. CONSULTATION

7.1 Consultation will take place on the attached SCI document during April and May 2012, assuming it is approved by Cabinet on 26 March 2012.

8. NEXT STEPS

8.1 Following consideration by the committee, the draft Statement of Community Involvement will be presented to:

- Planning & Environmental Protection Committee on 6 March 2012 (prior to this meeting)
- Scrutiny Commission for Rural Communities on 19 March 2012.
- Cabinet on 26 March 2012

8.2 Consultation with the public is expected to take place alongside in April/May 2012.

9. BACKGROUND DOCUMENTS

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

9.1 None

10. APPENDICES

10.1 The draft Statement of Community Involvement

Peterborough City Council's Statement of Community Involvement (Draft for Consultation)

Including new advice, neighbourhood planning options and city council commitments
which arise following the Localism Act 2011



**Growing the right way for
a bigger, better Peterborough**

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Have your say on this draft document

Peterborough City Council adopted its first Statement of Community Involvement (SCI) in 2008. This document is the consultation version of a revised SCI.

The term 'community' refers to everyone who lives, works, visits, operates or has a stake in Peterborough, and may therefore be affected by, or have the potential to influence, planning decision making. This SCI (draft version for consultation – April 2012) sets out how the community can get involved in planning for the future of the city, and takes into account all the new options arising from the Localism Act 2011. Never before has the community had the ability to lead the planning process, and this SCI explains all of the options. The city council encourages you to read this draft SCI and let us know if you think there is more that we can do to help you get involved and influence how the city grows.

The secondary legislation to the Localism Act 2011 referred to in this document is still currently in draft and may be subject to change. Any changes will be taken into account in the final SCI.

The city council would like to hear your views on this revised SCI, and the following explains how you can do so.

Printed versions of the SCI can be found at the city council's Customer Service Centre, Bayard Place, Broadway, Peterborough, PE1 1FZ and at the Peterborough Central Library, Broadway, Peterborough, PE1 1RX. We have also sent two copies to every parish council, so please ask at your local parish council to see if you can view a copy there.

How to submit your comments

You can submit your comments directly on line, which is our favoured method as we get your views quickly and easily and it saves paper.

Email: email us your views to planningpolicy@peterborough.gov.uk

By post, send your comments to:

Planning Policy
Peterborough City Council
Stuart House (East Wing)
St John's Street
Peterborough, PE1 5DD

Responses must be received no later than 5pm on xxxxxx.

Who prepared this SCI?

This document has been drafted by the city council as the Local Planning Authority.

Web links in this SCI

There are links to some websites in this document. If you would like to follow the links but do not have access to the internet, computers with internet access are available at the Customer Service Centre at Bayard Place and at libraries across Peterborough.

Executive Summary

What is a statement of community involvement?

The first Statement of Community Involvement (SCI) was adopted by the city council in February 2008. It is now time for a refresh of the document, to amend certain sections, and to provide a brand new section on neighbourhood planning.

This SCI (draft version for consultation – April 2012) sets out how the city council will involve the community in planning for the future of the city. This includes the planning application process, planning how much and where new development will take place through the Local Development Framework and neighbourhood planning. Whilst neighbourhood planning is not lead by the city council, we will assist those involved in the process and publicise when the community can be involved in shaping neighbourhood planning in their neighbourhood.

The term 'community' refers to everyone who lives, works, visits or operates in Peterborough, and may therefore be affected by, or have the potential to influence decision making.

We will try our best to 'keep things simple' for the benefit of people new to the planning system, but there are some long phrases that cannot be avoided. A glossary of these terms and acronyms is available towards the end of the document.

What is 'Planning'?

Most new buildings, major changes to existing buildings or significant changes to the local environment, need consent – known as planning permission. Without a planning system everyone could construct buildings or use land in any way they wanted, which could negatively impact on other people who live and work in their area, or the environment.

Peterborough City Council, as your local planning authority, is responsible for deciding whether a development (anything from an extension on a house to a new shopping centre) should go ahead.

There is a legal framework set by Government that underpins the planning system in England. The system requires each local planning authority to prepare a Local Development Framework - a folder of documents outlining how planning will be managed for that area, such as a 'Core Strategy'.

In determining planning applications, local planning authorities must have regard to their Local Development Framework.

How you can be involved in planning in Peterborough

The chapters in the SCI set out how you can get involved, including how, what and when we consult with the community:

- Chapter two – This chapter explains how you can have your say on planning applications affecting your community; reporting planning control breaches (such as a neighbour building a large extension to their home without planning consent); and commenting on appeals relating to applications that have been refused by the city council.
- Chapter three – This chapter explains how you can have your say during public consultation periods for the Local Development Framework documents.
- Chapter four – This chapter explains how you can prepare your own plans and policies for your local area, under the new Neighbourhood Planning rules.

The SCI describes in more detail how you can be involved in each of the above processes. Please take this opportunity to get involved in planning. Your say is vitally important to ensure Peterborough remains a great place to live.

What are the main changes since the 2008 SCI?

Pre-application consultation with the community - The new SCI provides information on the new requirement in the Localism Act for developers to undertake consultation with the community before submitting a planning application. An advice note is provided (in Appendix A) that sets out what the city council expects from developers.

Neighbourhood planning - The Localism Act sets out the framework for a new system of neighbourhood planning in England. It creates new planning tools to help communities to shape and manage development in their local area.

The SCI sets out the full process for preparing neighbourhood plans and orders, including how the city council will help, based on the following nine steps:

Neighbourhood planning – the key steps	
Step one	Process initiated by parish council or neighbourhood forum
Step two	Neighbourhood area designated
Step three	Neighbourhood forum agreed, if needed
Step four	Plan or order prepared with the city council's support
Step five	Extensive community involvement
Step six	Plan or order checked by city council
Step seven	Independent examination
Step eight	Referendum
Step nine	Neighbourhood plan or order adopted by the city council

The SCI contains useful things such as application forms, guidance notes and the city council's service standards to make the process as simple as possible.

However, if a neighbourhood plan is not what a local community wants to do, then the SCI also sets out guidance on alternative options available to help shape local communities, such as the preparation of Community Action Plans.

Have your say

Please take this opportunity to provide comments on this draft Statement of Community Involvement. Later in 2012, it will be finalised by the city council, and become the city council's formal policy on how we will consult and get communities involved in the planning process.

1. Introduction

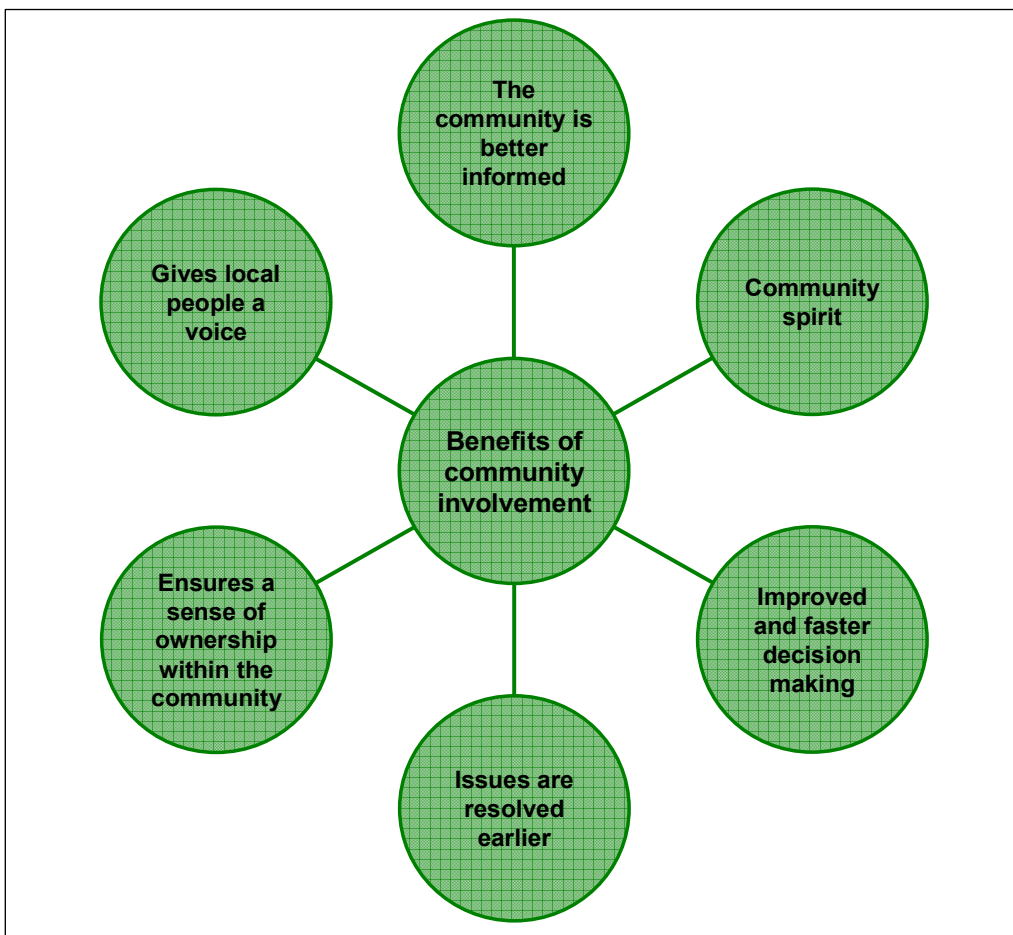
The first Statement of Community Involvement (SCI) was adopted by the city council in February 2008. It is now time for a refresh of the document, to amend certain sections, and to provide a brand new section on neighbourhood planning.

1.1 What is a Statement of Community Involvement?

This SCI (draft version for consultation – April 2012) sets out how the city council will involve the community in planning for the future of the city. This includes the planning application process (chapter two of this SCI), planning how much and where new development will take place through the Local Development Framework (chapter three of this SCI) and neighbourhood planning (chapter four of this SCI). Whilst neighbourhood planning is not lead by the city council, we will assist those involved in the process and publicise when the community can be involved in shaping neighbourhood planning in their neighbourhood.

The term ‘community’ refers to everyone who lives, works, visits or operates in Peterborough, and may therefore be affected by, or have the potential to influence decision making. Figure one shows the main benefits of community involvement.

Figure one: the main benefits of community involvement



The first SCI was adopted by the city council in February 2008. This is a draft version of the city council’s second SCI and sets out how we propose to involve everyone in planning the city.

We will try our best to 'keep things simple' for the benefit of people new to the planning system, but there are some long phrases that cannot be avoided. A glossary of these terms and acronyms is available towards the end of this document.

1.2 What is 'Planning'?

Most new buildings, major changes to existing buildings or significant changes to the local environment need consent – known as planning permission. Without a planning system everyone could construct buildings or use land in any way they wanted, which could negatively impact on other people who live and work in their area, or the environment.

Peterborough City Council, as your local planning authority, is responsible for deciding whether most development – anything from an extension on a house to a new shopping centre – should go ahead. More details on this process are found in chapter two of this document.

There is a legal framework set by Government that underpins the planning system in England. The system requires each local planning authority to prepare a Local Development Framework - a folder of documents outlining how planning will be managed for that area.

In determining planning applications, local planning authorities must have regard to their Local Development Framework. More details on this are found in chapter three.

The Localism Act has amended some parts of this legal framework. In particular, the Localism Act introduces 'neighbourhood planning', where communities can directly prepare planning policies for their area. More details on this can be found in chapter four.

How you can be involved

There are a number of ways you can have your say in the planning process. Peterborough City Council is responsible for:

- Making decisions on planning applications;
- Producing a Local Development Framework for the city, setting out what development could happen up to 2026; and
- Assisting in the process of Neighbourhood Planning.

You can play an active role in all of the above, which means you have a say in planning decisions affecting you and your community. The main ways you can get involved are:

- Having your say during public consultation periods for the Local Development Framework;
- Having your say on planning applications affecting your community;
- Reporting planning control breaches (such as a neighbour building a large extension to their home without planning consent);
- Commenting on appeals relating to applications that have been refused by the city council; and
- Preparing your own plans and policies for your local area, under the new Neighbourhood planning rules.

The next three chapters describe in more detail how you can be involved in the planning process. Please take the opportunities to do so. Your input is vitally important to ensure Peterborough remains a great place to live.

1.3 Monitoring and review

This SCI is expected to change over time as we learn from our efforts of involving people and to respond to any emerging guidance and changes in law. The city council will monitor how effective the SCI is, and any necessary changes to the SCI will be made after further public consultation.

2. The pre-application process, planning applications and planning compliance

2.1 Do I need planning permission?

With all building work, the owner of the property (or land) in question is ultimately responsible for complying with the relevant planning rules and building regulations.

Most kinds of development require planning permission; however there are a number of circumstances where certain types of development are automatically permitted. The Town and Country Planning (General Permitted Development) Order 1995 (as amended) contains a number of 'blanket permissions' for a variety of different works.

If your proposed development falls within what is termed 'permitted development' you will not need to apply for formal planning permission to carry out the works. Please be aware that permitted development rights (as explained above) are often subject to compliance with standard conditions such as a requirement that building materials must match those used on the existing property. It is the owner/developer's responsibility to check and comply with these conditions.

For up to date information on whether you need planning permission, go to the following page on the city council's web site:

http://www.peterborough.gov.uk/planning_and_building/do_i_need_planning_permission.aspx

For up to date information on how to make a planning application, you can visit the city council website at:

http://www.peterborough.gov.uk/planning_and_building/making_a_planning_application.aspx.

2.2 Community consultation before a planning application is submitted (the 'pre-application stage')

The city council's pre-application advice service

The city council encourages pre-application discussions with a developer before an application is submitted and offers a pre-application advice service to all potential applicants. Pre-application is the phase before a developer formally submits a planning application. It is a stage where the design and layout of a development is being drafted, but not yet firmed up. As part of this phase, pre-application discussions are essential to ensure that any future development enhances and improves the built and natural environment. Effective pre-application discussions can also speed up the subsequent formal planning application process.

Further information on the pre-application advice service can be found at:

http://www.peterborough.gov.uk/planning_and_building/making_a_planning_application/step_1_pre-application_advice.aspx.

The city council will not consult local communities on pre-application proposals. It will be the responsibility of the developer, as explained in the next section below.

2.3 Developer consultation with the community

The city council has always encouraged pre-application consultation with communities on major planning applications. However, Section 122 of the Localism Act introduces a new duty for developers to consult local communities before submitting planning applications for certain developments.

The city council is seeking clarification from Government as to what scale of development the new duty applies to.

Minor application types, including householder planning applications, lawful development certificates, prior notification applications, listed building and conservation area consent applications and applications to vary or remove conditions on existing planning permissions (section 73 applications) are probably unlikely to be subject to the new duty. However, we will update this part of the SCI once we have clarification from Government.

For those developments where the duty does apply, developers must have regard to any comments or responses generated by the consultation undertaken, and decide whether to make any changes to their proposals before submitting their planning applications¹.

Developers must provide an account of the pre-application consultation undertaken as part of any planning application. Failure to do so will mean the planning application will be invalid².

What does this mean for communities?

Communities will not have a power of veto over whether a planning application can be submitted. They will however be able to raise issues for the developer to consider, and make suggestions which could improve the development, increase benefits for the community and reduce its possible impact on the neighbourhood. This will hopefully reduce local opposition, increase chances of a timely and positive decision from the planning authority, and improve the quality of the development that results.

Many applicants, particularly those promoting very large and high-value or controversial schemes, have often consulted communities in the past. The intention is for the new requirement to expand current practice out to a wider range of developments to give people a stronger role in, and more positive outlook on, both planning and development.

Local 'Good Practice' advice note

The Localism Act allows the city council to produce a local good practice guide. In Appendix 1 of this SCI, there is a draft advice note on pre-application consultation. Your comments on this will be welcomed and will be firmed up at the final publication of this SCI, with its status being 'transitional' until then. The council may, from time-to-time, amend this advice note and we will publish the latest version on our website. As such, please check Appendix 1 is the latest version of the advice note prior to undertaking any pre-application consultation.

¹ Required by section 61X of the Town and Country Planning Act (1990, as amended by the Localism Act)

² Section 62 of the Town and Country Planning Act 1990, as amended by the Localism Act.

2.4 Community consultation on planning applications

This section explains how the community can be involved in the determination of a planning application, in other words, the process leading to the decision to grant or refuse the application.

The Planning and Compulsory Purchase Act 2004 requires that at any time before a decision is made on a planning application, stakeholders and the local community should have the opportunity to comment on any aspect of the proposal.

What we consult on

A community or individual can comment (or 'make representations') on any planning application. The level and extent of consultation and publicity will vary depending on the size, scale, location and nature of the proposed development. However, all planning proposals have the potential to raise issues and be sensitive - publicity and consultation is therefore an integral part of the planning process.

Who we consult with

Consultation on planning applications will take place with both statutory and non-statutory consultees. Those consulted will vary depending upon the nature of the proposal and location.

Statutory consultees are organisations that we are required to consult on certain planning applications by the Government; others are consulted by discretion. The requirement for such consultation can be found in a variety of statutes, regulations, circulars and advice notes.

How we consult

At the beginning of the process, all consultees have 21 days in which to respond. Sometimes these responses mean that the case officer (the planning officer who is dealing with the planning application) needs to contact the applicant to request more information or to suggest amendments. However, bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation. The minimum statutory requirements are set out in the Town and Country Planning (Development Management Procedure) (England) Order 2010.

Certain types of application require a site notice to be placed on or near the land to which the application relates and for a notice to be placed in the local newspaper. In these cases, the period for consultation is at least 21 days. Such application types include those which are subject to an Environmental Impact Assessment (EIA), do not accord with the development plan or would affect a right of way or affect a listed building, its setting, a conservation area or other statutorily designated site.

Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) requires the Local Planning Authority to be given "Prior Notification" of certain developments (e.g. agricultural and telecommunications development within size limits). Prior notifications are not planning applications and they do not fall under the normal consultation or publicity procedures for planning applications.

Publicity

Government advice and legislation is set out in clearly defined codes of practice for all publicity. Table one shows how the city council goes beyond the minimum national requirements.

Table one: going beyond minimum requirements

Minimum national requirements	Peterborough City Council's requirements/commitments
Newspaper notice and site notice for certain categories of development, for example, EIA development, work affecting listed buildings or conservation areas, departures etc.	Newspaper notice, site notice and neighbour letters.
Newspaper notice and site notice or neighbour letter for major development (Major development is defined as for residential – ten dwelling or more or 0.5 hectares or more and for commercial, 1000 square metres or more or one hectare or more).	Newspaper notice, site notice and neighbour letters.
Site notice or letters to adjoining occupiers for all other development not falling into the above categories.	Neighbour letters and sometimes a site notice where all adjoining owners cannot be identified.

All applications for planning permission will be publicised when validated (see table two). Drainage applications relating to proposed developments will also be available to view online.

Table two: how we publicise planning applications

Method	Target audience	Where available
<p>Weekly list of all valid applications received can be viewed online at:</p> <p>http://www.peterborough.gov.uk/planning_and_building/planning_weekly_lists.aspx</p> <p>A search facility is also available online:</p> <p>http://planpa.peterborough.gov.uk/online-applications/search.do?action=weeklyList&searchType=Application</p>	<p>Widest possible including residents, councillors, local businesses, community groups</p>	<p>Bayard Place (where a computer is available) and on our website</p>
Neighbour notification	Occupiers adjacent to the application site.	Individual letter to properties which adjoin the site
Site notice (where applicable)	Local community	Displayed at or near site
Advertisements (press notice) in the local paper (where applicable)	Wider community	Peterborough Evening Telegraph

How you can make comments on a planning application

Once a valid planning application has been received, we aim to determine it (reach a decision) within 13 weeks if it is a major planning application or within 8 weeks if it is an application for minor or other development. We will, however, determine a planning application at the earliest possible opportunity following the end of the 21 day consultation period.

All comments and consultation responses, whether in support of, or objecting to, a planning application, must be submitted in writing to the Head of Planning, Transport and Engineering Services, within the specified timescale for making representations. Representations can be accepted by letter, fax or email. The 21 day timescale must be adhered to in order to ensure that comments received (both as a result of consultation and of publicity) inform the decision making process. During the publicity period, individuals or groups may obtain information from the council (see contact details at Appendix three); or gain independent advice through Planning Aid. For information on how to make comments, go to the following web page on the city council's web site:

http://www.peterborough.gov.uk/planning_and_building/view,_comment_and_committees/view,_comments_and_committees.aspx

All letters, faxes and emails received are placed on the planning file which is available for public inspection at Planning Services. They cannot be treated as confidential.

Further publicity and consultation will be carried out if planning proposals are significantly altered and the results of any further consultation will be taken into account in the decision making process, as set out below.

What if the applicant submits amended plans before the application has been determined?

Sometimes applicants make a change or are asked to make a change to overcome particular problems with a development proposal. We will consult on these changes as set out in table three.

Table three: re-consultation before an application has been determined

Level of change	Re-consultation
Where the change is insignificant and would not impact on neighbours	No re-consultation will be undertaken
Where the change addresses the concerns of/impacts on specific neighbours only	Notification letter sent giving between 7 and 14 days to comment.
Where the change significantly alters the appearance or layout of the proposal and would be of interest to neighbours/community groups	Notification letter sent giving a minimum 14 days for comment.

What if the applicant submits amended plans after the application has been determined?

Sometimes developers wish to make small changes to their developments after permission has been granted. Some will be more significant than others and we will consult on the changes as set out in table four.

Table four: re-consultation after an application has been determined

Level of change	Re-consultation
Non-material amendment	No consultation
Material amendments	As per table two
Application to delete/vary a condition attached to the permission	As per table two

2.5 Who makes the decision on planning applications?

A number of councillors sit on the Planning and Environmental Protection (PEP) Committee. When making a decision on a planning application, councillors have the task of considering private proposals against wider public interests, and must make their decision purely on planning grounds. Councillors involved in decision making must approach each application with an open mind and avoid undue contact with interested parties. The case officer's report will be made available a week before the Committee and in the vast majority of cases will make a recommendation to PEP Committee stating whether or not a proposal should be approved.

Up to 2000 planning applications are submitted each year to the city council. Accordingly, the power to make a decision is delegated to the Head of Planning, Transport and Engineering Services in most circumstances in accordance with details set out in the city council's Scheme of Delegation and its Standing Orders.

The PEP Committee determines applications for exceptionally large developments or a major development which does not accord with the Development Plan. It will also determine other, usually smaller applications, if asked to do so by parish councils, Neighbourhood Committees or Members of the city council. There are opportunities for objectors, applicants and others to speak at the committee meeting before a decision is made (details of this procedure are set out in Appendix two). Once a decision is made on an application at PEP Committee, there is a 'call-in' period to allow for the elected councillors present at the meeting to ask the Chief Executive that it be reported to a special meeting of the Planning Review Committee. The request must come from at least 30% of the elected members present at the meeting and must be carried out within two working days of the end of the meeting. The Planning Review Committee will be responsible for determining a referred application following implementation of the call-in procedure.

The role of planning officers

Before a decision is made on a planning application, the planning case officer will prepare a report with a recommendation. The report will consider all the planning issues and any representations made by consultees, local residents and the wider public. The planning officer has a statutory duty to make recommendations in accordance with policies contained in an up to date development plan unless other material considerations indicate otherwise. Certain matters are by law prohibited from being taken into account, for example, property values. Throughout the process prior to a decision being taken, the planning case officer will negotiate any changes to the proposals with applicants where appropriate.

Pre-determination

The Localism Act clarifies the rules on "predetermination". These rules were originally developed to ensure that councillors came to council discussions on, for example, planning applications, with an open mind. In practice, however, these rules have sometimes been interpreted in such a way as to reduce the quality of local debate and stifle valid discussion. In some cases councillors have been warned off doing such things as campaigning, talking with constituents, or publicly expressing views on local issues, for fear of being accused of bias or facing legal challenge.

The Act now makes it clear that it is acceptable for councillors to play an active part in local discussions, and that they should not be liable to legal challenge as a result. This will help councillors better represent their constituents and enrich local democratic debate.

Reporting back to you

The results of consultation on planning applications will be taken into account in decisions made by, and on behalf of, the city council. You can track the progress of the application on line via 'Public Access' on the planning pages of the city council's website:

http://www.peterborough.gov.uk/planning_and_building/planning_and_building_online.aspx

Details of the decision will be placed on a weekly decision list, which is available to view at the customer service centre at Bayard Place and on our website.

Table five: how we report back to Consultees

Reporting back	Target audience	Where available	When notified
Weekly decision list	Residents, local businesses, community groups	On our website and at Customer Services at Bayard Place.	Weekly – picks up previous week’s decisions.
Decision Notice	Residents, local businesses, community groups	Decision notices can be viewed through ‘Public Access’ on the city council’s website (you will need the planning application reference number or the address).	Published on line as soon as possible after the decision on the application has been made. Target: within 1 working day.

Planning appeals

If the person who applied for planning permission does not like the decision that the city council has made on their application (e.g. permission refused, or onerous condition applied to a permission), they may lodge an appeal to the Planning Inspectorate. No one else has the right to appeal the decision. However, when an application has been appealed, the city council does inform all parties that objected during the application stage that an appeal has been lodged. The city council advises people of this as soon as it receives notification from the Inspectorate. All copies of letters and comments received during the original application stage are also forwarded to the Planning Inspectorate.

If an application is approved, the only recourse available to third parties is to apply for judicial review of the decision. This is an extremely rare event.

2.6 Other types of proposals

Planning and trees

A tree, or groups of trees, can be protected by the city council via a Tree Preservation Order (TPO). When a TPO is made, the city council undertakes a consultation exercise. The city council will consult the parish council and the owner and occupier of any adjoining land where there is a common boundary. Adjacent properties that are divided by a highway would typically not be consulted. If the landowner of the site is not known then a site notice is also displayed.

A tree covered by a Tree Preservation Order or trees within conservation areas cannot be cut down, either in whole or part, without notification or consent from the city council. To notify or gain consent, a Tree Works application needs to be submitted. When such an application is received, the city council will consult the parish council and the ward councillor, but not neighbours. Applications to do works to a TPO tree or a tree in a conservation area are notified to the relevant parish council.

Listed buildings

When an application is made to English Heritage by a member of the public to list a building, English Heritage will contact the owner of the building to advise of the enquiry and investigation.

If following investigation, a building is listed, the city council is notified in writing by English Heritage and the city council then has a duty to notify the owner of the listed building of the decision. There is no right of appeal.

Conservation area designation

The city council is required to give notice of an intended designation of a conservation area through a notice placed in the London Gazette and a local newspaper. Local communities have become more proactively involved in identifying the general areas that merit conservation area status and defining the boundaries. The values held by the community are likely to add depth and a new perspective to the local authority view. Conservation appraisals which have been initiated by community groups have demonstrated that informed residents can undertake a great deal of the initial survey work.

If the conservation area under review falls within the area of a parish council, the city council's conservation officer will meet with the parish council at the beginning of a review of the area and consult with all residents (in a 'small' village) and certainly all affected residents to an extension, or part deletion, of an area.

Flood risk designation

Any natural or man-made structure or feature that is deemed to affect flood risk through its existence or location can be protected by the city council via the flood risk designation process. When the designation of a feature is proposed, the city council will consult the owner of the land (or person responsible for managing the structure, if this is different) for a period of at least 28 days.

If, following investigation and review of the responses, the feature is designated, the council will notify the owner of the decision. The council will also notify any other flood risk management authorities, such as the Environment Agency or an Internal Drainage Board, in case they have an interest in the designation.

A feature covered by a flood risk designation cannot be altered, removed or replaced without the written consent of Peterborough City Council. To notify or gain consent a flood risk works application will need to be submitted.

There is a right of appeal for both designation and refusal of consent for flood risk works and the owner will be notified of the process for this as part of the notice issued to confirm the designation.

2.7 Planning enforcement

Planning Enforcement or Planning Compliance (as it is also known) is used to describe the processes involved in making sure people comply with planning law and the requirements of a planning permission. It involves little consultation as a result of the confidentiality of many investigations. The majority of cases arise through referrals from the public, councillors or planning officers. There is no public consultation on compliance cases; however, the city council will ensure that the complainant is advised of the result of investigations into alleged breaches of planning control.

Following investigations, many result in the submission of a planning application in an attempt to regularise a breach. When this is the case, the community can become more involved in the same way as any other planning application.

If, following investigation, it is necessary to serve any formal notices, for example, a Stop Notice, Enforcement Notice or Breach of Condition Notice, the city council is obliged to keep an enforcement register of notices. If you wish to view this register please contact a member of the Planning Services Technical Team on 01733 453410.

The city council's Planning Compliance Strategy provides a full description of the enforcement services, which are summarised below. The strategy can be viewed on the city council's web site at the following address:

http://www.peterborough.gov.uk/planning_and_building/planning_enforcement/planning_compliance_strategy.aspx

What development is controlled by planning?

This includes most:

- New buildings
- Extensions and alterations
- Changes of use of land or buildings
- Advertisements
- Alterations to listed buildings
- Certain works in conservation areas
- Works to trees in conservation areas or protected by a Tree Preservation Order (TPOs)
- Minerals and Waste proposals
- Engineering operations

What can you complain about?

Development that is occurring:

- Without planning permission
- Without complying with conditions that have been attached to a permission
- That is not in accordance with an approved plan

How can you make a complaint?

- A complaint form can be completed online or downloaded from the city council's website: http://www.peterborough.gov.uk/planning_and_building/planning_enforcement/how_to_make_a_complaint.aspx.
- Contact the Planning Compliance Team
- All your details will be kept confidential and are not revealed to the offender
- Anonymous complaints will not normally be investigated

What will the city council do if a complaint is received?

- Within three days we aim to register your complaint and send out a formal acknowledgement.
- This will give details of the officer who will be investigating the case and their contact details.
- We will research the planning history of the site and carry out other checks.
- Within 15 days we aim to undertake a site inspection. (The city council's adopted Planning Compliance Strategy sets priorities for investigation.)
- We may need to discuss the allegations with both you and the alleged offender.
- We may also need you to provide additional information, to assist our investigations.

What happens next?

- Within 25 days we aim to contact you to confirm our findings and our likely course of action.
- We must establish whether a "breach of planning control" has occurred. (This means that something has happened that has not got the necessary permission or that conditions attached to a planning permission are not being complied with.)
- Where investigations show that the development is lawful or that a breach has not occurred, we cannot take the matter further.
- If the complaint is covered by other laws or regulations, we will refer it to the appropriate organisation or other section of the council.

If a breach has occurred, what action can the city council take?

If we find that a "breach of planning control" has occurred we can:

- Request that changes are made to the development, to reduce any nuisance to acceptable levels.
- Request that details required by a planning condition are submitted or implemented.
- Ask for a retrospective planning application to be submitted. (This will give us the opportunity to consult widely on the development and we can impose controls through the use of conditions.)
- Request that construction work stops or that an unauthorised use ceases.

What happens if the breach continues?

We often try and resolve complaints without having to resort to formal enforcement action. However, if an unacceptable breach continues then we will consider using formal enforcement powers. This decision is normally taken by the Head of Planning, Transport and Engineering, but in some cases the council's planning committee makes the final decision.

Formal action can involve issuing one of the following notices:

- Planning Contravention Notice
- Enforcement Notice
- Breach of Condition Notice (BCN)
- Temporary Stop Notice
- Stop Notice
- Section 215 Untidy Land Notice
- Formal Caution

Breaches of planning control relating to unauthorised works to trees covered by a Tree Preservation Order (TPO), or to a listed building, or the unauthorised display of an advertisement, can only be remedied by prosecution and not by the issuing of a notice.

Failure to comply with a notice is a criminal offence and is likely to lead to us considering further action, such as prosecution; direct action, such as the demolition of an unauthorised structure; or injunction.

Further advice

- City council planning officers
- A planning consultant, surveyor or solicitor
- Planning Aid. This is a low-cost, independent, advice service coordinated by the Royal Town Planning Institute.

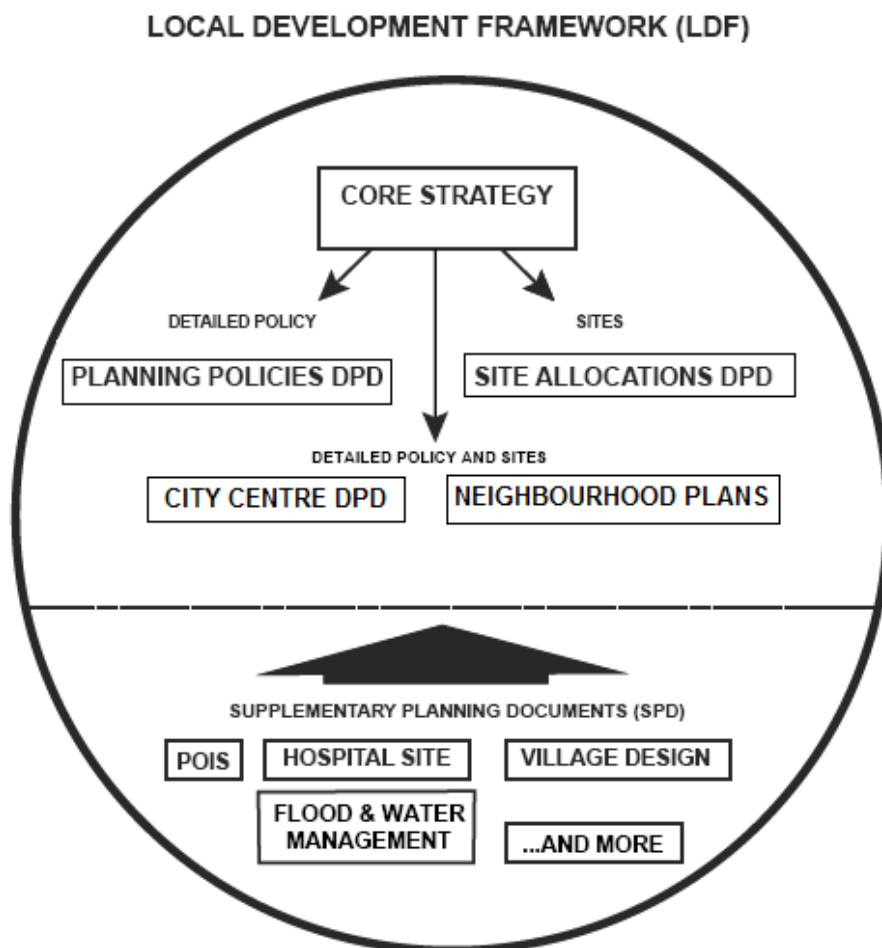
3. Planning for the Future of Peterborough

3.1 Part one - the Local Development Framework (LDF)

What is the Local Development Framework (LDF)?

The LDF sets planning policy that is used by developers and decision makers when making and determining applications for planning permission. It deals with planning issues across the whole city council area rather than just a small patch of it, and makes the big decisions on the location of housing, employment and roads, for example. It also covers things like design, the historic environment, the rural economy and lots more. The LDF is not a single document; it is the overall term for a package of separate planning documents, prepared at separate times (see figure two). You will have the opportunity to read each of the draft LDF documents during periods of public consultation. There will be a public examination in many cases. If you disagree with anything in the draft documents or want to add your own ideas, you will need to make your points 'in writing' during the set consultation periods. You may be invited to appear at the public examination, if one is held, to discuss the proposals.

Figure two– the Peterborough Local Development Framework



Who do we consult?

When producing each document in the LDF, we have to meet certain rules and regulations set down by Government that say who and how we must consult.

We are required to consult what are called 'specific consultation bodies' and 'general consultation bodies', where they are likely to be affected by anything contained in a planning document.

Specific consultation bodies include parish councils, neighbouring local authorities, utilities providers and relevant government departments and agencies.

The city council may also consult with 'general consultation bodies' where this is considered relevant to the document being prepared. These are:

- Voluntary bodies, some or all of whose activities benefit any part of the city council's area; and
- Bodies which represent the interests of:
 - Different racial, ethnic or national groups in the city council's area
 - Different religious groups in the city council's area
 - Disabled people in the city council's area
 - People carrying on business in the city council's area.

There are also people and organisations that the city council considers to be important to planning but which do not fit into the 'specific' and 'general' categories described above, such as residents, land owners, businesses, planning consultants, solicitors, etc. These groups of people and organisations are referred to as 'Other Consultation Bodies'.

Involving under-represented groups

'Under-represented' and 'seldom heard' groups can refer to many different types of people. Sometimes these terms will refer to minority groups, based on factors such as ethnicity, sexual orientation or homelessness. At other times they may refer to broader segments of the population, such as older people, young people or people with disabilities. When consulting, we will try to ensure that under-represented groups are involved, but we would welcome your help in identifying individuals and groups who you think should be involved.

Have Your Say on the Peterborough Local Development Framework

If you would like to have your say, please get in touch either by email, telephone or post (see the contact details for the Planning Policy Team in Appendix two) with your contact details and let us know which documents you are interested in (for example, minerals and waste; the city centre; rural areas, etc.). We will then contact you when documents go out for consultation.

When and how we involve you will vary depending on the document being prepared, the stage of preparation we have reached and the nature of your interest. Below, we set out the opportunities for involvement in the different stages of preparing a Development Plan Document (DPD), such as the Core Strategy. Other LDF documents, such as Supplementary Planning Documents, will not necessarily involve all of these stages.

For the proposed consultation timetable for documents within our LDF, see the Local Development Scheme on the city council's website at:

http://www.peterborough.gov.uk/planning_and_building/planning_policy/draft_development_plans/local_development_scheme.aspx

Also on this webpage you will find a live timetable that we update monthly to show the stages we have reached in the preparation of different documents.

3.2 Development Plan Documents (DPDs) - the six stages of participation

There are six stages of participation in the preparation of a Development Plan Document (for example, the Core Strategy DPD, the Site Allocations DPD, the Planning Policies DPD and the City Centre DPD):

- Stage one – early community engagement
- Stage two – publication of the document: making comments
- Stage three – Submission to the Secretary of State
- Stage four – independent examination
- Stage five – publication of Inspector's report
- Stage six - adoption

Stage one - early community engagement

The early engagement stage is the opportunity for people to get involved and have an influence on developing policies. Understanding community needs and building consensus at an early stage of the plan preparation process can help resolve issues and establish priorities. The consultation methods we may use are detailed in table six.

This stage could involve:

- Evidence building and involvement with stakeholders, sometimes including more than one consultation period. First we may ask about issues and alternative options; then we shape more definite ideas and consult you.
- Publicising consultation(s) by notifying all specific and relevant general bodies by letter or email; putting information on the city council website; advertising in the press and in various locations across the city.

Where certain common issues arise from consultation, we may follow these up by arranging more meetings, teleconferences or detailed focus groups and workshops.

The national regulations are flexible as to the level of consultation at this stage, other than inviting representations on what a DPD ought to contain, and there is no statutory requirement to consult on a full draft version of a document at this stage. However, the city council will commit to exceed minimum requirements by undertaking at least one round of consultation, on a draft DPD, open to everybody during Stage one.

Stage two - publication of the document: making comments

By the publication stage of the DPD, the contents of the document will have been decided based on the early engagement stage and background evidence. At this stage, you will see the document described as the 'Proposed Submission' version, because it is the version that we are proposing to submit to the Secretary of State at stage three.

We will inform all of the specific and general consultation bodies that we consulted at stage one, and anybody else who responded in writing at stage one, that the document has been published. This may be by letter or email. The specific consultation bodies will receive a copy of the Proposed Submission version of the DPD and other submission items, in hard copy form, on a CD or DVD, or by means of electronic links to the relevant documents.

We will put the Proposed Submission version of the DPD and accompanying submission documents on the city council website and make them available for inspection at various locations across the city. These locations will always include the city council's Customer Service Centre at Bayard Place, but the other locations will vary according to the geographic coverage of the DPD in question.

The accompanying documents will include a statement of the representations procedure – providing such details as how to make comments, where to send them and the period within which comments may be made. This same information, plus where hard copies of documents can be viewed, will be included in a press notice that we will place in an edition of the Peterborough Evening Telegraph and, if relevant for the area covered by the DPD, the Stamford Mercury.

You will have a period of six weeks to make comments which are called ‘representations’ but they can only relate to specific issues as set by government. We will explain this in detail to you at the time of consultation. These representations will then be taken into account later when the DPD goes through an examination process. Please note that, as this is a formal, statutory stage, any representations that arrive after the closing date will not be considered.

Anybody may submit representations. These may be made by letter, email or fax, or directly online through our Consultation Portal, which can be reached through the city council’s website. We may provide a special form for making representations; this helps you to supply all the necessary information to ensure that your representation is valid, but there is no requirement to use the form. You should bear in mind that representations do not remain confidential, and anybody else can see what has been said and who said it.

Stage three - submission to the Secretary of State

At the submission stage the city council will submit the DPD to the Secretary of State, together with copies of all the representations received at stage two and various other documents, including a summary of the main issues that have been raised in the representations. At this stage we will describe the DPD as the ‘Submission’ version. Its contents will be the same as the Proposed Submission version, except that it will exclude any introductory material telling people about the stage reached and how they could make representations. We will publicise when the document is submitted, but this is not a stage where you can make further comments.

We will notify the specific consultation bodies and general consultation bodies and everyone who sent representations at stage two that the document has been submitted and where it can be inspected. Notification may be by letter or email.

Copies of the submitted DPD and other submission documents will be made available at the same locations as the proposed submission documents and on the city council’s website.

A paper copy of all the valid representations that have been received will be made available for public inspection at our Customer Service Centre at Bayard Place and they will be viewable on line via our Consultation Portal.

We will prepare a public notice giving the title of the DPD, the fact that it has been submitted to the Secretary of State, the subject matter and area covered, and the fact that a copy of the DPD and other documents are available for inspection, including the places and times at which they can be inspected. We will put this notice in an edition of the Peterborough Evening Telegraph and, if relevant for the area covered by the DPD, the Stamford Mercury. The same notice will be included in the notifications that we send to people, as referred to in stage two above.

If people requested at stage two to be notified when the DPD is submitted, we will let them know at this stage.

Stage four - independent examination

The submitted DPD will be considered by a Planning Inspector at an independent examination to assess the plan and consider the representations received. If you have made an objection to the document and have requested to speak at the examination, you will be contacted and advised of the procedure for being heard by the Planning Inspector.

You should note that it is for the Inspector to decide who should be invited to speak at the hearing sessions and what topics should be discussed.

At least six weeks before the opening of the independent examination, we will notify any person who has made a representation and not withdrawn it, of the time, venue and name of the Inspector appointed to carry out the independent examination. The details will also be publicised on the city council's website and in the local press.

Stage five – publication of the Inspector's report

An Inspector's report will be issued following the independent examination. The report will include a commentary on the soundness of the DPD, with the Inspector's findings. The city council will have options at this stage, depending on what the Inspector concludes.

As soon as reasonably practicable after the day on which the Inspector's report is received, we will make it available on the city council's web site.

Stage six - adoption

If the Inspector concludes that the DPD is sound, either as submitted or with the incorporation of modifications, the city council will be able to adopt it. In this case, we will prepare an adoption statement confirming the date of adoption and explaining where and when the adopted DPD can be inspected. This will also include notification of the publication of the Inspector's report.

The adopted DPD and accompanying material, including the Inspector's report, will be made available on our website and at Bayard Place and at the same locations at which the proposed submission documents were made available.

We will publish the adoption statement in an edition of the same newspaper(s) as previously used in the preparation of the DPD and will send it to any person who has asked to be notified of the adoption of the DPD, including all those people who submitted representations at stage two.

We will send the adopted DPD and the adoption statement to the Secretary of State.

3.3 Supplementary Planning Documents (SPDs) – the two stages of participation

There are two formal stages of participation in the preparation of a Supplementary Planning Document:

- Stage one – consultation
- Stage two – adoption

Stage one – consultation

We will use various methods of engagement with interested parties as we proceed through the early stages of preparing an SPD, and these will vary according to the subject matter and/or geographic coverage of the document. Table six sets out the consultation methods we may use.

This process will culminate in the preparation of a complete draft SPD for public consultation. At the start of this consultation period we will make the draft SPD available for inspection on our website, and at our Customer Service Centre at Bayard Place. We may use other inspection locations if appropriate. We will also publish and make available a Consultation Statement, explaining who we consulted during the preparation of the draft SPD; how we consulted them; a summary of the main issues raised; and how those issues have been addressed in the SPD. If there are any supporting documents relevant to the SPD, we will publish them as well.

We will prepare a public notice giving the title of the SPD; the subject matter and area covered; the fact that a copy of the SPD and other documents are available for inspection, including the places and times at which they can be inspected; the period within which comments (i.e. 'representations') about the SPD may be made; and the address to which they should be sent. We will put this notice in an edition of the Peterborough Evening Telegraph and, if relevant for the area covered by the SPD, the Stamford Mercury. We will also put this notice on our website.

We will notify the specific and general consultation bodies who we consider will be most interested in or affected by the SPD, and anybody else who has requested to be notified. This notification may be by letter or email, and will include a copy of the public notice referred to above, or text providing the same information.

As with a DPD, anybody may submit representations on an SPD. These may be made by letter, email or fax, and for some SPD's we may make it possible to submit representations directly online through our Consultation Portal. We may provide a special form for making representations; this helps you to supply all the necessary information to ensure that your representation is valid, but there is no requirement to use the form. You should bear in mind that representations do not remain confidential, and anybody else can see what has been said and who said it.

The consultation period during which representations may be submitted will last for between four and six weeks.

Stage two – adoption

We will consider all representations received and make changes to the SPD in the light of those representations, if necessary, before producing a final version. We will prepare a Statement of Public Participation, setting out a summary of the main issues raised in the representations and how those main issues have been addressed in the final version.

Once the final SPD has been adopted by the city council, we will prepare an adoption statement which will confirm the date of adoption and explain the opportunity to apply for judicial review. We will make the SPD, the Statement of Public Participation and the adoption statement available for inspection on our website and at the same places where the consultation version had been available for inspection.

If people have requested to be notified of the adoption, we will notify them either by letter or email, and will include a copy of the adoption statement, or text providing the same information.

3.4 Consultation methods for DPDs and SPDs

Different types of document require different engagement techniques appropriate to the type of document. Most consultation will take place at the early engagement stage of plan preparation. We will use a range of methods to engage the community and take on board their views and opinions throughout the preparation of documents. These methods will include some or all of the following:

- Informal discussion by telephone or informal meeting
- Consultation letters
- Questionnaires
- Press notices and press releases and articles for newsletters
- Information on the city council's website
- Meetings
- Focus groups
- Exhibition/displays
- Information leaflets

Table six sets out the methods that we might use when we consult on different types of documents. These are considered to represent methods that are suitable for the intended audience and can most effectively engage with the broadest possible range of stakeholders, whilst being manageable within the limits of available resources.

Consultation letters and emails may be accompanied by specially designed 'representation' forms to assist people with their responses.

We will use our website not simply to inform people about consultations and make documents available, but also (for certain documents) to enable comments to be submitted online.

Table six: LDF consultation methods by document type

Method → Document ↓	Letters and emails	Statutory Press Notice	Website	Media Releases	Questionnaire	Exhibition/ Displays	Focus Groups
Statement of Community Involvement							
Public Participation on the draft document	✓	✓	✓	Possibly	Possibly	×	×
Development Plan Document (Such as the Core Strategy)							
Public Participation on the draft document (stage one)	✓	✓	✓	✓	Possibly	Possibly	Possibly
Public participation on the proposed submission version (stage two)	✓	✓	✓	✓	×	×	×
Supplementary Planning Document							
Informal Consultation to help prepare the document	Possibly	×	Possibly	Possibly	Possibly	Possibly	Possibly
Formal Public Participation on the Draft	✓	✓	✓	✓	Possibly	Possibly	Possibly

Availability of documents

Please see the previous stage by stage section for details.

Charges for documents

All consultees and interested parties will be encouraged to use the city council's website for viewing or downloading documents, although it is appreciated that this is not appropriate for everyone. A scale of reasonable charges for paper copies of documents for those (apart from specific consultation bodies) who have requested documents will be reviewed periodically, as will the scale of charges for final adopted documents. Adopted documents can be bought and paid for online at the following page on the city council's web site:

www.peterborough.gov.uk/do_it_online/pay_for/planning_charges.aspx

It is unlikely that many background documents will be available to purchase as a hard copy, though we will publish them all (or links to them) on the website. Where they are available, a reasonable charge will be made.

Feedback after the consultation has ended

Please see the previous section for details on feedback.

3.5 Part Two – The city council’s ‘Duty to Cooperate’ with neighbouring authorities

Introduction

The city council has always undertaken consultation with our neighbouring authorities as and when we prepare our plans. Similarly, we regularly comment on their emerging plans. Across Cambridgeshire in particular, we have a very good informal working relationship including joint meetings at Chief Planner and Head of Planning Policy levels. A new Cambridgeshire Strategic Planning Unit has also been set up (January 2012), which includes the city council as a full Member, further strengthening the cooperation with Cambridgeshire districts.

However, the Localism Act 2011 introduced a new s33A into the Planning and Compulsory Purchase Act requiring local planning authorities, such as Peterborough City Council, to formally cooperate with neighbouring authorities when they prepare their plans and proposals. Likewise, neighbouring authorities have to cooperate with the city council when it prepares plans.

The purpose of this duty to cooperate is to maximise “the effectiveness” of councils preparing:

- (a) development plan documents, such as a Core Strategy
- (b) other local development documents, such as a Supplementary Planning Document
- (c) marine plans (this one will not apply to Peterborough);

The Act clarifies that the duty only applies to ‘strategic matters’, which it defines as:

- “(a) Sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas, and
- (b) Sustainable development or use of land in a two-tier area if the development or use—
 - (i) Is a county matter, or
 - (ii) Has or would have a significant impact on a county matter.”

A ‘planning area’ is usually a district or unitary council area, such as Peterborough City Council’s administrative area. A ‘county matter’ is, for example, related to planning for minerals and waste activities.

Specific Requirements under the Duty

The Act clarifies that, if the Duty to Cooperate is triggered in accordance with the above guidance, then a local planning authority such as the city council should consider:

- (a) “Whether to consult on and prepare, and enter into and publish, agreements on joint approaches to the undertaking of activities...”, and
- (b) “Whether to agree... to prepare joint local development documents.”

As such, whilst there is no requirement to prepare plans or evidence documents jointly, there is a requirement for the city council to demonstrate that it at least ‘considered’ whether to or not.

The Act also confirms that it will be the task of the independent inspector who examines the plans to test whether a local planning authority complied with the duty i.e. did the city council reasonably consider whether to do joint work with a neighbouring authority? If it did not, then the plan itself would fail and not be permitted to be adopted.

Duty to cooperate in respect of Peterborough City Council's plans

Whilst detailed guidance from Government on this matter is expected, it is not available at the time of writing this draft SCI. As such, to demonstrate that the city council complies with this new duty in respect of its own plans, it commits to undertake the following.

Duty to Cooperate Commitment One: The city council will write to all neighbouring districts at an appropriate stage in the preparation of all Development Plan Documents, plus any Supplementary Planning Documents which cover the whole of the city council area (for example, when issues and potential content have been identified), and state in that letter that the city council has considered:

- Whether or not the plan being prepared is likely to have a 'strategic matter' within it; and
- If it does, whether or not the city council considers it appropriate to prepare any joint evidence documents or a joint plan.

The letter will explain briefly why the city council has reached the position it has. The letter will then ask whether or not the receiver agrees with the position of the city council, and if it does not then it should write to the city council with its reasoning.

If no reply is received to a letter sent, then it will be taken that the receiver of the letter has no objection to the position of the city council.

Duty to Cooperate Commitment Two: If a letter is received which disagrees with the approach of the city council, then the city council commits to requesting a meeting with the objecting authority(ies) to see if the matter can be resolved.

However, the final decision as to whether or not joint working or plans are prepared is at the discretion of the city council, subject to independent testing at the examination of the plan by the inspector.

Duty to cooperate in respect of neighbouring authorities' plans

Duty to cooperate commitment three: When a neighbouring authority proposes a plan, including evidence base leading to that plan, then the city council commits to writing to that authority to confirm whether or not it considers joint working is appropriate, and if so what and when such joint working should be undertaken.

A Community's role in the 'Duty to Cooperate'

Whilst the Duty is predominantly aimed at local planning authorities, the city council also commits to the following:

Duty to Cooperate Commitment Four: The city council will consider carefully any requests it receives from a member of the community which suggests we should be undertaking joint working with a neighbouring authority in relation to development plan or other local development document preparation (whether that work relates to land within Peterborough or within a neighbouring authority). We will respond to any such requests we receive with our reasoning whether we agree or not to the request.

Duty to Cooperate Commitment Five: If a joint plan is to be prepared as a result of the Duty to Cooperate, then the city council will work with communities in the same way as if the plan is being entirely prepared by the city council (i.e. in the same way as described in the first Part of this Chapter of the SCI)

4. Neighbourhood planning in Peterborough

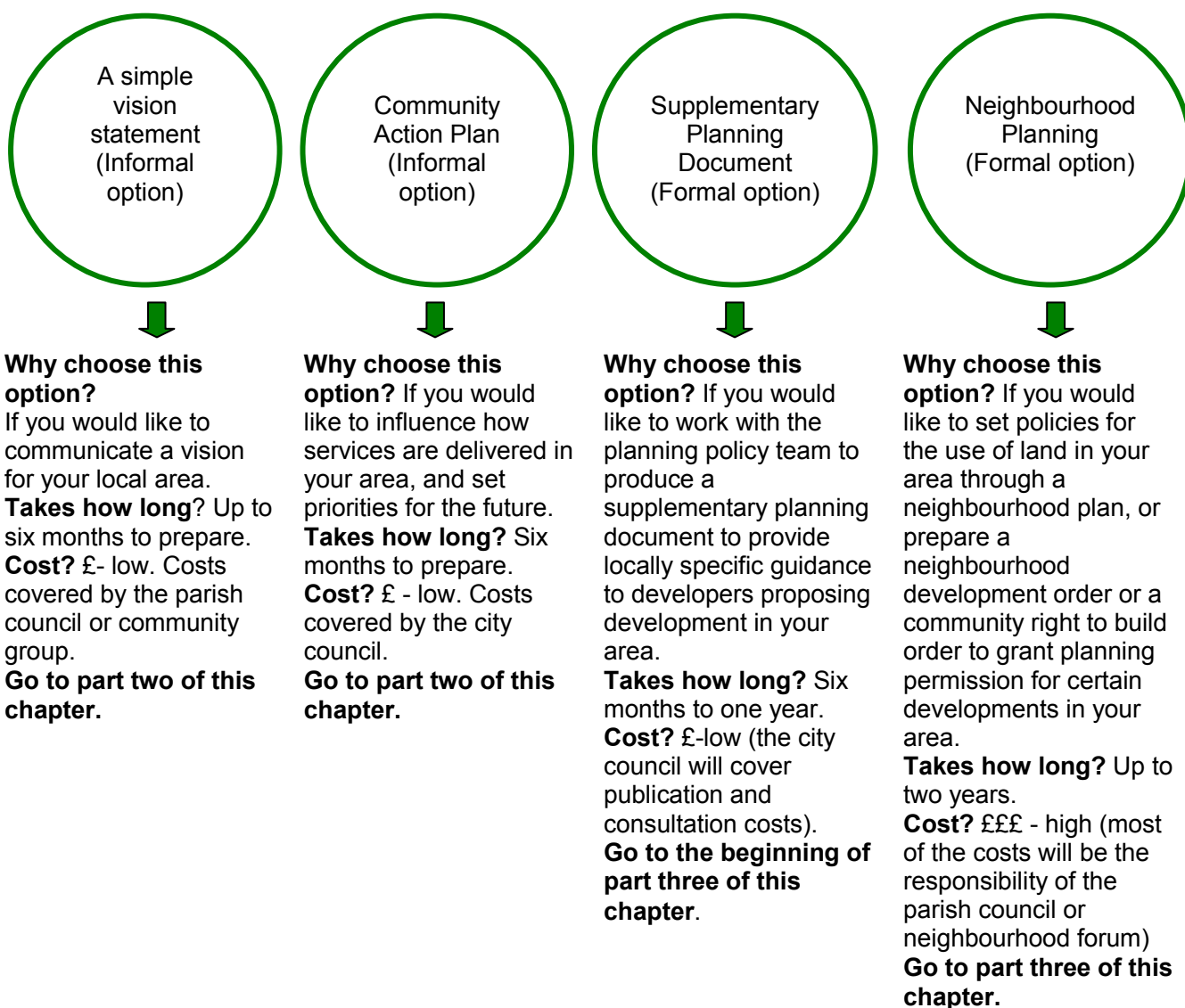
4.1 Part one – introduction to neighbourhood planning and other options available

The Localism Act 2011 sets the framework for a new system of neighbourhood planning in England. It creates new planning tools to help communities to shape and manage development in their local areas. Regulations set out the minimum level of requirements that will ensure a nationally consistent approach to neighbourhood planning. This SCI sets out those requirements and adds to them, where the city council thinks it is necessary to do so.

However, neighbourhood planning is not the only option available to communities. Figure three sets out various options that are available to communities to enable them to have greater control of what happens where they live. Some are related to neighbourhood planning and some are related to other city council functions.

Figure three: the options available to shape your community

How you can shape your community



Essentially, a local neighbourhood can choose:

- (a) The 'informal' route, which means a local neighbourhood can help to shape what happens in its area through getting involved in community action plans, and vision statements. The amount of time and effort is entirely up to the community, with anything upwards from a simple one side of A4 'vision' statement. However, it cannot determine things such as the allocation of land for development or set official policies on what development should look like. **If this is the option you want to take, go to part two of this Chapter.**
- (b) The 'formal' route, which means a local neighbourhood, follows the formal rules and regulations as set by Government, either choosing the supplementary planning document option, or choosing the neighbourhood planning option. These require more effort, and will cost more to produce, but the end result will have more influence over how development takes place in the local area, particularly when applications for planning permission are being decided. **If this is the option you would like to take, go to part three of this Chapter.**

Which ever route you would like to take, the city council will be there to help and guide you along the way. Full details of this assistance are contained in part two and three of this chapter.

4.2 Part two: The 'informal' options available to a local neighbourhood

If the time and costs involved in going through the statutory processes and preparing the various neighbourhood planning options is not attractive or viable, then a local neighbourhood may want to take advantage of some alternative options. These options could be:

- Community Action Plans
- A Vision Statement
- Parish or Village appraisals
- Local Action Plans

Again the city council is here to help you if you choose to take up any of these options.

Peterborough City Council Community Action Plans

A Community Action Plan (CAP) has been prepared for each of the city council's seven Neighbourhood Committee areas:

- Fletton, Stanground & Woodston
- Ortons with Hampton
- Dogsthorpe East & Park
- Central & North
- Rural North
- Peterborough West
- Peterborough North

Residents can attend Neighbourhood Committee meetings which are held every three months, where priorities are set to address the issues that are affecting the local community at that time e.g. anti-social behaviour, fly-tipping, speeding. More information on the Neighbourhood Committees can be found on the city council's web site, where you will also find information on each of the three Neighbourhood Managers:

http://www.peterborough.gov.uk/community_information/neighbourhood_committees.aspx

A CAP will tell the story of the area, including who lives there, what type of houses, what does the area look like, what are the 'big' issues in the area such as levels of crime, employment opportunities, health etc. not only from statistics and data we have gathered, but importantly what the community itself tells us.

Local people's hopes and aspirations will inform the plans, which will be used to guide policy and service delivery in the future. Partner organisations such as the Police, Health Services, housing associations and many more will feed into the plans to help decision-making.

Local communities can get involved in shaping their area by identifying the things that affect them the most, what they would like to see changed and what services they want to see delivered locally. This information will be used to develop short, medium and long term goals and identify priorities for the future. The CAP will say who will do what and by when over the next ten years. Although this is a long term plan it will be reviewed annually to make sure the goals are still relevant and also to report back on how we are doing.

CAPs will inform, but not set, the growth and regeneration of the area to achieve positive and sustainable social, economic and environmental change for the local area, its residents and those organisations supporting it or providing services within it.

There are a number of ways that you can get involved with and contribute to community action plans. For example, you can contribute through existing community and resident groups by feeding in your views on the issues that concern you where you live. These groups can then feed in the collective

responses either through attending the relevant Neighbourhood Committee meeting, developing their own Local Action Plan (see next page) or simply forwarding issues to the City Council.

You can report to your Neighbourhood Manager or other partners what your problems are; this can then be recorded to capture a real picture of the level of concerns, which in turn will feed into the CAP.

For those who wish to be involved in more detail, you can get involved in volunteering, project planning and/or project delivery by either contacting your Neighbourhood Committee or Neighbourhood Manager.

Parish or Village Appraisal

Parish or village appraisals are questionnaires designed by local people (usually parish councils) to find out what the opinions of local people are relating to the various problems the local community face. For example, what do people love or hate about their area, what things they would change, what would people like more of and what less? This kind of information is needed by the organisations that run services or take decisions about a parish council. It is also required to support applications for grants and other support. These results will be used in all kinds of local initiatives, will be an important element in consultations with government, and will help local organisations to determine their priorities. The information gathered can feed into community action plans.

The objectives of parish/village appraisal are as follows:

- To identify areas requiring action by the parish council or city council
- To see if there are any opportunities for self help in the parish council, or beneficial activities which could be carried out voluntarily by groups or individuals
- To enable residents to make a contribution to their community, to improve it where possible and to learn more about it
- To inform the local Community Action Plan for the area

If you live in an area covered by a parish council you can get involved by attending your local parish council meeting.

Typical subjects that might be covered in a parish/village appraisal are as follows:

- **Transport problems:** e.g. lack of public transport, cars travelling too fast, state of the roads, accident danger spots.
- **Housing problems:** e.g. local people moving away, housing for local people.
- **Education problems:** e.g. need for local nursery, local adult education opportunities wanted.
- **Communication problems:** e.g. need for a newsletter, parish council meetings unattended.
- **Facilities:** e.g. need a new village hall, sports facilities inadequate, and school facilities opened up to public.
- **Crime & safety:** e.g. neighbourhood watch, "bobbies on the beat".
- **One-off projects:** e.g. Jubilee celebration project ideas.

Local Action Plans

A Local Action Plan is most typically developed informally by community or resident associations who identify priorities at a local level. The plans usually relate to a very local level (e.g. a street or group of streets) as opposed to a ward or parish area, but should feed into and inform the wider community action plan/s for that area.

The types of issues this may cover include:

- Addressing environmental issues such as graffiti, litter
- The local landscaping maintenance
- Local community events such as street parties, summer fetes

- Facilities available for children, young people, older people etc
- Improvements to parks and open spaces

Vision Statement

Community and/or resident organisations that do not wish to develop an action plan may decide to adopt a vision statement that outlines their aims and objectives for their area. This may not be a working action plan but a statement of values and aspirations held by the organisation.

4.3 Part three- the ‘formal’ options - supplementary planning documents and neighbourhood planning

This section mainly focuses on the new formal options available to local neighbourhoods following the enactment of the Localism Act 2011. However, at the start of part three is an alternative ‘formal’ option which has existed since 2004, and remains a valid option. This option uses ‘Supplementary Planning Document’ (SPD) legislation, which some local communities have taken advantage of in the past.

Supplementary Planning Documents

If your local neighbourhood wants to produce a formal document, which carries considerable legal weight, but does not want to follow any of the options available under ‘neighbourhood planning’, then the alternative is to work with the city council to produce a Supplementary Planning Document.

An SPD can be used to expand on existing policies in the city council’s local development framework. It can cover a wide range of issues, which are either site-specific issues such as detailed design guidance; or are policy specific issues such as further guidance on a particular policy issue such as open space provision.

An SPD cannot allocate land or automatically grant planning permission. It cannot override existing policies but can complement and add more detail. An SPD is not subject to independent testing through a public examination but will have to meet minimum public consultation standards as set out in chapter three of this SCI.

If you support the idea of an SPD the city council will lead, but will work very closely with you.

A good example of an SPD is the Design and Development in Selected Villages, which was adopted by the city council in 2011. This can be viewed on the city council’s website at:

http://www.peterborough.gov.uk/planning_and_building/planning_policy/adopted_development_plan/supplementary_planning_document.aspx.

This SPD largely expands on the Peterborough Core Strategy Policy CS16 “Urban Design and the Public Realm”. The content of the SPD was heavily informed by discussions with those parish councils concerned and through extracting local aspirations as set out in parish-written village design statements and similar documents.

Neighbourhood Planning

From 1 April 2012, the various neighbourhood planning options in the Localism Act 2011 became legally available to use. There are various stages before the formal making (adoption) of a neighbourhood development plan or neighbourhood development order, as set out in figure four. Explanatory notes on each step are provided after figure four, including how the city council will assist.

Figure four: neighbourhood planning – the key steps



Independent advice on neighbourhood planning

Before you embark on steps one to nine, you may want to take independent advice and see further information from a range of sources. Here are a few examples:

- **Planning Aid** <http://www.rtpi.org.uk/planningaid/> - An independent source of professional advice and information available to those who cannot afford to pay professional fees. Its volunteer planners can help groups to get involved in the planning of an area and to prepare their own plans.
- **Planning for Real** <http://www.planningforreal.org.uk/> - A community planning model (using interactive, hands-on tools and techniques) that helps people to shape the places in which they live.

- **Community Planning** <http://www.communityplanning.net/> - This website provides easily accessible 'how to' guidance on community planning and best practice.
- **Department for Communities and Local Government** <http://www.communities.gov.uk/corporate/>. This website provides the latest information about policy and programmes for planning.

4.4 Neighbourhood planning: a step by step guide

Step one: process initiated by parish council or neighbourhood forum

Step one	Process initiated by parish council or neighbourhood forum	You are here
Step two	Neighbourhood area designated	
Step three	Neighbourhood forum agreed, if needed.	
Step four	Plan or order prepared with the city council's support	
Step five	Extensive community involvement	
Step six	Plan or order checked by city council	
Step seven	Independent examination	
Step eight	Referendum	
Step nine	Neighbourhood plan or order adopted by the city council	

Who is in charge of helping local people to draw up a neighbourhood plan or neighbourhood development order?

Neighbourhood plans and development orders cannot be prepared by the city council – they can only be prepared by a parish council, or where there is not a parish council, by a local 'neighbourhood forum' (which needs to be approved by the city council – see step three). However, the city council is very happy to offer support, if requested to do so.

Your parish council or an agreed neighbourhood forum will act as your local representatives and will be responsible for delivering neighbourhood planning in your area.

How do I know whether I live in a parish council area?

There are certain parts of the city council area that have a parish council (predominantly the rural areas) and parts which do not (predominantly the urban area of Peterborough city itself). The map in figure five below identifies the areas.

If I live in a parish, what should I do?

Contact your parish council and move to step two. Up to date contact details for each parish council are available on the city council's website:

<http://democracy.peterborough.gov.uk/mgParishCouncilDetails.aspx?LS=17&SLS=1&bcr=1>.

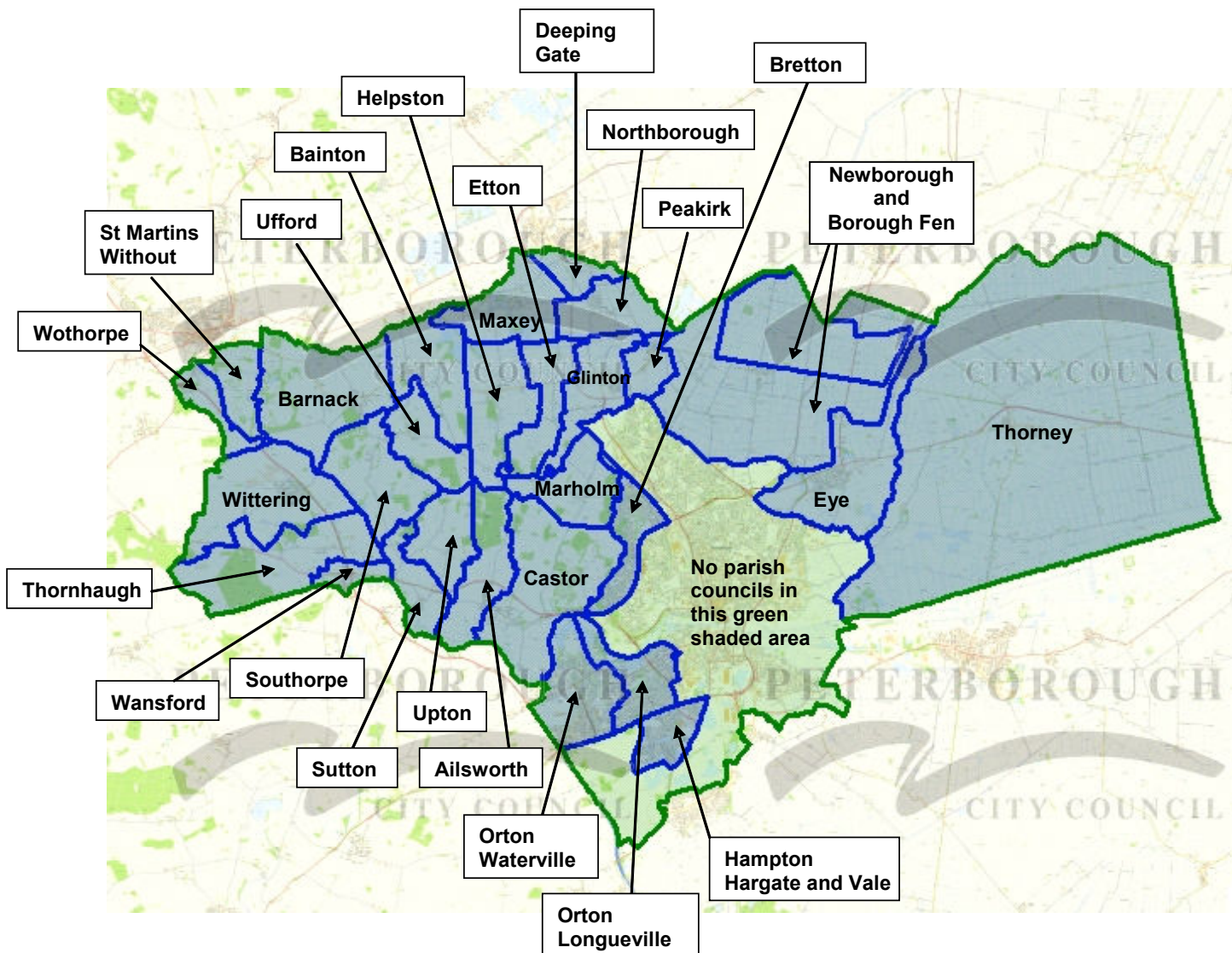
If I live in an area without a parish council, what should I do?

Think about setting up an informal or formal 'forum', or approach other community groups or leaders in your area, and see if there is any interest in neighbourhood planning. If stuck, ring the council to see if we have any contacts.

Your forum should then ask the council to agree to a neighbourhood area being set up – go to step two.

Note: you do not need to be formally constituted as an official forum at either step one or step two – that comes at step three. But, under the law (section 61G (2) of the Localism Act), your forum must at least be "capable of being designated as a neighbourhood forum". See step three about how to become classified as an official 'neighbourhood forum'.

Figure five: parish councils in Peterborough. You can view a more detailed interactive version of this map on the city council's website at <http://gisint1/hawkeye/>.



Step two: neighbourhood area designated

Step one	Process initiated by parish council or neighbourhood forum	Step complete
Step two	Neighbourhood area designated	You are here
Step three	Neighbourhood forum agreed, if needed.	
Step four	Plan or order prepared with the city council's support	
Step five	Extensive community involvement	
Step six	Plan or order checked by city council	
Step seven	Independent examination	
Step eight	Referendum	
Step nine	Neighbourhood plan or order adopted by the city council	

When and how to apply to the city council to designate a neighbourhood area

A neighbourhood area is the area that a neighbourhood plan or neighbourhood development order will cover. It must be formally considered by the city council once an application is made by a parish council or a body that is planning to apply to become a neighbourhood forum.

In any area that has a parish council, only a parish council can apply to have all or part of its area designated as a neighbourhood area for the purposes of neighbourhood planning. Two or more parishes could come together to form a single neighbourhood area. If the proposed neighbourhood area covers more than one parish, consent must be sought from each of the affected parish councils.

In an area that does not have a parish council, a neighbourhood forum needs to be set up to prepare neighbourhood development plans and orders. Please note that there can only be one forum per neighbourhood area. Step three gives more advice on setting up a neighbourhood forum. The boundary for the area will be proposed by a body who will subsequently apply to the city council to become an official neighbourhood forum. It cannot contain any part of a parish council's area. You can apply to the city council to define a neighbourhood area if you intend, but are not yet a neighbourhood forum. Once you have completed step two, proceed to step three to formalise your forum.

Businesses, investors, developers and other commercial organisations will be able to get involved with the neighbourhood forums or parish councils, or can set up a neighbourhood forum from the start (only where there is no parish council).

Neighbourhood areas can cross local planning authority boundaries. National regulations may be published that provide further guidance. This draft SCI will be updated if any regulations come into force.

Before submitting your application

A **neighbourhood planning pre-application enquiry service** is provided by the city council's Planning Policy team (see contact details in appendix three). This service will consist of a one hour meeting, normally at the city council office at Stuart House, to discuss the proposals. This is to ensure that you get your application right before formally submitting it to us.

Submitting your application

Applications will be accepted quarterly by 4 pm on the last working day of April, July, October and January.

The application form in appendix four should be filled out and submitted to the Planning Policy Team using the contact details on the form. Please ensure that you complete each part of the form and provide full justification, with evidence, if necessary.

The city council may decline to consider an application if the applicant has already made an application and a decision has not yet been made on that application.

Validation

Once your application is received by the city council, it will be handled by a Planning Policy Officer, who will check that all of the relevant information has been supplied against the following criteria:

- In the case of an application by a parish council, the proposed neighbourhood area must be one that consists of or includes the whole or any part of the area of that parish council.
- In the case of an application by an organisation or body, the neighbourhood area must not consist of, or include, the whole or any part of the area of a parish council (i.e. only a parish council can apply if the area contains some or all of a parish council's area).

If the application passes this check, it will be deemed 'valid'.

Publication of your application for the designation of a neighbourhood area by the city council

Once your application has been deemed valid, we will publicise notice of your application for the designation of a neighbourhood area on the city council's website and in the relevant library, community centre or parish council building, with the following details:

- a) The name of the proposed area;
- b) Details of how to respond to the publicity and make representations; and
- c) The deadline for the receipt of those responses and representations, being not less than six weeks following the date on when the application is first published.

In addition to the above minimum national criteria, which by law the city council must do, the city council will also advertise an application for the designation of a neighbourhood area by:

- Advising all elected city councillors representing the proposed neighbourhood area
- Notifying the Neighbourhood Committee and Neighbourhood Manager within which the neighbourhood area would operate
- Issuing a press release to local media and on the city council's website

Determining an application for the designation of a neighbourhood area

Planning Policy Officer role:

The Planning Policy Officer will assess the application against the following criteria:

- The desirability of the whole of the area of a parish council being a neighbourhood area (The expectation in Peterborough is that, in most cases, neighbourhood areas will follow parish boundaries. However, if considered appropriate, the city council may find it acceptable for a neighbourhood area to cover only part of a parish or a combination of parishes).
- For areas without a parish:
 - whether the application fits with other formal designations such as land allocations, protected nature sites, conservation areas etc;
 - whether to include or exclude land, so as to fit with obvious and significant geographic features;
 - whether it fits with the city council's ward boundaries
- The desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas.

The planning policy officer will provide a report that will include one of the four following recommendations:

<p>A. Area rejected, with reasoning.</p> <p>It could be rejected outright because:</p> <ul style="list-style-type: none">(i) the application is invalid(ii) in the case of an application by a parish council, it does not consist of or include the whole or any part of the area of the parish council(iii) in the case of an application by an organisation or body, it consists of or includes the whole or any part of the area of a parish council(iv) the whole of the area proposed has already been designated as a Neighbourhood Area <p>Please note that if a valid application for an area is proposed which at least in part is for an area not already designated as a Neighbourhood Area, then the city council is not permitted to reject the application outright. Instead, the city council is duty bound³ to designate an area of its choice as a Neighbourhood Area provided it includes some or all of the original proposed area.</p>
<p>B. Area approved, without amendment</p>
<p>C. Area approved, with minor amendments</p> <p>Minor amendments could be:</p> <ul style="list-style-type: none">(i) In the case of an application by a parish council, to include the whole of the parish council area if this was not the case with the original application(ii) In the case of an application by an organisation or body, to include additional area, or exclude elements of the proposed area, if this enabled a better fit with Peterborough City Council ward boundaries(iii) To include or exclude areas, so as to fit with other formal designations such as land allocations, protected nature sites, conservation areas etc.(iv) To include or exclude land, so as to fit with obvious and significant geographic features(v) To exclude land already designated as a Neighbourhood Area(vi) In the case of an application by an organisation or body, to remove any area which is part of a parish council area(vii) To enable the proposed area to align with a separate proposed or designated Neighbourhood Area(viii) Any other amendments at the discretion of the city council
<p>D. Area minded to approve, but only if significant amendments are made which are subject to a further round of public consultation</p> <p>Significant amendments could be:</p> <ul style="list-style-type: none">(i) As per any of the minor amendments above, but such amendment would be of a scale which would significantly alter the size or population catchment of the area(ii) In the case of an application by a parish council, to include the whole or part of another parish council area

Head of Planning, Transport and Engineering role:

The planning officer's recommendation will then be considered by the Head of Planning, Transport and Engineering (the 'Head'). The Head can either accept or reject the planning officer's recommendation, and is open to choose any of the four options (A) to (D) as described above.

³ Clause 61G(5) of the Town and Country Planning Act 1990, as set out in Section 116 of the Localism Act 2011

If the Head chooses:

- Option (A) (rejection), the applicant will be informed. The decision is final and the process ends.
- Option (B) (approval) or (C) (approval with minor amendments), the Head will prepare a report recommending as such for the Planning and Environmental Protection Committee.
- Option (D), the applicant will be advised that a revised area will be subject to public consultation and that its views on the amendments would be welcome as part of that consultation. At the end of that consultation, the Head will be free to choose any of the Options (A) to (D) accordingly.

Planning and Environmental Protection Committee role

Only the Planning and Environmental Protection (PEP) Committee has the ability to approve a Neighbourhood Area. Once the Head is satisfied that an appropriate Neighbourhood Area can be achieved, then a report will be submitted to PEP. The Committee is free to choose any of the options (B) to (D), but it is not permitted to choose option (A) (rejection outright) because the city council is duty bound to designate an area if a valid application has been received (albeit the area designated can differ significantly from the area originally proposed).

Once a decision is made at PEP Committee, there is a 'call-in' period to allow for a proportion of the elected councillors who sat on PEP to ask the Chief Executive that it be reported to a special meeting of the Planning Review Committee. The request must come from at least 30% of the elected members present at the meeting and must be carried out within two working days of the end of the meeting. The Planning Review Committee will be responsible for determining a referred neighbourhood area application following implementation of the call-in procedure. The Planning Review Committee's decision is final.

Advice prior to submitting an application

Any parish council or community organisation or body considering applying to designate an area is strongly recommended to take advantage of the Planning Policy Team's pre-application enquiry service. This will ensure that there is a reduced risk of your application being rejected or significantly amended. .

Map of designated neighbourhood areas

As soon as reasonably practicable after a neighbourhood area has been designated, the city council will update its map of designated neighbourhood areas, and publish the map on the city council website.

Neighbourhood areas designated as "business areas"

When the city council is determining an application from a parish or neighbourhood forum to designate a neighbourhood area, it must be considered whether it should be designated as a "business area" rather than a neighbourhood area. In reaching this decision, the city council will apply the following criteria:

- The area is wholly or predominantly business in nature
- The number of people residing in the area
- The results of public consultation

The city council's deadline for designating a neighbourhood area

The Localism Act and neighbourhood planning regulations do not stipulate how long the city council has to determine an application to designate a neighbourhood area. This will depend on when the Planning and Environmental Protection Committee meeting falls but the city council will aim to determine the application as soon as reasonably practicable following the end of the public consultation.

Neighbourhood areas in areas of two or more local planning authorities

If an application is received to designate a neighbourhood area in areas of two or more local planning authorities, all of the local planning authorities involved will be involved in determining the application. The city council is awaiting separate regulations on this matter.

Step three – neighbourhood forum agreed, if needed

Step one	Process initiated by parish council or neighbourhood forum	Step complete
Step two	Neighbourhood area designated	Step complete
Step three	Neighbourhood forum agreed, if needed.	You are here (if needed)
Step four	Plan or order prepared with the city council's support	
Step five	Extensive community involvement	
Step six	Plan or order checked by city council	
Step seven	Independent examination	
Step eight	Referendum	
Step nine	Neighbourhood plan or order adopted by the city council	

If you live in an area with a parish council, then this stage does not apply to you.

In parts of the city that do not have a parish council (see step one and figure five) a neighbourhood forum will need to be set up by the local community. The neighbourhood forum must then apply to the city council to be formally approved (designated).

The city council will advertise when organisations or bodies can make applications to be designated as neighbourhood forums for neighbourhood areas by:

- Advising all city councillors representing the neighbourhood area
- Notifying the Neighbourhood Committee within which the neighbourhood area operates
- Issuing a press release to local media and on the city council's website

This will ordinarily occur as soon as reasonably practicable following designation of a neighbourhood area.

When and how to apply to the city council to be designated as a neighbourhood forum for a neighbourhood area

Applications must be received quarterly by 4 pm on the last working day of April, July, October and January each year.

An application by an organisation or body to be designated a neighbourhood forum for a neighbourhood area must contain the following information –

a) The name of the proposed neighbourhood forum;
b) A copy of the written constitution of the proposed neighbourhood forum;
c) The name of the relevant already designated neighbourhood area;
d) The contact details of at least one member of the proposed neighbourhood forum; and
e) A written statement, which explains how the proposed neighbourhood forum meets the following conditions: <ul style="list-style-type: none"> • The organisation or body has been established for the main purpose of promoting or improving the social, economic and environmental well being of an area. • The neighbourhood forum covers a designated Neighbourhood Area • The membership of the organisation or body has been and remains open to individuals living, working or acting as elected members in the neighbourhood area concerned, • There are at least 21 members of the organisation or body each of whom lives or works in the neighbourhood area concerned.

The city council has produced an application form (in appendix five of this SCI) for you to use to apply to become a neighbourhood forum, which includes all of the information you will need to supply with your application.

Advice prior to submitting an application

Any organisation or body considering applying to become a neighbourhood forum is strongly recommended to take advantage of the **neighbourhood planning pre-application enquiry service**, which is provided by the city council's Planning Policy team (see contact details in appendix three). This service will consist of a one hour meeting, normally at the city council office at Stuart House, to discuss the proposals. This will ensure that there is a reduced risk of your application being rejected or significantly amended.

Application validation

Once your application is received, it will be handled by a Planning Policy Officer, who will check that all of the relevant information has been supplied.

Notice of application

Once an application to set up a neighbourhood forum has been validated, a Planning Policy Officer will publish on the city council website, the following information –

- a) The name of the proposed neighbourhood forum;
- b) The contact details of at least one member of the organisation or body making the application;
- c) The date on which the application was received; and
- d) A statement that any other application for the same neighbourhood can be submitted to the city council by a different organisation or body, but such an application must be received by us no later than 28 days after the date on which information was first published on our website in relation to the first application we received.

In addition to the above minimum national criteria, which by law the city council must do, the city council will also advertise an application to be a neighbourhood forum by:

- Advising all city councillors representing the neighbourhood area
- Notifying the Neighbourhood Committee and Neighbourhood Manager within which the neighbourhood forum would operate
- Issuing a press release to local media and on the city council's website

Subsequent applications

Point (d) under the above heading is an important aspect in the process of approving a neighbourhood forum because this is the only opportunity for a different group to set up a neighbourhood forum in a particular area. Once a neighbourhood forum is designated, a second one can not be considered in the same area.

A potential alternative neighbourhood forum in part or all of the neighbourhood area must submit the same information as required by the original applicant (see previous page) within 28 days of the notice being published on the city council website.

Determining an application for the designation of a neighbourhood forum

The Localism Act allows the city council, as local planning authority, to designate an organisation or body as a neighbourhood forum so long as it meets certain conditions:

- The organisation or body has been established for the main purpose of promoting or improving the social, economic and environmental well being of an area
- The neighbourhood forum covers a designated Neighbourhood Area

- The membership of the organisation or body is open to individuals living, working or acting as elected members in the neighbourhood area concerned
- There are at least 21 members of the organisation or body, each of whom lives or works in the neighbourhood area concerned, and
- The organisation or body has a written constitution.

The Act also allows a local authority to set its own additional criteria. The city council therefore sets the following additional criteria:

- Evidence that individuals living or working in the neighbourhood area have had sufficient opportunity to join the organisation/body.
- Sufficient evidence has been provided to show that the neighbourhood forum proposed has secured (or taken reasonable steps to attempt to secure) that its membership includes at least two individuals from the following: (a) individuals who live in the neighbourhood area concerned; (b) individuals who work there (whether for business carried on there or otherwise); and (c) individuals who are elected members, any of whose area falls within the neighbourhood area concerned.
- Membership of the proposed forum is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area.
- The purpose reflects (in general terms) the character of the neighbourhood area concerned.

Planning Policy Officer role:

The planning policy officer will provide a report that will include a recommendation that the neighbourhood forum is one of the following:

<p>A. Neighbourhood forum rejected, with reasoning</p> <p>It could be rejected outright because:</p> <ul style="list-style-type: none"> (i) The application is invalid (ii) It does not meet the conditions specified in this SCI (iii) A neighbourhood forum has already been designated for the neighbourhood area concerned
<p>B. Neighbourhood forum approved, without amendment</p>
<p>C. Neighbourhood forum minded to approve, with minor amendments</p> <p>Minor amendments could be, for example, the submission of further evidence to support the application.</p>
<p>D. Neighbourhood forum minded to approve, but only if significant amendments are made which are the subject to a further round of public consultation</p> <p>Significant amendments could be increasing the membership of those referred to in the criteria in the above section.</p>

Head of Planning, Transport and Engineering role:

The planning officer’s recommendation will then be considered by the Head of Planning, Transport and Engineering (the ‘Head’). The Head can either accept or reject the planning officer’s recommendation, and is open to choose any of the four options (A) to (D) as described above.

If the Head chooses:

- Option (A) (rejection), the applicant will be informed. The decision is final and the process ends.
- Option (B) (approval) or (C) (approval with minor amendments), the Head will prepare a report recommending as such for the Planning and Environmental Protection Committee.
- Option (D), the applicant will be advised that a revised forum will be subject to public consultation and that its views on the amendments would be welcome as part of that consultation. At the end of that consultation, the Head will be free to choose any of the Options (A) to (D) accordingly.

Planning and Environmental Protection Committee role

Only the Planning and Environmental Protection (PEP) Committee has the ability to approve a neighbourhood forum. Once the Head is satisfied that an appropriate neighbourhood forum can be achieved, then a report will be submitted to PEP. The Committee is free to choose any of the options (B) to (D).

Once a decision is made at PEP Committee, there is a 'call-in' period to allow for a proportion of the elected councillors who sat on PEP to ask the Chief Executive that it be reported to a special meeting of the Planning Review Committee. The request must come from at least 30% of the elected members present at the meeting and must be carried out within two working days of the end of the meeting. The Planning Review Committee will be responsible for determining a referred neighbourhood forum application following implementation of the call-in procedure. The Planning Review Committee's decision is final.

The city council's deadline for designating a neighbourhood area

The Localism Act and neighbourhood planning regulations do not stipulate how long the city council has to determine an application to designate a neighbourhood forum. This will depend on when the Planning and Environmental Protection Committee meeting falls but the city council will aim to determine the application as soon as reasonably practicable following the end of the public consultation.

Publication of the city council's decision to designate a neighbourhood forum

Once a decision has been made, details of our decision will be published on the city council website, including the following information:

- The name of the neighbourhood forum
- The name of the relevant neighbourhood area
- Contact details for at least one member of the neighbourhood forum

Lifespan of a neighbourhood forum

A neighbourhood forum designation lasts for five years beginning with the day on which it is made by the city council.

Under the provisions of the Localism Act, the city council may withdraw a neighbourhood forum designation if it is considered that the organisation or body is no longer meeting the conditions and criteria it had to meet to be designated (as outlined in this step). Where a designation is withdrawn, the city council will give reasons to the organisation or body.

Step four: plan or order prepared with the city council's support and advice

Step one	Process initiated by parish council or neighbourhood forum	Step complete
Step two	Neighbourhood area designated	Step complete
Step three	Neighbourhood forum agreed, if needed.	Step complete (if needed)
Step four	Plan or order prepared with the city council's support	You are here
Step five	Extensive community involvement	
Step six	Plan or order checked by city council	
Step seven	Independent examination	
Step eight	Referendum	
Step nine	Neighbourhood plan or order adopted by the city council	

Neighbourhood planning options

Once permission is granted by the city council to proceed with the neighbourhood area, the parish council or approved neighbourhood forum can choose to prepare a neighbourhood development plan or a neighbourhood development order (or both).

As the local planning authority, the city council will have certain duties and responsibilities but **will not start or control the process**. The production of a neighbourhood development plan or neighbourhood development order will be 'owned' by the parish council or neighbourhood forum. The Localism Act places a duty on the city council (as local planning authority) to provide advice and assistance to parish councils and neighbourhood forums in developing proposals for plans or orders. There is no requirement here on local planning authorities to provide financial assistance.

The city council will help you to understand the Localism Act and Neighbourhood Planning Regulations, advising on any legal or environmental issues. The city council has developed **standards** that the parish council or neighbourhood forum will need to meet when preparing a neighbourhood plan or neighbourhood development order. The city council will provide advice on these standards as well as help on how to draw up a neighbourhood plan or neighbourhood development order.

The city council has a dedicated planning policy officer to assist in the preparation of neighbourhood plans and neighbourhood development orders. However, there is only resource available to assist on a maximum of four neighbourhood development plans and four neighbourhood development orders per year. The parish council or neighbourhood forum must notify the city council in writing that they are seeking assistance. A list of the neighbourhood areas we are assisting and any waiting list of those seeking help, will be published on the city council's website. Please note that if you are on a waiting list or if you don't need help from the city council, there is nothing to stop you proceeding on your own.

In the early stages, where a parish council or neighbourhood forum expresses positive interest in neighbourhood planning, the city council will be happy to set up an initial meeting, which might cover:

- Detailed explanation of what can be prepared
- A run through of the process for their preparation, and a possible timetable (taking into account the number of neighbourhood development plans and orders being prepared at any one time and any waiting list that might be in place)
- The need to fit with national policy and the strategic policies of the Local Development Framework
- What neighbourhood plans may cover, but also what they cannot
- A summary of what may be involved in terms of technical work and the potential costs involved
- Community engagement possibilities
- What the alternative community planning options are, in addition to or instead of neighbourhood plans and orders.

Preparing a neighbourhood development plan or order

A neighbourhood development plan or order should be appropriate in relation to national policy, and in general conformity with the strategic policies set out in Peterborough's Local Development Framework (LDF), especially the Core Strategy. The city council's Strategic Planning Team will be happy to provide advice on the LDF.

The Government has stressed that neighbourhood plans and neighbourhood development orders should truly reflect how residents believe the future of their area should be shaped. This means there should be full and effective opportunity for engagement of all residents in the way the plan is prepared. It follows that parish councils and community groups should be encouraged to start thinking early on about how they will secure such engagement. The promoters of a neighbourhood plan or neighbourhood development order will wish to be confident that the plan enjoys widespread community support before committing themselves and their plan to a referendum (Step eight).

The parish council or approved neighbourhood forum must ensure that a neighbourhood development plan or order specifies the period for which it is to have effect and may not include provision about a development that is excluded development and may not relate to more than one neighbourhood area.

Only one neighbourhood development plan may be made for each neighbourhood area.

A **community right to build order** is a type of neighbourhood development order made by a community right to build organisation that grants planning permission for specified development in relation to a specified site in a specified neighbourhood area that does not exceed limits prescribed by Government. The Government has designed this to ensure that the benefits of any development permitted through such an order can be kept in the community. The process of community right to build order is not covered in this SCI because it is not particularly well linked to planning matters. A questions and answers paper can be found on the Communities and Local Government website:

<http://www.communities.gov.uk/documents/newsroom/pdf/1647749.pdf>

Tips for drawing up a neighbourhood plan

Over the coming months, it is expected that more national guidance will be issued to help you with preparing a neighbourhood plan or order. However, prior to that, you may find the following tips helpful in drawing up your neighbourhood plan; these are adapted from the Town and Country Planning Association's 'Your Place, Your Plan' guide:

- Talk to the city council – the city council has a duty to help local people draw up a neighbourhood plan or order and provide advice on any legal or environmental issues.
- Include everyone - for every local person who will happily give you their opinion there are a hundred who won't. Special efforts may be needed to get the views of young people, ethnic minorities or the elderly.
- Be open and honest - tell people how important the plan or order is, but also tell them what it can't do. Make sure anyone involved in the plan or order is upfront if they might benefit from it personally.
- Work in partnership - draw up a list of groups and people you need to work with you. Think about including local councillors, schools, community groups, business leaders, and the local media.
- Use your local knowledge and common sense - the whole point of a neighbourhood plan or order is that it is put together by people who know a place well and care about it. So if you're looking at a site for a new GP surgery, you will know whether it is near a bus route, for example. It can be that simple. But you also need to make sure that the funds are in place, or are likely to be, to deliver this type of community infrastructure. This avoids raising false expectations.
- Look to the future - imagine how people in your area might live 50 years from now, and what they would like you to preserve.

- Consider climate change - how can your plan or order help to prevent climate change? For example, can it include renewable energy? Plus, think about what to do about the effects of climate change too, such as how more parks or gardens could help to reduce the risk of flooding.
- Be positive - community action can attract negativity from some groups or individuals. Challenge them to get involved and come up with a better idea. If you can keep everyone enthusiastic and on-track, you'll end up with a plan or order that everyone can understand and be proud of.
- Be realistic - your neighbourhood plan or order needs to be drawn up using the Peterborough Local Development Framework as a guide. Again, your local councillor and the city council can help you with this.
- Forget the jargon - your neighbourhood plan needs to be easy to read and have clear objectives, but it also has to be deliverable and financially viable.

Get the community involved and on board

If the community are not supportive of the idea of a neighbourhood plan or order from the very beginning, then it will be difficult to produce a document that reflects their priorities and aspirations. More than 50 per cent of the community must be in favour of the plan for it to pass the public vote (referendum), which is explained in more detail in step eight. The community should be informed about the parish council's/neighbourhood forum's intentions from the start. You could write to local organisations and groups to see if they would like to be involved; and hold a public meeting with the community to let them know your intentions and start to get a feel for what they would like to see happen in their area.

Possible contents of a Neighbourhood Plan

- A map of the area, including on it any existing designations (such as protected nature sites, conservation areas or new development allocations as set out in the city council's plan) and your proposed new designations (such as new development sites, new protected open space or employment areas, etc).
- Policies that set out what you would like to happen in your area, including the detail on your proposed allocations and design policies that could specify the types of materials you would like to see used in new developments.
- In order to protect land in your neighbourhood area, you could write an area appraisal that describes the attributes of your area.

Possible contents of a Neighbourhood Development Order

A neighbourhood development order grants planning permission for certain types of developments in a neighbourhood area, meaning there would be no need to apply to the city council for planning permission for the development it covers, for example:

- Certain types of household extensions.
- Shop fronts.
- 'Green energy' proposals.

The city council's service standards for step four

- The city council will hold an initial meeting with a parish council or established neighbourhood forum where it has expressed an interest in preparing a plan or order.
- The city council will nominate a dedicated planning officer to help you through the process, or help prepare background studies, up to a maximum of ten days work.
- The city council will prepare a template by October 2012, based on the latest best practice, which can be used as a starting point for preparing a plan or order.
- The city council will provide up to five copies of Ordnance Survey base map(s) of the applicable neighbourhood area.
- The city council will print and pay for twenty copies of a draft plan/order, in colour and including maps.

Step five: extensive community involvement

Step one	Process initiated by parish council or neighbourhood forum	Step complete
Step two	Neighbourhood area designated	Step complete
Step three	Neighbourhood forum agreed, if needed.	Step complete (if needed)
Step four	Plan or order prepared with the city council's support	Step complete
Step five	Extensive community involvement	You are here
Step six	Plan or order checked by city council	
Step seven	Independent examination	
Step eight	Referendum	
Step nine	Neighbourhood plan or order adopted by the city council	

Pre-submission consultation and publicity for a neighbourhood plan

The neighbourhood planning regulations require that before submitting a neighbourhood plan to the city council, **the parish council or designated neighbourhood forum must –**

<p>1) Publicise in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area:</p> <ol style="list-style-type: none"> A draft of the proposal. Details of how to respond to the publicity and make 'representations' (comments). The deadline for the receipt of those responses and representations, being not less than six weeks following the date on which the draft proposal is first publicised.
<p>2) Consult any statutory consultees (see the information box at the end of this step) on the draft of the proposal whose interests the parish council or neighbourhood forum considers would be affected by the proposal if made.</p>
<p>3) Submit a draft of the proposal to the city council.</p>

It will be up to you to decide who to consult. The Planning Policy team at the city council maintains a consultation database which contains all of the contact details of the statutory bodies referred to above and will provide the details on request to the parish council or neighbourhood forum.

You might want to use the following methods to publicise your proposal (but do not feel that you are restricted to only using these methods) -

- Contact your local newspaper with a press release;
- Place a formal public notice in your local newspaper;
- Do a leaflet drop to residents and businesses in and around the neighbourhood area;
- Contact your local radio station to arrange an announcement and/or an interview;
- Ask if you can place posters in libraries and community buildings in and around the neighbourhood area;
- Ask the city council's Planning Policy Team to advertise your consultation on the city council website

Pre-submission consultation and publicity for a neighbourhood development order

The neighbourhood planning regulations require that before submitting a neighbourhood development order to the city council, **the parish council or designated neighbourhood forum must –**

1) Publicise, in a manner that is likely to bring it to the attention of people who live, work or carry on business in the relevant neighbourhood area – a) A draft of the proposal; b) Details of how to respond to the publicity and make representations; and c) The deadline for the receipt of those responses and representations, being not less than 6 weeks following the date on which the proposal is first publicised
2) Consult English Heritage on the draft development order; and
3) Consult the following persons on the draft development order whose interests it considers would be affected by the order, if made – a) Any person the city council would have been required to consult on an application for planning permission for the development proposed to be permitted by the order; b) Any statutory consultee (see box at the end of this step): c) Any planning authority; d) Any parish council; and e) Any neighbourhood forum.

It will be up to you to decide who to consult. The Planning Policy team at the city council maintains a consultation database which contains all of the contact details of the statutory bodies referred to above and will provide the details on request to the parish council or neighbourhood forum.

You might want to use the following methods to publicise your proposal (but do not feel that you are restricted to only using these methods) -

- Contact your local newspaper with a press release;
- Place a formal public notice in your local newspaper;
- Do a leaflet drop to residents and businesses in and around the neighbourhood area;
- Contact your local radio station to arrange an announcement and/or an interview;
- Ask if you can place posters in libraries and community buildings in and around the neighbourhood area;
- Ask the Planning Policy Team to advertise your consultation on the city council website

The city council's contribution to the community involvement stage

The city council has two roles; first it will help to ensure appropriate consultation takes place; and secondly, the city council has the right to comment on the proposals themselves during the formal six week consultation period, i.e. it can support, object or make other comments on the proposals. Whilst the city council will always try to reach agreement with the promoters of the neighbourhood development plan or neighbourhood development order, it may object if it is considered that the plan or order is:

- Contrary to the city council's own plans and strategy
- Contrary to national planning policy

It is therefore advisable that you use the city council's **Neighbourhood Planning Pre-application Advisory Service**, provided by the Planning, Transport and Engineering Service as early as possible in the preparation of your plan or order.

Statutory Consultees

The following are statutory consultees for the purpose of the Neighbourhood Planning Regulations:

- a) If the local planning authority is a London borough council, the Mayor of London;
- b) A local planning authority, county council or parish council any part of whose area is in or adjoins the area of the local planning authority;
- c) Natural England;
- d) The Environment Agency;
- e) English Heritage;
- f) Network Rail;
- g) The Highways Agency;
- h) The Marine Management Organisation;
- i) A sewerage undertaker;
- j) A water undertaker;
- k) Any person –
 - i) To whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003 (application of the electronic communications code); and
 - ii) Who owns or controls electronic communications apparatus situated in any part of the area of the local planning authority;
- l) Any of the following persons who exercise functions in any part of the relevant neighbourhood area –
 - i) A Primary Care Trust;
 - ii) A person to whom a licence has been granted under section 6(1)(b) and (c) of the Electricity Act 1989 (licences authorising supply, etc);
 - iii) A person to whom a licence has been granted under section 7(2) of the Gas Act 1986 (licensing of gas transporters);
- m) Voluntary bodies some or all of whose activities benefit all or any part of the relevant neighbourhood area;
- n) Bodies which represent the interests of different racial, ethnic or national groups in the relevant neighbourhood area;
- o) Bodies which represent the interests of different religious groups in the relevant neighbourhood area;
- p) Bodies which represent the interests of disabled persons in the relevant neighbourhood area.

The Planning Policy Team will provide up to date contact details of statutory consultees.

The city council's service standards for step five

- The city council's website can be used to help publicise consultation events being undertaken by a parish council or neighbourhood forum, if required.

Step six: plan or order checked by the city council

Step one	Process initiated by parish council or neighbourhood forum	Step complete
Step two	Neighbourhood area designated	Step complete
Step three	Neighbourhood forum agreed, if needed.	Step complete (if needed)
Step four	Plan or order prepared with the city council's support	Step complete
Step five	Extensive community involvement	Step complete
Step six	Plan or order checked by city council	You are here
Step seven	Independent examination	
Step eight	Referendum	
Step nine	Neighbourhood plan or order adopted by the city council	

At this stage (step six), the role of the city council (namely the Planning Policy team from the Planning, Transport and Engineering Service) is to check that certain basic statutory requirements and regulations have been met by a proposed neighbourhood development plan or neighbourhood development order. However, the city council will not offer comments at step six. It is purely a procedural step. The content of the plan will be examined at independent examination, which is covered in the next step (step seven).

This step is split up into two parts, part one deals with the submission of a neighbourhood development plan to the city council and part two deals with the submission of a neighbourhood development order to the city council.

Part one – Submission and publication of a Neighbourhood Development Plan

Submission of your completed neighbourhood development plan to the city council

Once the neighbourhood development plan has been prepared and the community in the neighbourhood area has been fully involved, the parish council or neighbourhood forum can submit the neighbourhood development plan to the Planning Policy Team at the address in appendix three. The submission must be in writing and include all of the following:

1) A plan or statement showing the area covered by the proposed neighbourhood development plan; and
2) A consultation statement which contains <ul style="list-style-type: none"> a) Details of everyone who was consulted about the proposed neighbourhood development plan and how they were consulted; and b) A summary of the main issues and concerns raised by the consultees; c) A description of how the issues and concerns have been addressed in the proposal.
3) The title of the proposed development plan; and
4) A written statement explaining how the proposed neighbourhood development plan meets the requirements set out in paragraph 8 of Schedule 4B (process for making of neighbourhood development orders) to the 1990 Act, for example - <ul style="list-style-type: none"> a) Has regard to national policies and advice contained in guidance issued by the Secretary of State; and b) The plan contributes to the achievement of sustainable development; and c) The plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area); and d) The plan does not breach, and is otherwise compatible with, EU obligations; and e) Any other prescribed conditions are met and prescribed matters have been complied with in connection with the plan.

The city council will check that the above has been correctly submitted prior to publicising the proposed neighbourhood development plan.

Publicising a proposed neighbourhood plan

Valid submissions received by the end of **January** or **July** each year will be publicised by the city council from early **March** and early **September** respectively. The city council will only publicise one proposed plan per half year. If more than one is received by either the end of January or July deadline, then the council will only publicise the first valid application received in the period up to the previous deadline, with any others placed on a waiting list. Those on a waiting list will be prioritised above any new proposals received. If the waiting list exceeds two proposals, the city council will endeavour to publish two proposals per half year, subject to available resources. The waiting list will be updated on our website.

For those plans published by the council, people who live, work or carry on business in the relevant neighbourhood area will be given the chance to make comments on the proposed neighbourhood plan. The city council will publicise the following information on the city council website and in the library of the relevant neighbourhood area:

- 1) The proposal;
- 2) Details of how to respond to the publicity and make representations (comments); and
- 3) The deadline for the receipt of those responses and representations, being not less than six weeks following the date on which the proposal is first publicised.

Part two – Submission and publication of a Neighbourhood Development Order

Part two is relevant if you are submitting a neighbourhood development order.

Submission of your completed neighbourhood development order to the city council

Once the neighbourhood development order has been prepared and the community in the neighbourhood area has been fully involved, the parish council or neighbourhood forum can submit the neighbourhood development order to the Planning Policy Team at the address in appendix three.

The submission must be in writing and include all of the following:

1) A plan or statement specifying the land to which the proposal relates;
2) A consultation statement, which: a) Contains details of the persons and bodies who were consulted about the proposed order; b) Explains how they were consulted; c) Summarises the main issues and concerns raised by the consultees; and d) Describes how these issues have been addressed in the proposal.
3) The title of the order;
4) A statement explaining how the proposal meets the basic conditions for a neighbourhood development order set out in paragraph 8 of Schedule 4B of the 1990 Act, for example - a) Has regard to national policies and advice contained in guidance issued by the Secretary of State; and b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make that order; c) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order; d) The order contributes to the achievement of sustainable development; and e) The order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area); and f) The order does not breach, and is otherwise compatible with, EU obligations; and g) Any other prescribed conditions are met and prescribed matters have been complied with in connection with the order.

The city council will check that all of the correct information has been submitted prior to publicising the proposed neighbourhood development order.

Publicising a proposed neighbourhood development order

Valid submissions received by the end of **January** or **July** each year will be publicised by the city council from early **March** and early **September** respectively. The city council will only publicise one proposed order per half year. If more than one is received by the end of January or July deadline, then the council will only publicise the first valid application received in the period up to the previous deadline, with any others placed on a waiting list. Those on a waiting list will be prioritised above any new proposals received. If the waiting list exceeds two proposals, the city council will endeavour to publish two proposals per half year, subject to available resources. The waiting list will be updated on our website.

For those orders published by the council, people who live, work or carry on business in the relevant neighbourhood area will be given the chance to make comments on the proposed order. The city council will publicise the following information on the city council website and in the library of the relevant neighbourhood area:

- 1) The proposal;
- 2) Details of how to respond to the publicity and make representations (comments); and
- 3) The deadline for the receipt of those responses and representations, being not less than six weeks following the date on which the proposal is first publicised.

Consideration of the plan or order by the city council

The city council can decline to consider a repeat proposal for a plan or order and will notify the parish council or forum with reasons for declining to consider it.

If the city council is satisfied that the proposal is not a repeat proposal, it must check that the applicant has completed and met the requirements of the Localism Act (as summarized in steps one to five of this SCI). If the city council is satisfied, it must notify the applicant and the plan or order can proceed to independent examination. However, if the city council is not satisfied, the city council will refuse the proposal and notify the applicant with reasons for refusal.

Step seven: independent examination

Step one	Process initiated by parish council or neighbourhood forum	Step complete
Step two	Neighbourhood area designated	Step complete
Step three	Neighbourhood forum agreed, if needed.	Step complete (if needed)
Step four	Plan or order prepared with the city council's support	Step complete
Step five	Extensive community involvement	Step complete
Step six	Plan or order checked by city council	Step complete
Step seven	Independent examination	You are here
Step eight	Referendum	
Step nine	Neighbourhood plan or order adopted by the city council	

Once the city council is satisfied that the neighbourhood development plan or order has met the requirements of the Localism Act, the plan or order and any other documents will be submitted for independent examination.

The city council will make all of the arrangements necessary to hold the examination.

Appointment of an independent examiner

The city council is required to appoint an examiner to independently test a neighbourhood development plan or neighbourhood development order, though it must reach agreement on the choice of inspector with the parish council or designated neighbourhood forum.

The city council will hold a register of individuals that it deems suitable to undertake the role of independent examiner and they must have no commercial or other interest in the area concerned. The register will include the Heads of Planning Policy Teams of all of the District Councils in Cambridgeshire. Individuals can apply to be added to the register and there will be certain criteria that will need to be met. An application form will be provided to allow applicants to demonstrate how they meet the criteria. The city council's decision is final.

The parish council or approved neighbourhood forum will be sent the list of examiners to choose whom they would like to undertake the examination. If an examiner can not be chosen, the decision will be deferred to the Secretary of State. It will not be down to the city council to decide.

The examination

The examiner must consider whether the plan or order meets certain conditions.

The general rule is that the examination takes the form of written representations but a hearing in public will be arranged in respect of particular issues if the examiner considers that this is necessary to ensure adequate examination or a fair chance for a person to put forward their case. The examiner will decide how the hearing is to be conducted.

The examiner's report

The examiner must make a report on the draft plan or order containing recommendations, which must recommend either that the draft plan or order is submitted to a referendum, or that modifications specified in the report are made to the draft plan or order as modified is submitted to a referendum, or that the proposal for the plan or order is refused. The only modifications that can be made are those that the examiner considers necessary to make the draft plan or order meet the basic conditions or other fundamental statutory requirements such as the promoter being an appropriate qualifying body for the neighbourhood area, etc. If the report recommends submission to a referendum, the examiner must also make a recommendation whether the area for the referendum should extend beyond the neighbourhood area.

Following independent examination, there are issues that the city council, as local planning authority, will have to consider to decide whether or not a proposed plan or order should be put to a referendum and whether or not the proposed plan or order should be modified. This will be the role of the city council's Head of Planning, Transport and Engineering Service. These considerations include the recommendations of the examiner and whether the proposals are appropriate having regard to national policy, whether they are in general conformity with the strategic policies of the Local Development Framework (particularly the Peterborough Core Strategy) and whether the referendum(s) should extend beyond the neighbourhood area to which the plan or order relates.

The Secretary of State can, where it is deemed necessary, prescribe matters other than the recommendations in the report that the city council must take into account. This is to ensure that relevant material is considered by the city council before it reaches a decision on a plan or order.

The city council may make a decision that differs from that recommended by the examiner because of new evidence, a new fact or a different view in relation to a particular fact. If this occurs, the city council may decide to refer the issue to an additional independent examination. The city council must consult on any proposal and take any representations into account before reaching a final view.

The city council's service standards for step seven

- The city council will print and pay for twenty copies of the final plan or order, in colour and including maps.
- The city council will provide a room free of charge for the purpose of formal examination of the plan or order.
- The city council will pay the fee for the person conducting the examination.

Step eight: referendum

Step one	Process initiated by parish council or neighbourhood forum	Step complete
Step two	Neighbourhood area designated	Step complete
Step three	Neighbourhood forum agreed, if needed.	Step complete (if needed)
Step four	Plan or order prepared with the city council's support	Step complete
Step five	Extensive community involvement	Step complete
Step six	Plan or order checked by city council	Step complete
Step seven	Independent examination	Step complete
Step eight	Referendum	You are here
Step nine	Neighbourhood plan or order adopted by the city council	

A referendum must be held on a plan or order once the city council is satisfied the correct procedures have been complied with (with or without modifications, as explained in step seven).

The community has the final say on whether a neighbourhood plan or order is passed by voting 'yes' or 'no' at the referendum. If the majority (more than half) votes in favour, the plan or order will be adopted by the city council (see step nine).

The **referendum area** must, as a minimum, be the neighbourhood area to which the proposed plan or order relates. The city council may extend the area in which the referendum is to take place to include other areas (including areas outside the city council boundary), if it is considered appropriate to do so. If the city council decides to extend the referendum area, it must publish a map of that area.

The city council must make arrangements for the referendum to take place in so much of the city council area that falls within the referendum area. An individual is entitled to vote in the referendum so long as on the date of referendum, they are eligible to vote and the individual's qualifying address for the election is in the referendum area.

The Localism Act makes provisions for regulations on how referendums should be carried out (which are separate to the neighbourhood planning regulations). These regulations have yet to be published but they are expected to address the following issues:

- Dealing with any case where there are two or more relevant councils any of whose areas fall within the referendum area.
- Prescribing a date by which the referendum must be held (or before which it cannot be held),
- The question to be asked in the referendum and any explanatory material which is needed in relation to that question.
- As to the publicity to be given in connection with the referendum.
- About the limitation of expenditure in connection with the referendum.
- As to the conduct of the referendum.
- As to when, where and how voting in the referendum is to take place.
- As to how the votes cast are to be counted.
- About certification as to the number of persons voting in the referendum and as to the number of those persons voting in favour of a neighbourhood development order.
- About the combination of polls with another referendum or any other election.

How the city council will facilitate a referendum

This section of the SCI (step eight) will be updated once the relevant regulations on referendum have been published (i.e. secondary legislation to the Localism Act). However, unless the regulations on referendum dictate otherwise, the city council anticipates holding any referendum at the same time as any parish, local government, European or UK Parliamentary election. This is to allow for the efficient running of referendums, including staffing of polling stations, verification and counting, etc. This is not only cost effective, but the optimum time of year to yield the greatest amount of voters due to the

amount of daylight hours, finer weather conditions (e.g. increasing the accessibility of polling stations) and the fact that voters may already be voting on other matters.

Where it is not feasible to hold a referendum at the same time as other elections (for example, because no other election is taking place in the foreseeable future), referenda will be organised by the city council to be held in April/May/June or early July when there will be the greatest availability of electoral staff and for the reasons set out in the above paragraph. Referenda will not be arranged by the city council to take place during school holiday periods nor in the period August to March unless there are exceptional reasons for doing so. It is important, therefore, that communities set out a clear programme of preparing a neighbourhood plan or order that which fits with this timetable.

The following elections will be taking place up to 2015:

Year	Election
2012	3 May (Local and parish elections)
2013	No elections planned
2014	1 May (Local and parish elections) 7 June (European election)
2015	7 May (General, Local and parish elections)

Additional referendums held in a designated “business area”

If the city council has designated a neighbourhood area as a business area, (step two of this SCI), an additional referendum must be held (and arranged by the city council). This is so that non-domestic rate payers in the referendum area can vote. The city council awaits secondary legislation on how to undertake arrangements to prepare for a referendum in such circumstances; However, unless the regulations on referenda dictate otherwise, the city council anticipates holding any referendum during the periods of the year set out above.

The city council’s service standards for step eight

The city council will pay for and arrange a referendum on the plan or order, in accordance with the requirements of the Localism Act and subsequent regulations.

Step nine: neighbourhood plan or order adopted by the city council

Step one	Process initiated by parish council or neighbourhood forum	Step complete
Step two	Neighbourhood area designated	Step complete
Step three	Neighbourhood forum agreed, if needed.	Step complete (if needed)
Step four	Plan or order prepared with the city council's support	Step complete
Step five	Extensive community involvement	Step complete
Step six	Plan or order checked by city council	Step complete
Step seven	Independent examination	Step complete
Step eight	Referendum	Step complete
Step nine	Neighbourhood plan or order adopted by the city council	You are here

If more than half the people voting at the referendum on the plan or order have voted in favour, the city council will make (adopt) the plan or order but only if the city council considers that making the plan or order would not breach, or otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

As soon as reasonably practicable after making a decision on whether to make or not to make a plan or order, the city council will -

<p>1) Publish on its website:</p> <ul style="list-style-type: none"> a) The city council's decision; b) A statement of the city council's reasons for making that decision; c) Details of where and the times when the documents referred to in (a) and (b) can be inspected;
<p>2) Make the decision and the city council's statement of the reasons for inspection at Bayard Place and the library within the relevant neighbourhood area during normal working hours; and</p>
<p>3) Send a copy of the decision and statement of reasons to –</p> <ul style="list-style-type: none"> a) The parish council or neighbourhood forum who put forward the proposal; b) The Environment Agency; c) Natural England; d) English Heritage e) Any person who made a written representation in respect of the proposal; and f) Only in the case of a neighbourhood development order, every person whom the city council knows to be the owner or tenant of any part of the land to which the order applies and whose name and address is known to the city council's Planning, Transport and Engineering Service.

Publicising a neighbourhood development plan or neighbourhood development order

As soon as reasonably practicable after adopting a plan or order, the city council will –

<p>1) Publish the plan or order and details of where and the times when the plan or order can be inspected on the city council's website; and</p>
<p>2) Make the plan or order available for inspection at Bayard Place during normal working hours.</p>

Once a neighbourhood development plan is adopted by the city council, it becomes part of the city council's development plan. In areas that have a neighbourhood plan, the decision making on planning applications is the responsibility of the city council as local planning authority. The community leads on preparing the plan and setting out the policies for development in their area but it is the city council that will give planning permission in accordance with those policies.

Challenging a decision

Legal challenge may only be made by judicial review, with a time limit for filing the claim form in Court of six weeks from the date of the publication of the decision to make the plan or order, or publication of the decision relating to the city council's consideration of the examiner's recommendations, or from the date of declaration of the result of the referendum.

Appendix one – advice note on pre-application consultation by developers

The Localism Act allows the city council to produce local good practice guidance on pre-application consultation by developers. This appendix is a draft advice note, which will be firmed up at the final publication of this SCI, with its status being 'transitional' until then. The city council may, from time-to-time, amend this advice note and will publish the latest version on the city council website. As such, please check this appendix is the latest version of the advice note prior to undertaking any pre-application consultation.

Prospective applicants must consult communities and make arrangements for publicity before submitting certain planning applications having regard to the advice set out in this note.

We are currently seeking clarity from government, but we understand that the requirement may only apply to:

- Residential developments of 200 or more new residential units, or (where the number of residential units to be constructed is not specified) with a site area of four hectares or more; and
- Any non-residential developments providing 10,000 square metres or more of new floor space, or with a site area of two hectares or more

The city council reserves the right to extend coverage to other developments or non-planning consents to allow consideration of exceptional local circumstances, particularly for schemes in conservation areas, involving national and locally-listed buildings, areas with environmental or historic designations, or where the impact of incremental minor/householder developments would adversely affect local communities or places. If you are unsure as to whether you need to undertake pre-application consultation, you can contact Planning Services using the details in the 'how will PCC help' section below.

A developer has a **duty** to:

- Publicise the proposed application in such a manner as the developer considers is likely to bring the proposed application to the attention of a majority of the persons who live at, or otherwise occupy, premises in the vicinity of the land. Publicity must set out how you may be contacted by persons wishing to comment on or collaborate with you on the design of the proposed development and give such information of the proposed timetable for the consultation as is sufficient to ensure that persons wishing to comment on the proposed development may do so in good time.
- As a minimum, consult with specified persons - Regulations will define the 'specified persons' who are to be consulted. The city council thinks they are likely to be landowners or others with an interest in the application site and also statutory consultees. Please contact the Planning Department for details of current statutory consultees.
- Undertake early and continuous consultation with those that may be affected by the proposal, including neighbours, community groups, parish councils, voluntary sector groups and councillors, to ensure not only, good development and public acceptance but also to ensure that appropriate consultation methods are being used. Stakeholders can shape the proposal and you can identify and understand their needs, rather than consulting on a scheme that has already been decided. You will need to ensure that the momentum and the trust of the community is not lost.
- Undertake consultation that is proportional to the size of development and scale of potential effect on individuals, families, communities or neighbourhoods. Consultation should also be appropriate to the nature and scale of the community using a range of methods, including provisions to support community members where appropriate. Examples of consultation methods include: meetings; focus groups; exhibition and displays; information leaflets; consultation letters; questionnaires; press adverts and press releases in the Evening Telegraph and the Stamford

Mercury (depending on the location of the application site) and any community newsletters. If you are unsure about who or how to consult, you can contact the city council (using the details in the 'how will PCC help' section below).

- Present to the relevant Neighbourhood Committee, which are made up of elected city council members as well as representatives from parish councils, the police authority, fire authority and members of local community groups, plus ordinary members of the public. For further details about the Neighbourhood Committees, including dates and times of meetings, go to the city council's website at:
http://www.peterborough.gov.uk/community_information/neighbourhood_councils.aspx.

The Localism Act makes provision for a 'development order' that may specify circumstances when pre-application consultation is not required. This note will be updated if such an order comes into force.

Duty to take account of responses to consultation

If you have undertaken pre-application consultation in accordance with this advice note (which incorporates the requirements of the Localism Act) and you propose to go ahead with making an application for planning permission (whether or not in the same terms as the proposed application), you must have regard to consultation responses in deciding whether to make an application in the same terms as that consulted upon.

The Localism Act enables the Secretary of State to set out further provisions as to how the required consultation should be undertaken in practice, including matters such as:

- The type of developments to which the requirement applies.
- Publicity associated with the consultation.
- The form of consultation to be undertaken (i.e. meetings, leaflets, exhibitions etc.) Collaboration between the developer and others on design.
- The timetable for any consultation carried out under the requirement.

The Act requires that an account of the consultation undertaken must accompany any planning application for development to which the new duty applies, in order to make it valid.

Ahead of any order, the city council requires the developer to give the city council reasonable access to all information relating to community involvement undertaken to ensure that the procedures followed are in accordance with this guidance and the SCI. You will be expected to submit, alongside the planning application, details of what community consultation has been carried out. This might take the following format:

Informing

- A list of those who were contacted by letter informing them of the proposals and where more details can be found.
- Set out the measures taken in trying to reach the community including hard to reach groups.
- Details of any advertising in the local newspaper about the development
- Details of the deadline for comments

Participation

- Details about the date, location and duration of any events held. Events should preferably be held as close to the site as possible and fully accessible, and advertised
- Details of the event including display material used and presence of staff
- Details of what was available for comment, how the comments were dealt with and what happened next
- A summary of the feedback received from community consultations (including minutes of any meetings), the issues raised and how this has been taken into account in the scheme. Any

responses received during pre-application consultation must be taken into account before the proposals are finalised and submitted. The purpose of front-loading requirements is to ensure that issues can be discussed, addressed and mitigated against early in the development process.

- A report of how the proposals have been amended in response to community involvement, and if not, why not
- Details of feedback provided to the consultees
- Details of measures taken to involve a wide range of the community, including minority groups.

How will Peterborough city council help?

The city council will provide advice and guidance on consultation techniques including details of relevant groups and individuals the applicant should involve in the consultation exercise(s); and how to undertake effective engagement. Please direct any requests to the Strategic Planning , Housing and Environment Team by either emailing planningpolicy@peterborough.gov.uk or telephoning 01733 863872 (opening hours: 9.00 a.m. - 5.00 p.m. Monday to Friday).

Contact Planning Services if you are unsure as to whether you need to undertake pre-application consultation by either emailing planningcontrol@peterborough.gov.uk or telephoning 01733 453410 (opening hours: 9.00 a.m. - 5.00 p.m. Monday to Friday).

Appendix two – public speaking at committee on planning applications

The city council welcomes written representations on planning applications but members of the public also have the right to speak at meetings of the Planning and Environmental Protection Committee and Council when any application for consent under the Town and Country Planning legislation is considered. This appendix explains how you can arrange to speak to the Committee. There are simple rules which make the system fair and easy to operate.

How does the Planning and Environmental Protection Committee work?

The Planning and Environmental Protection Committee considers major or controversial applications, which are referred to it by Members of the city council, parish councils or neighbourhood committees. Most applications, however, are determined by the Head of Planning Services and senior planning officers.

How do I arrange to speak at a meeting?

About a week before the Committee meeting, we will write to everyone who has commented on the planning proposals which are to be considered. If you wish to speak you must contact the Cabinet Team by 4 pm on the day before the meeting. You can do this by writing to Cabinet Team, Chief Executive's Department, Town Hall, Peterborough, PE1 1HG, by telephoning 01733 452214 or by email to aac313@peterborough.gov.uk.

If I object to the proposal do I have to speak at the Committee meeting?

No. Your comments will be considered at the meeting even if you do not attend. As the meetings are open to the public you may attend the meeting just to see what happens to the application which you have opposed.

If I am the Applicant or Agent do I have to speak at the Committee meeting?

No. You do not have to present your case for approval of your application. The Committee will consider the comments which you have made, and any supporting information you have given. If the Officer's recommendation is one of refusal or there are objections to your application, you may decide that there is some benefit in putting your case in favour of the scheme to the committee in person. You should note that the Officer's recommendation in the Head of Planning Services' report is not always agreed to by the Committee.

Where and when are the meetings held?

Meetings of the Planning and Environmental Protection Committee are normally held during the day in the Bourges and Viersen Rooms at the Town Hall, Bridge Street, Peterborough. Times vary and will be advertised prior to the meeting. The meetings are open to members of the public and a weekly list of forthcoming meetings is displayed on the notice board at the front entrance of the Town Hall, or you can telephone the Cabinet Officer who will give you the dates of future meetings.

Can I obtain copies of the Committee Papers?

Yes. Agendas and non-exempt reports are available for members of the public to view before the meeting at the Town Hall Reception desk and at Bridge House, copies are also available at the Committee meeting or you can purchase them prior to the meeting from the Cabinet Officer. If you have decided to speak at Committee the Cabinet Officer will send you a copy of the relevant part of the report if there is time.

Who will be present at the meeting?

The meeting will be attended by Councillors who will reach decisions on the planning applications before them. The Committee has a Chairman who is responsible for the orderly conduct of the meeting. Officers of the Environmental Services Department are present to give advice and guidance on planning applications along with a Legal Officer who gives advice and a Cabinet Officer who advises on procedure and records the decisions made.

What is the order of speaking at the meeting?

The applications on which members of the public have asked to speak will, where possible, be placed early on the Committee's agenda for the meeting. One of the Planning Officers will introduce the application and the sequence of speakers will be as follows:

- Ward Councillors
- Parish Council, or Neighbourhood Committee
- Objector(s)
- Applicant or agent and any supporters

Members of the Committee also have the opportunity to question the speakers and the Planning Officer may wish to comment on the matters raised. The application will then be debated by the Committee and a decision made on it. If members of the Committee decide to defer the application to a future meeting, the process of public speaking will be repeated at that meeting. Members of the public do not take part in the debate and should not ask questions of Officers, Committee Members or other speakers.

What rules are there for speaking at planning meetings?

Parish Councils or Neighbourhood Committees have 5 minutes to give their views. Regardless of the number of speakers against or in favour of an application, 5 minutes is allocated for all objectors and the same for all supporters. If you are part of a group of which there are a number of persons who wish to express the same or similar points of view on an application, then the group should appoint a spokesperson to speak on its behalf. To help you organise this, we will provide the objectors and supporters with the addresses and telephone numbers of those registered to speak. You may, however, consider your views differ from those of other persons within the group and choose to address the Committee individually. When this happens, the allocated time of five minutes will be divided equally between the speakers.

What issues can be taken into account by the Committee in considering proposals?

These include:

- The Peterborough Core Strategy and any other Development Plan Documents and Supplementary Planning Documents
- The East of England Plan (Regional Spatial Strategy)
- 'Saved' policies in the Cambridgeshire and Peterborough Structure Plan
- 'Saved' policies in the Peterborough Local Plan
- Government Planning Guidance
- Case Law
- Traffic and Highway Safety
- Noise, Disturbance and Smells
- Design Appearance and Layout
- Trees and Landscaping
- Amenities of Neighbours

These are issues which are not relevant in reaching planning decisions. Again these vary from case to case but may include:

- Matters covered by other laws
- Boundary or access disputes
- Developer's morals or motives
- Possible future development
- Loss of view over other people's land
- Loss of property value

Further guidance is available and can be obtained from the Planning Service upon request.

Appendix three – contact details for the planning department at the city council

For anything relating to the development management process (planning applications, appeals and compliance):

Email: planningcontrol@peterborough.gov.uk

Telephone: 01733 453410 (opening hours: 9.00 a.m. - 5.00 p.m. Monday to Friday)

Fax: 01733 453505

Write: The Planning Department
Stuart House - East Wing
St John's Street
Peterborough
PE1 5DD

Visit: A duty planner will be available at the Customer Service Centre, Bayard Place, Broadway, Peterborough to discuss planning application related enquiries: 10.00am - 2.00pm. Monday, Tuesday, Thursday, Friday; 11.00am. - 2.00pm Wednesday.

The Planning and Building web pages on the city council's website

http://www.peterborough.gov.uk/planning_and_building.aspx

For anything relating to planning for the future of Peterborough and neighbourhood planning:

Email: planningpolicy@peterborough.gov.uk

Telephone: 01733 863872 (opening hours: 9.00 a.m. - 5.00 p.m. Monday to Friday)

Fax: 01733 453505

Write: Strategic Planning and Enabling
Stuart House East Wing
St John's Street
Peterborough
PE1 5DD

Visit: The Planning Policy web pages on the city council's website:

http://www.peterborough.gov.uk/planning_and_building/planning_policy.aspx

Appendix four – Neighbourhood area application form

Neighbourhood Planning

Application to Peterborough City Council to designate a Neighbourhood Area



Please return your completed form by one of the following methods:

By post to:	Planning Policy Team, Strategic Planning, Housing and Environment, Peterborough City Council, Stuart House East Wing, St John's Street, Peterborough, PE1 5DD
By email to:	planningpolicy@peterborough.gov.uk
By fax to:	(01733) 453505

Please complete all four parts of this form using block capitals and black ink. It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

Part 1: Applicant's Details

1. Personal details*

2. Agent's details (if applicable)

*If an agent is appointed, please complete only the title, name and organisation boxes in the first column below, but complete the full contact details of the agent in the second column.

Title	<input type="text"/>	<input type="text"/>
First name	<input type="text"/>	<input type="text"/>
Last name	<input type="text"/>	<input type="text"/>
Job title (where relevant)	<input type="text"/>	<input type="text"/>
Organisation (where relevant)	<input type="text"/>	<input type="text"/>
Address Line 1	<input type="text"/>	<input type="text"/>
Line 2	<input type="text"/>	<input type="text"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post code	<input type="text"/>	<input type="text"/>
Telephone number	<input type="text"/>	<input type="text"/>
Email address	<input type="text"/>	<input type="text"/>

Signature:

Date:

Part 2: Description of proposed neighbourhood area

Please provide a statement that identifies the land to which your neighbourhood area application relates (please use a separate sheet if necessary). If you wish to submit a plan of the proposed area, it should be at an identified standard metric scale (typically 1:2500) and should show the direction north. It should be scaled to fit on A4 or A3 sized paper.

Please continue on a separate sheet if necessary

Part 3: Justification statement

Please explain why your proposed neighbourhood area is considered appropriate to be designated as a neighbourhood area.

Please note: the specified area in the case of an application by a parish council, must be one that consists of or includes the whole or any part of the area of the parish council; and in the case of an application by an organisation or body that is not a parish council, must not be one that consists of or includes the whole or any part of the area of a parish council.

Please continue on a separate sheet if necessary

Part 4: Qualifying criteria

Please provide a statement to explain that your organisation or body is a relevant body.

Please note: a relevant body means a parish council, or an organisation or body which is, or is capable of being, designated as a neighbourhood forum (on the assumption that, for this purpose, the specified area is designated as a neighbourhood area).

Please continue on a separate sheet if necessary

Please ensure that you have signed and dated the front of the form.

Appendix five – Neighbourhood forum application form

Neighbourhood Planning

Application to Peterborough City Council to designate a Neighbourhood Forum for a neighbourhood area (in areas without a parish council)



Please return your completed form by one of the following methods:

By post to:	Planning Policy Team, Strategic Planning, Housing and Environment, Peterborough City Council, Stuart House East Wing, St John's Street, Peterborough, PE1 5DD
By email to:	planningpolicy@peterborough.gov.uk
By fax to:	(01733) 453 505

Please complete all four parts of this form using block capitals and black ink. It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

Part 1: Applicant's Details

1. Contact details*

2. Agent's details (if applicable)

*If an agent is appointed, please complete only the title, name and organisation boxes in the first column below, but complete the full contact details of the agent in the second column. This section must include the contact details of at least one member of the proposed neighbourhood area.

Title	<input type="text"/>	<input type="text"/>
First name	<input type="text"/>	<input type="text"/>
Last name	<input type="text"/>	<input type="text"/>
Job title (where relevant)	<input type="text"/>	<input type="text"/>
Organisation (where relevant)	<input type="text"/>	<input type="text"/>
Address Line 1	<input type="text"/>	<input type="text"/>
Line 2	<input type="text"/>	<input type="text"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post code	<input type="text"/>	<input type="text"/>
Telephone number	<input type="text"/>	<input type="text"/>
Email address	<input type="text"/>	<input type="text"/>

Signature:

Date:

Please note that the city council can designate only one organisation or body as a neighbourhood forum for each neighbourhood area.

Part 2: Provide the name of the proposed neighbourhood forum

--

Part 3: Provide the name of the relevant neighbourhood area

--

Part 4: Justification statement

Please explain fully (and provide evidence) how the proposed neighbourhood forum meets the following conditions:

- a) It is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned (whether or not it is also established for the express purpose of promoting the carrying on of trades, professions or other businesses in such an area),
- b) Its membership is open to:
 - individuals who live in the neighbourhood area concerned,
 - individuals who work there (whether for businesses carried on there or otherwise), and
 - individuals who are elected members of a county council, district council any of whose area falls within the neighbourhood area concerned,
- c) Its membership includes a minimum of 21 individuals each of whom:
 - lives in the neighbourhood area concerned,
 - works there (whether for a business carried on there or otherwise), or
 - is an elected member of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,
- d) It has a written constitution (see part 4 of this form), and
- e) Such other conditions as may be prescribed by Government or in the city council's Statement of Community Involvement.

Please continue on a separate sheet if necessary

Part 5: Provide a copy of the written constitution of the proposed neighbourhood forum

Please insert the text of the proposed neighbourhood forum's written constitution here or attach a copy to this form.

Please note that an application cannot be considered if it does not include a written constitution.

Please continue on a separate sheet if necessary

Please ensure that you have completed all parts and signed and dated the front of the form.

Glossary

Annual Monitoring Report (AMR): Assesses the implementation of the LDS and extent to which the policies in LDDs are being achieved.

Core Strategy (CS): Sets out the long-term spatial vision for the local planning authority area and the strategic policies and proposals to deliver that vision. It also includes criteria-based policies which are required to ensure that all development within the area meets the vision and strategy set out in the core strategy.

Development Plan Document (DPD): Spatial planning documents that are subject to independent examination. There will be a right for those making representations seeking change to be heard at an independent examination.

Local Development Framework (LDF): Comprises a portfolio of local development documents which will provide the framework for delivering the spatial planning strategy for the area.

Local Development Document (LDD): A document that forms part of the Local Development Framework. Can either be a Development Plan Document or a Supplementary Planning Document.

Local Development Scheme (LDS): Sets out the programme for the preparation of the local development documents. Must be submitted to the Secretary of State for approval within six months of the commencement date of the Act regardless of where they are in terms of their current development plan

Supplementary Planning Document (SPD): Policy guidance to supplement the policies and proposals in development plan documents. They will not form part of the development plan or be subject to independent examination. (Formerly known as Supplementary Planning Guidance SPG).

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SUSTAINABLE GROWTH SCRUTINY COMMITTEE	Agenda Item No. 6
6 MARCH 2012	Public Report

Report of Executive Director – Strategic Resources

Report Author – John Harrison, Executive Director – Strategic Resources
Contact Details - John Harrison, Executive Director – Strategic Resources
Tel: 01733 452520
Email: john.harrison@peterborough.gov.uk

FIRST INTERIM REPORT ON THE PERFORMANCE OF THE SERCO PARTNERSHIP

1 PURPOSE

- 1.1 This report is submitted to Sustainable Growth Scrutiny Committee to consider in line with 8.3 of Part 4, Section 9 (Scrutiny Procedure Rules) of the Council's constitution.
- 1.2 Under paragraph 8.1 of Part 4, Section 9 (Scrutiny Procedure Rules) of the constitution any Councillor may require that an item be placed on the agenda of a Scrutiny Committee.
- 1.3 The Chair of Sustainable Growth Scrutiny Committee has requested this report be submitted.

2 RECOMMENDATION

- 2.1 Committee notes this interim report and that it will receive regular quarterly reports on the Peterborough – Serco Strategic Partnership.

3 LINKS TO SUSTAINABLE COMMUNITY STRATEGY

- 3.1 The Peterborough – Serco Strategic Partnership contributes to all the priorities in the Sustainable Community Strategy:-
- Creating opportunities – tackling inequalities;
 - Creating strong and supportive communities;
 - Creating the UK's environmental capital; and
 - Delivering substantial and truly sustainable growth.

4 BACKGROUND

- 4.1 On 13 October 2011 Committee received a report on the procurement process, the outcome of the evaluation and award to Serco Limited of services formerly included in the Manor Drive Managed Service.
- 4.2 The Peterborough – Serco Strategic Partnership went live on 28 November 2011 and included the following services:-
- Shared Transactional Services (e.g. Council tax, business rates, benefits, accounts payable and receivable, payroll and back-office parking);
 - Customer Services;
 - Strategic Property;
 - Operational Procurement;

- Business Transformation and Strategic Improvement;
- Business Support; and
- Financial Systems Support.

4.3 As with the Enterprise Peterborough Strategic Partnership, officers will be reporting to this Committee on a quarterly basis. The Chair of this Committee has requested an interim report on early performance on customer facing services:-

- Benefits service;
- Council tax ;
- Invoices; and
- Customer services.

5 PETERBOROUGH – SERCO – THE FIRST THREE MONTHS

5.1 At the time of writing this report, the Peterborough – Serco Strategic Partnership has been in place for nearly three months and we are pleased to report the partnership has had an excellent start.

5.2 The challenge in the transfer of services and staff was one of time. Serco only had one month from announcement of preferred bidder on 28th October, 2011 to effect the transfer without having any appreciable impact on the customers that could have been affected by this transition. The transition of the services and staff to Serco went smoothly, without any disruption to services, and the partnership arrangements are working well.

5.3 The early emphasis has been on business as usual and investment in these key services:-

- to explore other opportunities locally and in the wider market to grow the strategic partnership which in turn will bring benefits to the Council and the local economy; and
- to support the local community under its social corporate responsibility and sponsorship.

5.4 Early service delivery and improvements:

- Successful transfer of services and staff into Serco on 28 November 2011;
- Due diligence carried out on KPIs and base lining information;
- Strategic partnership governance arrangements set up including reporting mechanisms;
- appointment of Operations Director to oversee Serco operations and Heads of Service in business areas transferred;
- Relationships being built with senior stakeholders in relation to the partnership;

5.5 Serco is investing in Service Improvement Plans to drive service. Examples of these projects are:-

- The implementation of new technologies in Benefits to improve productivity and the customer experience;
- Working with Experian to improve debt collection;
- Developing the Customer Services service model to reduce handling times and improved first call resolution;
- Business planning procedures and process mapping to deliver improved services;
- A new financial transactions regime to improve services and the customer journey.

6 EARLY PERFORMANCE DATA

6.1 Performance data is provided by Serco on a monthly basis and reviewed with officers as part of the formal governance process that has been set up for the partnership. A sample of the dashboard of measures is at Appendix A and the governance structure is shown in Appendix B. Serco is driving service excellence in a number of key services:

6.2 Customer Services

6.2.1 Serco has carried out the following performance activities in Customer Services:-

- Implemented Serco's resource planning tools to better match staffing to call demand;
- Reviewed overall call handling times to maintain customer service but to reduce call length where possible thereby improving overall performance;
- Establishing a Serco 'customer service community' by developing closer liaison between other Serco call centre sites to share best practise;
- Proactive staff engagement activity.

6.2.2 Customer Service performance data is available for year to date as follows:

	YTD to end of Nov 11	YTD to end of Jan 12
Customer satisfaction (over 92%)	93.6%	93.6
% of calls answered	83.3	84.6
% of F2F customers with an appt seen within 30 mins	95.7	95.9
% of calls answered in 20 secs	56.9	59.5
Average time to answer (General Q)	27	25
First call resolution (exc switch) (%)	77.1	77.9
First call resolution (inc switch) (%)	52.5	55.8

6.3 Shared Transactional Services

6.3.1 Serco has carried out the following performance activities in Shared Transactional Services (Council Tax Collections, Benefits and Invoices):

- Established new working practices with roles focused on specific service tasks;
- Revised the management structure with accountabilities clearly defined to outcomes as set-out in the performance KPIs of the contract.
- Regular review meetings between Team Leaders to ensure that operational issues and conflicts are quickly resolved;
- Proactive staff engagement activity.

6.3.2 Business Rates and Council Tax performance is measured annually with year to date (YTD) performance and the forecast out-turn highlighted in the table below:

	08/09	09/10	10/11	11/12 (YTD)	Forecast 11/12
NDR collection	96.90%	95.33%	96.31%	91.28%	95.5%
CTX collection	96.24%	96.06%	95.76%	93.34%	95.5%

6.3.3 Benefits performance (average number of days to process) for the last 3 years is shown in the table below:

	08/09	09/10	10/11
NI 181	18.82	13.52	18.54
new claims	31.22	23.33	35.18
changes	13.47	10.28	14.10

6.3.4 Serco performance against claims received from commencement of the contract is:

	Dec and Jan 2012
NI 181	11.41
new claims	9.55
changes	13.79

6.4 Invoice Payments

6.4.1 Performance information in relation to payment of Invoices is as follows::

	Target	YTD Nov 11	YTD Jan12
Ensure all statutory Accounts Payable returns meet deadlines	100%	100%	100%
Percentage of invoices paid within 30 days of receipt BVPI8	97%	92.9%	93.2%

7 COMPLAINTS

7.1 The Strategic Client Team has not received any complaints about Serco's delivery of the services since the strategic partnership commenced.

7.2 The following complaints have been received by the Central Complaints Team since 28 November 2012 in relation to the services shown below:

Department	No.
Customer Services	5
Revenues and Benefits	21

7.3 The complaints about Customer Services relate to:-

- staff attitude/conduct 4
- delayed services 1.

7.4 Complaints on Revenues and Benefits includes relate to:-

- delayed service 11
- lack of/incorrect information about service 3
- about policy 3
- alleged breach of confidentiality 2
- about legislation 1
- not to standard 1.

7.5 Twenty-four of the twenty-six complaints have been cleared with actions taken to remedy. Two of the above complaints have been carried forward as stage 2 complaints. Serco has been working with the Council to address all complaints received.

8 PETERBOROUGH – SERCO – THE NEXT THREE MONTHS

8.1 In the next three months, Serco is working on the following:-

- continuing to develop Service Improvement Plans referred to above and three further Service Improvement Plans to deliver improved customer service and performance, creating a high performing;

- project management and providing incremental support services from 1 March 2012 as a result of the Adult Social Care Service transfer to the Council.

9 IMPLICATIONS

9.1 The partnership enables the Council to continue to provide efficient, economic and effective services through its strategic partner.

10 CONSULTATION

10.1 The Strategic Client Team continues to engage with stakeholders in relation to the services being provided.

11 EXPECTED OUTCOMES

11.1 The expected outcomes are set out in the report.

12 BACKGROUND DOCUMENTS:

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

- Operational Services Agreement with Serco Limited (parts of which are exempt)

13 APPENDICES:

Appendix A – Sample Performance Dashboard

Appendix B – Governance Structure

APPENDIX A

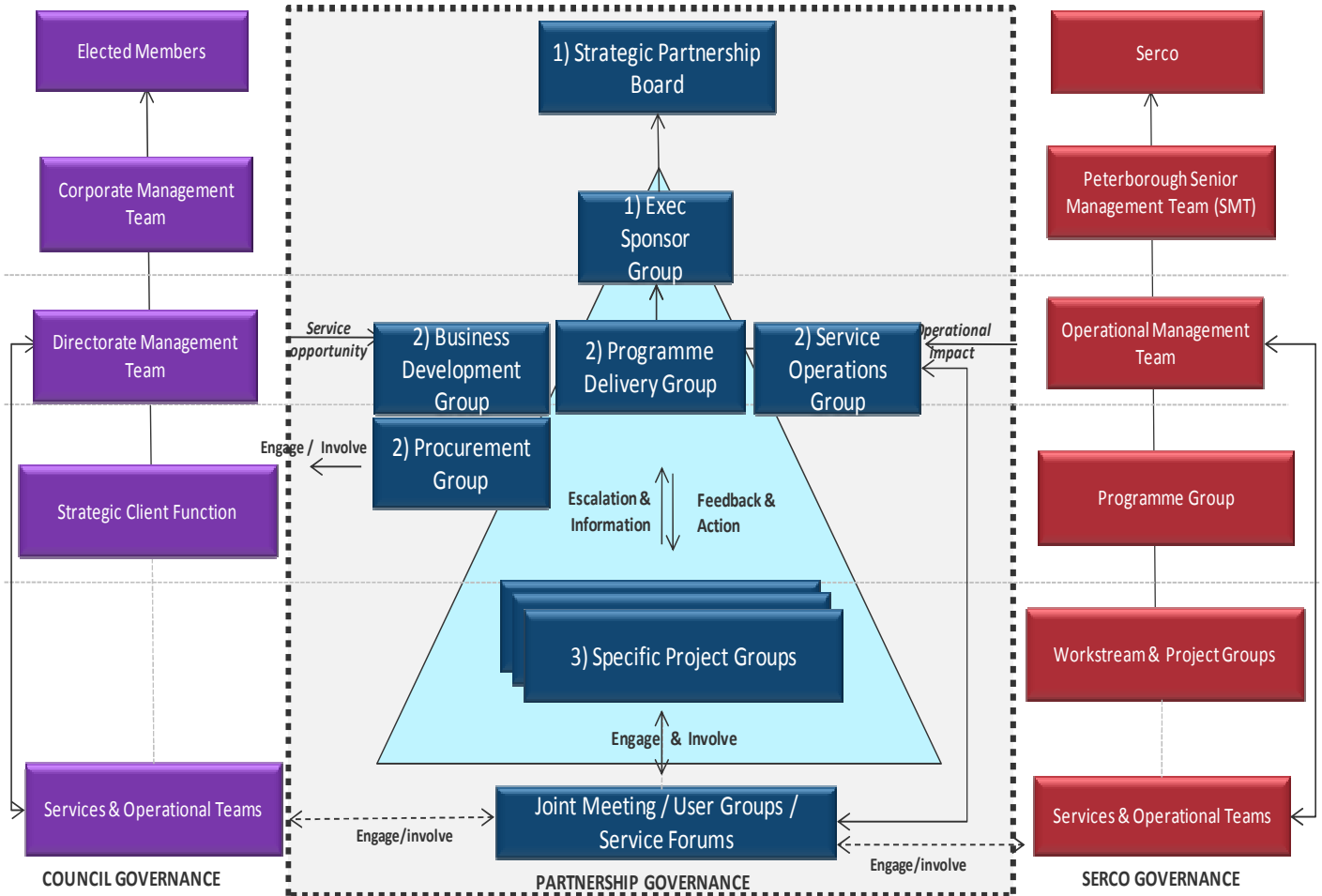
SAMPLE PERFORMANCE DASHBOARD

Service Performance	PM Type	PM Status - for Reporting Frequency
	KPI	Above Target
		On Target
		Below Target - Minor
		Below Target - Medium
		Below Target - Major
		Below Target - Unacceptable
	PI	Above Target
		On Target
		Below Target - Minor
		Below Target - Medium
		Below Target - Major
		Below Target - Unacceptable
	TOTALS	KPIs and PIs On or Above Target
KPIs Below Target		
PIs Below Target		
KPI Performance Deductions	Description	
	For Consideration	
	Waived	
	Taken (Before Monthly Cap Applied)	
	Waived (Amount over the Monthly Cap)	
	Taken (After Monthly Cap Applied)	
Schedule 11 (Para 5)	KPI Rule	Description
	5.1	Failure to meet one or more KPIs where Performance Deductions apply
	5.2	Failure to meet one or more PIs
	5.3	Monthly Service Element Performance Deduction Cap Not Exceeded
	5.4.1	1st Incident of Failure of one or more KPIs in Monitoring Period
	5.4.2	2nd Incident of Failure of one or more KPIs in Monitoring Period
	5.4.3	3rd Incident of Failure of one or more KPIs in Monitoring Period
5.4.4	Clause 28 Triggered - Corrective Action Procedure	

APPENDIX B

GOVERNANCE STRUCTURE

This Appendix is referred to paragraph 6.1 of the report titled First Interim Report on the Performance of the Serco Partnership.



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SUSTAINABLE GROWTH SCRUTINY COMMITTEE	Agenda Item No. 7
6 MARCH 2012	Public Report

Report of the Executive Director of Strategic Resources

Contact Officer(s) – Mark Sandhu, Head of Customer Services – Tel: 296321
Belinda Evans, Customer Service Manager - Tel: 296324

COMPLAINTS MONITORING REPORT 2010 - 11

1. PURPOSE

- 1.1
- To provide a summary of formal complaints monitored between 1st April 2010 and 31st March 2011 which fall under the Corporate Complaints' Policy.
 - To comment on the annual report from the Local Government Ombudsman (LGO) about the council's performance on complaints.

2. RECOMMENDATIONS

- 2.1 Members to note the information presented in this report regarding complaints received between 1st April 2010 and the 31st March 2011.

3. LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY

- 3.1 The effective management of complaints is important to ensure action is taken when customers express dissatisfaction about the delivery of any of our services. Failure to do so could impact upon any of the priorities in the Sustainable Community Strategy:-
- Creating opportunities – tackling inequalities;
 - Creating strong and supportive communities;
 - Creating the UK's environmental capital; and
 - Delivering substantial and truly sustainable growth.

4. BACKGROUND

- 4.1 The Scrutiny Committee requested this item at its first meeting on 16 June 2003 and it is agreed that they will continue to receive regular monitoring reports.

5. KEY ISSUES

- 5.1 Although this year saw an increased number of recorded complaints (366 to 416) it was pleasing to note that almost 90% of all complaints received were resolved at the first opportunity ie stage one of the process.

The most common cause for complaint continued to be delayed or failed service although a reduction in complaints due to staff attitude/conduct was seen.

Speed of response to Local Government Ombudsman (LGO) enquiries improved from 29 days to 22 days and no findings of maladministration were found against the council throughout the year. The LGO upheld the council's decision in every one of the 11 cases that had been subject to a stage 3 investigation.

Information about the number of compliments received is included for the first time and positive to report the number of compliments exceeded the number of recorded complaints.

6. IMPLICATIONS

6.1 Customer Service

Customer service and perception of the council will improve if complaints are processed quickly and effectively. If complaints are resolved at the earliest opportunity this ultimately saves time by more senior officers when complaints are escalated. If service improvements are identified and acted upon this will lead to fewer complaints in the future and improve the Council's reputation.

Financial

The report contains no financial implications

7. CONSULTATION

7.1 The report has been shared with Directors and Heads and comments have been included.

8. NEXT STEPS

8.1 Any comments and suggestions from Committee will be considered and incorporated in subsequent complaints reports.

9. BACKGROUND DOCUMENTS

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

9.1 • Local Government Ombudsman Annual Review 2010-11

10. APPENDICES

10.1 Appendix 1 - Complaints Monitoring Report 2010-11

Appendix 1

1. COMPLAINTS MONITORING REPORT 2010-11

1.1 This report will analyse the performance of the council's formal Corporate Complaints Procedure between 1st April 2010 and 31st March 2011. It is important to note that this report does not include complaints that fall outside the Corporate Complaints Policy, for example, complaints relating to schools, Statutory Children Social Care and Adult Social Care.

1.2 The Corporate Complaints Policy has three-stages:

- Stage One (First Contact Complaint)
- Stage Two (Service Review)
- Stage Three (Independent Person Review)

Stage	Action	Timescale
1	The council aims to settle the majority of complaints quickly and satisfactorily through the 'front line' employees who provide the service or the relevant manager. The complaint may be resolved informally by way of an apology, by providing the service required, or providing an explanation to the customer.	10 Working Days *
2	If the customer is not happy with the decision at Stage 1, he/she can appeal to the Central Complaints Office, who asks the relevant Head of Service or Assistant Director to investigate the complaint fully and provide a written response to the customer.	15 Working Days
3	If the customer is not happy with the decision at Stage 2, he/she can appeal to the Chief Executive who will appoint an independent person to investigate the complaint fully and provide a written report to the customer.	30 Working Days

Note: *Stage 1 complaints can be responded to in various ways depending on how the customer contacts the council and the complexity of the complaint. For example, it is hoped that the majority of complaints will be resolved without delay on the telephone or in person, but those that are sent in by letter should be responded to within the corporate standard of 10 working days.

2. STAGE ONE COMPLAINTS (FIRST CONTACT COMPLAINTS)

2.1 The table below shows the number of Stage 1 complaints received for each department during 2010/11 including those that were received and logged by the Central Complaints Office (CCO). The data for the previous year is included to allow comparisons to be made.

2.2 The data below illustrates an increase in the number of Stage 1 complaints overall.

Department	2009/2010		2010/2011	
	Total complaints received	Logged by CCO	Total complaints received	Logged by CCO
Chief Executive's Dep't	2	2	12	6
Children's Services	3	3	4	4
City Services	87	54	63	46
Operations	151	81	166	83
Strategic Resources	123	55	171	49
TOTAL	366	195	416	188

2.3 We have continued to collect more detailed data from departments. This allows us to analyse all stage 1 complaints received by the council. The next two tables show the category and outcomes for all stage 1 complaints.

2.4 All complaints are classified into a category, the table below shows the breakdown by category for all stage 1 complaints logged between 2010/11 (examples of each category are given in table 19 in Section 10).

Table 3: Department	Not To Standard	Poor Facility/Building	Broken Promise/Appointment	Staff Attitude Conduct	Breach Of Confidentiality	Denial/Withdrawal Of Service	Delayed/Failed Service	Lack Of/Incorrect Info About A Service	About Legislation	About Policy	Other	Overall
Chief Executives	0	0	0	0	0	1	7	0	1	2	1	12
Communications	0	0	0	0	0	0	2	0	0	0	1	3
Legal Services	0	0	0	0	0	0	2	0	1	0	0	3
Democratic Services	0	0	0	0	0	1	3	0	0	2	0	6
Human Resources	0	0	0	0	0	0	0	0	0	0	0	0
Strategic Resources	2	1	2	29	5	2	76	2	10	8	34	171
Customer Services	1	1	0	27	1	1	33	1	0	0	0	65
Revenues and Benefits	1	0	2	1	4	1	43	0	10	8	33	103
Corporate Services	0	0	0	0	0	0	0	0	0	0	0	0
Shared Transactional Services	0	0	0	1	0	0	0	1	0	0	1	3
Childrens Services	0	0	0	2	0	0	2	0	0	0	0	4
Learning & Skills	0	0	0	1	0	0	2	0	0	0	0	3
Family & Communities	0	0	0	0	0	0	0	0	0	0	0	0
Resources	0	0	0	0	0	0	0	0	0	0	0	0
Commissioning & Performance	0	0	0	1	0	0	0	0	0	0	0	1
Operations	4	3	0	17	0	2	54	4	4	13	65	166
Planning Delivery Services	0	0	0	3	0	1	22	0	2	11	3	42
City Centre Operations	0	0	0	1	0	0	3	0	0	0	7	11
Environment, Transport & Engineering	3	3	0	5	0	0	9	1	0	0	51	72
Neighbourhood Services	1	0	0	8	0	1	20	3	2	2	4	41
City Services	0	1	0	3	0	0	42	0	1	6	10	63
Street Scene and Facilities	0	1	0	3	0	0	42	0	1	5	9	61
Recreation	0	0	0	0	0	0	0	0	0	1	1	2
Overall	6	5	2	51	5	5	181	6	16	29	110	416

2.5 Delayed/failed service remains the most common category with 44% of the total number of stage 1 complaints. The second most common category is Other with 26%, the majority of which were from two service areas (Revenues & Benefits and Environment, Transport & Engineering). The Central Complaints team will work with these departments to establish if in these type of complaints could be recorded under any of the existing categories.

We have seen a reduction in the number of stage 1 complaints about staff attitude with 12% (51) of complaints falling into this category compared to 16% (58) last year.

2.6 To put the number of complaints received into perspective an exercise has been undertaken for a number of services to calculate the number of complaints as a percentage of total contacts. For example the number of telephone calls and face to face interviews completed during the year by customer services was in excess of 563,000 which would equate to one recorded complaint for every 8,661 contacts. Likewise if we were to undertake a similar exercise for revenues and benefits using the total number of council tax payers, business rates payers and benefit customers it would equate to approximately 1 complaint for every 951 service users. Further thought is being given to whether a different calculation may be more appropriate and meaningful for these services and others.

2.7 Table 4 shows the outcomes for all stage 1 complaints registered between 2010/11.

Table 4: Department	Upheld	Not Upheld	Partially Upheld	Overall
Chief Executives Department	8	2	2	12
Communications	2	1	0	3
Legal Services	2	1	0	3
Democratic Services	4	0	2	6
Human Resources	0	0	0	0
Strategic Resources	41	88	42	171
Customer Services	32	14	19	65
Revenues and Benefits	9	72	22	103
Corporate Services	0	0	0	0
Shared Transactional Services	0	2	1	3
Childrens Services	0	2	2	4
Learning & Skills	0	2	1	3
Family & Communities	0	0	0	0
Resources	0	0	0	0
Commissioning & Performance	0	0	1	1
Operations	66	81	19	166
Planning Delivery Services	7	32	3	42
City Centre Operations	1	7	3	11
Environment, Transport and Engineering	45	17	10	72
Neighbourhood Services	13	25	3	41
City Centre Services	30	26	7	63
Street Scene and Facilities	30	24	7	61
Recreation	0	2	0	2
Total	145	199	72	416

2.8 35% of stage 1 complaints were upheld, 48% not upheld and 17% as being partially upheld. These figures are similar to last year where we upheld 37.9%, did not uphold 43.7% and partially upheld 18.3%.

3. STAGE TWO COMPLAINTS (SERVICE REVIEW)

3.1 Table 5 breaks down Stage 2 complaints by department, we have seen a significant drop in the number of Stage 2 complaints. The Operations Department appear to have made the biggest impact on this figure having seen the biggest drop.

Table 5: Stage Two Complaints By Dept	2009-10	2010-11
Chief Executive's Department	2	3
Children's Services	0	1
City Services	6	5
Operations	38	23
Strategic Resources	14	12
Overall	60	44

3.2 Table 6 gives greater detail of the business units who have had Stage 2 complaints during 2010/11 as well as which category the complaint fell into.

Table 6: Department	Not To Standard	Poor Facility/Building	Broken Promise/Appointment	Staff Attitude Conduct	Breach Of Confidentiality	Denial/Withdrawal Of Service	Delayed/Failed Service	Lack Of/Incorrect Info About A Service	About Legislation	About Policy	Other	Overall
Chief Executives	0	0	0	0	0	0	2	0	0	1	0	3
Communications	0	0	0	0	0	0	0	0	0	0	0	0
Legal Services	0	0	0	0	0	0	0	0	0	0	0	0
Democratic Services	0	0	0	0	0	0	2	0	0	1	0	3
Human Resources	0	0	0	0	0	0	0	0	0	0	0	0
Strategic Resources	0	1	0	2	0	1	5	1	0	2	0	12
Customer Services	0	1	0	2	0	0	0	1	0	0	0	4
Revenues and Benefits	0	0	0	0	0	1	4	0	0	2	0	7
Corporate Services	0	0	0	0	0	0	0	0	0	0	0	0
Shared Transactional Services	0	0	0	0	0	0	1	0	0	0	0	1
Childrens Services	0	0	0	0	0	0	1	0	0	0	0	1
Learning & Skills	0	0	0	0	0	0	1	0	0	0	0	1
Family & Communities	0	0	0	0	0	0	0	0	0	0	0	0
Resources	0	0	0	0	0	0	0	0	0	0	0	0
Commissioning & Performance	0	0	0	0	0	0	0	0	0	0	0	0
Operations	0	0	1	1	0	0	7	7	1	5	1	23
Planning Delivery Services	0	0	1	0	0	0	2	2	1	2	0	8
City Centre Operations	0	0	0	0	0	0	0	0	0	0	0	0
Environment, Transport & Engineering	0	0	0	0	0	0	3	0	0	1	0	4
Neighbourhood Services	0	0	0	1	0	0	2	5	0	2	1	11
City Services	0	0	0	0	0	1	3	1	0	0	0	5
Street Scene and Facilities	0	0	0	0	0	1	3	0	0	0	0	4
Recreation	0	0	0	0	0	0	0	1	0	0	0	1
Overall	0	1	1	3	0	2	18	9	1	8	1	44

3.3 Delayed failed service is the most common category with 40% of the stage 2 complaints falling into this category, followed by lack of or incorrect information about a service with 20% of stage 2 complaints falling into this category.

3.4 Table 7 shows the outcomes for all stage 2 complaints registered between 2010/11. 23% of the complaints were upheld, 23% partially upheld and 52% were not upheld. These figures were similar to last year when 22% were upheld, 22% were partially upheld and 56% were not upheld.

	Upheld	Not Upheld	Partially Upheld	Overall
Table 7: Department				
Chief Executives Department	2	1	0	3
Communications	0	0	0	0
Legal Services	0	0	0	0
Democratic Services	2	1	0	3
Human Resources	0	0	0	0
Strategic Resources	1	4	7	12
Customer Services	1	1	2	4
Revenues and Benefits	0	3	4	7
Corporate Services	0	0	0	0
Shared Transactional Services	0	0	1	1
Childrens Services	0	1	0	1
Learning & Skills	0	1	0	1
Family & Communities	0	0	0	0
Resources	0	0	0	0
Commissioning & Performance	0	0	0	0
Operations	5	15	2	23
Planning Delivery Services	3	5	0	8
City Centre Operations	0	0	0	0
Environment, Transport and Engineering	1	3	0	4
Neighbourhood Services	1	7	2	10*
City Centre Services	2	2	1	5
Street Scene and Facilities	2	1	1	4
Recreation	0	1	0	1
Total	10	23	10	44

* 1 complaint was withdrawn

3.5 Table 8 shows that 95.5% of stage two complaints were acknowledged within 2 working days, a slight decrease from last year. Unlike stage 1 complaints all stage 2 complaints are logged and monitored by the Central Complaints Office and are directed to the relevant Head of Service for a response. It is important to acknowledge all complaints promptly but very occasionally there is a delay whilst trying to establish which department needs to investigate.

Table 8: Stage Two Acknowledgement Times	2009-10	2010-11
The percentage of Stage 2 complaints acknowledged within 2 working days	98.30%	95.50%

- 3.6 During 2010-11, 81% of all stage two complaints were responded to within 15 working days this was also the percentage of stage 2 complaints that were responded to during 2009-10.

	2009-2010	2010-2011
Chief Executive's Dep't	50%	66.7%
Children's Services	N/A	0%
City Services	100%	100%
Operations	78.9%	90.9%
Strategic Resources	85.7%	71.4%
Overall	81.70%	81.80%

4. STAGE THREE COMPLAINTS (INDEPENDENT PERSON REVIEW)

- 4.1 Complaints at stage 3 are investigated by the Compliance and Ethical Standards Team. The investigators are asked to investigate and prepare a report within 20 working days. This is then provided to the Chief Executive or her nominated representative so that it can be considered and a final response is sent to the complainant within a further 10 working days. Sometimes the complexity of cases requires the 20 day investigation period to be extended.
- 4.2 During 2010-11, the council received 21 stage three complaints, compared to 16 during 2009-10. 100% of these were acknowledged within 2 working days

Of the 21 complaints registered at stage 3, 19 were escalated from stage 2. 3 of these complaints were withdrawn during the stage 3 process and an investigation was therefore not carried out.

The outcome following the stage 3 investigation remained the same for 14 cases, of these 14 cases 5 were planning complaints, 3 were highways complaints, 3 were neighbourhood complaints, 2 were for Legal & Democratic and 1 was a cleansing complaint.

The outcome changed for 2 cases from both being not upheld at stage 2 to partially upheld at stage 3, 1 was a benefits complaint and 1 was a neighbourhoods complaint.

2 complaints went straight in at stage 3. 1 case was not upheld, and 1 case was withdrawn prior to the commencement of an investigation, both these cases involved the Operations Department.

We find that complaints are withdrawn for a number of reasons, such as an early resolution being found during the stage 3 process, or customers deciding not to pursue their complaint.

- 4.3 Table 10 breaks down the stage 3 complaints by directorate.

	2009/10	2010/11
Chief Executive's Dep't	0	2
Children's Services	1	0
City Services	1	1
Operations	11	16
Strategic Resources	3	2
Overall	16	21

- 4.4 Operations continue to have the highest number of stage 3 complaints, 7 of which were neighbourhood complaints, 5 were planning matters and 4 were about highways issues.
- 4.5 Tables 11 & 12 break down the stage 3 complaints received during 2010/11 by category and final outcome (examples of each category are given in table 19 in Section 10)

Table 11 : Stage 3 Category Breakdown	No.
Not to standard	1
Poor Facility/Building	0
Broken Promise/Appointment	1
Staff Attitude Conduct	0
Breach Of Confidentiality	1
Denial/Withdrawal Of Service	0
Delayed/Failed Service	7
Lack Of/Incorrect Info About A Service	4
About Legislation	0
About Policy	6
Other	1
Total	21

Table 12: Stage 3 Outcome Breakdown	No.
Upheld	2
Not Upheld	11
Partially Upheld	4
Withdrawn	4
Total	21

- 4.6 **Although 52% (11) of cases at stage 3 were later referred to the LGO their findings did not differ to those of the council.**

5. THE LOCAL GOVERNMENT OMBUDSMAN (LGO)

- 5.1 In July each year the LGO provide an annual review to the Council.

For 2010/11 the LGO received 37 complaints and enquiries relating to Peterborough City Council, compared to the 45 that were raised the previous year.

Some enquiries will result in general advice being given to the customer or with the LGO asking the customer to use the Council's own complaints policy before they will become involved.

The LGO proceeded to investigate 25 of these complaints about the Council, one more case than last year.

- 5.2 The table below outlines the number and types of decisions the Ombudsman made during the last two years.

Table 13 : Ombudsman's Decisions	2008-09	2009-2010
Maladministration	1	0
Local Settlement	5	4
No or Insufficient Evidence of Maladministration	8	12
Ombudsman Discretion	9	6
Outside Jurisdiction	1	2
Overall	24	24

- 5.3 This year the LGO changed the way the complaints were categorised. Table 14 shows the new categories and how the complaints for our council were classed.

Table 14: Category	2010/11
MI REPS	0
LS	3
M REPS	0
NM REPS	0
NO MAL	12
OMB DIS	6
OUTSIDE JUR	4
TOTAL	25

Table 15 : Outcome Category	Description
MI REPS	Reports: maladministration & injustice
LS	Local settlement (no report)
M REPS	Reports: maladministration no injustice
NM REPS	Reports: no maladministration
NO MAL	No Maladministration
OMB DIS	Ombudsman discretion (no report)
OUTSIDE JUR	Outside jurisdiction

- 5.4 The annual review highlights that the Ombudsman made no decisions against the Council last year. This is an encouraging sign as it shows that the Council's own complaint investigations are robust and that the Ombudsman is agreeing with the Council's findings in a high percentage of cases.

Table 16: Ombudsman Enquires	2007- 08	2008-09	2009-10	2010-11
Number of enquires received	10	18	16	24
Average response times	33 days	32 days	29 days	22 days

The LGO made written enquiries about 24 complaints in the year, 8 more cases than last year. Nevertheless our average response time to them was 22 days well under the 28 days we are allocated.

Looking back of the last few years, this is the first year Peterborough has achieved the average target response time expected by the LGO. The procedure previously discussed and agreed with scrutiny committee whereby cases approaching the target response date are escalated to Head of Service/Director is still in place and has contributed to this year's significant improvement.

6 COMPLIMENTS

- 6.1 Following suggestions from Committee members last year the CCO have captured compliment data from each service area from April 2010.

As can be seen from table 17 we have recorded both internal and external compliments. External compliments are compliments received by members of the public or external organisation and internal compliments are from Councillors or from one department to another.

Table 17: Compliments	External	Internal	Overall
Chief Executives Department	29	36	65
Communications	0	0	0
Legal Services	6	5	11
Democratic Services	21	14	35
Human Resources	2	17	19
Strategic Resources	162	2	164
Customer Services	158	2	160
Revenues and Benefits	3	0	3
Corporate Services	0	0	0
Shared Transactional Services	1	0	1
Childrens Services	0	0	0
Learning & Skills	0	0	0
Family & Communities	0	0	0
Resources	0	0	0
Commissioning & Performance	0	0	0
Operations	445	73	518
Planning Delivery Services	182	40	222
City Centre Services	3	0	3
Environment, Transport and Engineering	64	7	71
Neighbourhood Services	196	26	222
City Services	42	5	47
Street Scene and Facilities & Recreation	42	5	47
Overall	678	116	794

- 6.2 This is the first year that compliments have been formally recorded and whilst it is pleasing to note that the number of compliments has exceeded the number of recorded complaints further work needs to be undertaken to fully establish what has prompted the compliment.

7 OTHER USEFUL INFORMATION

- 7.1 Table 18 shows how complaints are received, at the moment this data is only available on complaints received by the CCO. However we are now looking at ways to capture this data on all complaints across the Authority so that a clearer picture can be reported in the future.

Table 18 : How Received	2009-10		2010-11	
	%	Number	%	Number
Chief Exec's Office	4.9%	12	3.6%	8
Email/Online Form	40.9%	101	42.2%	95
Fax	0.0%	0	0.0%	0
In Person	4.0%	10	4.9%	11
In Writing	18.2%	45	23.1%	52
Ombudsman	6.1%	15	7.1%	16
Telephone	25.5%	63	18.7%	42
Through a representative	0.4%	1	0.4%	1

7.2 Email or our online complaints form continues to be the method used by a majority of our customers when raising concerns.

7.3 Table 19 show some examples of the types of complaints that fall under the different categories.

Table 19: Complaint Category	Examples (UPDATE)
Not to standard	Correspondence not being responded to in accordance to Customer Service Standards
Poor facility/building	Inadequate facilities at public toilets
Broken promise/appointment	Appointment cancelled without explanation
Staff attitude/conduct	Rudeness from a member of staff
Breach of confidentiality	Releasing information to the wrong party
Denial/withdrawal of service	Department no longer providing pre-paid envelopes for council tax payments
Delayed/failed service	Delay in processing benefit claim
Lack of/incorrect information about service	Incorrect information at a bus stop
About legislation	Concerns regarding actions taken in relation to smoke nuisance complaint
About policy	Unhappy about being charged for pre-application advice regarding a planning matter
Other	Concerns about the road closures

8. **SERVICE IMPROVEMENTS**

8.1 The table below lists some service improvements following complaints that have been made.

Table 20: Service Improvements Arising From Complaints	
Department	Service Improvement
Various	Training needs identified for staff
City Services	Alternative refuse collection considered following problems with collections
Transport & Engineering	Review how consultations are carried out and ensure that it is clear how residents should object within the specified consultation period
Planning	Letter templates amended following concerns about the layout
Housing	Reminder issued to staff to ensure customers understand decisions made and options available to them

9 VIVACITY

- 9.1 In May 2010, management of Peterborough City Council's Key Theatre, Museum and Art Gallery, public libraries and sports centre's transferred into a specially created culture and leisure trust called Vivacity.

The table below details the complaints for Vivacity during 2011/11.

Table 21: Department	Q1	Q2	Q3	Q4	Total
Sports Services	8	3	3	5	19
Libraries	7	6	1	3	17
Total	15	9	4	8	36

10. PERSISTENT COMPLAINANTS

- 10.1 The complaints policy contains provision to restrict customer's access in exceptional circumstances.

Complainants can sometimes pursue their complaints in a manner which can impede an investigation or can cause a significant resource issue for the council. In these circumstances, the behaviour of the complainant may be defined as unreasonably persistent. The council defines an unreasonably persistent complainant as:-

'those complainants who, because of the frequency or nature of their contacts with the council, hinder the council's consideration of their, or other people's, complaints.'

During 2010-11 this was applied to one customer and their access was formally restricted.

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SUSTAINABLE GROWTH SCRUTINY COMMITTEE	Agenda Item No. 8
6 MARCH 2012	Public Report

Report of the Executive Director of Strategic Resources

Contact Officer(s) – Steven Pilsworth, Head of Corporate Services
Contact Details – (01733) 384564

CONSULTANCY AND INTERIM POLICY

1. PURPOSE

- 1.1 This report provides an updated draft consultancy and interim policy for consideration by Committee.

2. RECOMMENDATIONS

- 2.1 Committee is asked to comment on the updated draft consultancy and interim policy, and recommend to Cabinet for approval.

3. LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY

- 3.1 This report links to the Single Delivery Plan and its commitment to the following:
- Using our resources more efficiently, effectively and innovatively

4. BACKGROUND

- 4.1 In March 2010, the Sustainable Growth Scrutiny Committee requested a review into Peterborough City Council's use of consultants. A cross-party review group was established to undertake this work on behalf of the Sustainable Growth Scrutiny Committee.

The scope of the review focused on the following objectives:

- To examine the cost of consultants and whether that provides value for money.
- To review the processes for engaging and monitoring the work of consultants.
- To look at the relationship between consultants and staff of the council.
- To examine the likely future use of consultants by the council.

- 4.2 The report from the Consultancy Review Group was issued in March 2011 and contained 33 recommendations: 27 of these recommendations were endorsed by Cabinet in June 2011.

In broad terms, the recommendations related to policy and process changes. A common theme in the Consultancy Review recommendations is the need to consider available internal resources before external resources are deployed.

Alongside these comments, the Review Group made the specific recommendation referred to below.

4. *A policy on the use of consultants ought to be written for the benefit of officers to*

ensure consistent application in the use of consultants across the council.

- 4.3 Progress in implementing the recommendations, including a draft of the policy, was considered by Committee at their meeting on 8th November 2011. Committee made a number of comments regarding the draft policy, and requested that an updated draft was brought back to a future meeting.

5. KEY ISSUES

- 5.1 The Committee should provide any comments on the draft consultancy and interim policy, as appropriate.

6. IMPLICATIONS

- 6.1 Where appropriate, Appendix 1 outlines implications for areas such as Legal, Human Resources, Procurement and Finance.

This report does not have implications for specific wards.

7. CONSULTATION

- 7.1 The following were consulted in the preparation of this report:

- Head of Legal
- Head of HR
- Cabinet Member for Resources

8. NEXT STEPS

- 8.1 Following this Committee meeting, the policy is due for approval by Cabinet at their meeting of 26th March 2012.
- 8.2 The Scrutiny Review recommended that the on-going monitoring role at Member level is undertaken by Audit Committee. Regular reports will be produced for the Audit Committee as requested. The first report is due at their meeting of 26th March 2012.

9. BACKGROUND DOCUMENTS

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

- 9.1
- Consultancy Review Report, March 2011
 - Report to Sustainable Growth Scrutiny Committee, 8th November 2011

10. APPENDICES

- 10.1 Appendix 1 - Consultancy and Interim Policy

Consultancy and Interim Policy

1. Aim

- 1.1 The aim of this policy is to provide Peterborough City Council managers with guidance on the engagement and management of external consultants
- 1.2 The Council aims to ensure that value for money is received from consultants and that internal resources are used where they are available.
- 1.3 This policy does not apply to the engagement of temporary agency staff or interims where that interim is employed under a fixed term employment contract to carry out work which is “business as usual”. However some reference is made to these processes where necessary to make the appropriate differentiation to consultancy.
- 1.4 The overall objectives of this policy are to:
 - Ensure consistent application in the use of consultants across the Council
 - Ensure correct procedures are followed when sourcing a consultant, and as result ensuring there is appropriate transparency
 - Minimise the use of consultants to reduce overall spend.

2. Definitions

- 2.1 Understanding the different processes for engaging persons under a temporary or fixed term contract can sometimes be confusing.
- 2.2 The Sustainable Growth Scrutiny Committee’s Consultancy Review report (March 2011) outlined the following definitions for distinguishing between consultant and interim/agency staff.

Consultant

Consultants are external third parties with expertise that is typically not available internally. Clients employ consultants for short-term projects, and usually specify an end point to their involvement in a project.

Interim

Interims fill permanent vacancies or temporary increases in operational workload. Interims are therefore contractors used as day-to-day operational resources to maintain departmental function, and are managed by client staff.

- 2.3 Interims can be sourced in a number of ways. This is further outlined in section 3 below.

3. Approach to engaging consultants

3.1 The following table will assist you in understanding the correct process for engaging a temporary resource, and differentiates between consultants and other interim resource.

3.2 The policy itself covers the use of consultants. Existing procedures cover the use of Agency staff and Temporary employees.

Description	Payment Method	Engagement	Process
Consultant	Paid through invoice Short-term or fixed length employment	Requires tendering process to invite bids or sourced from the Professional Services Partnership (PSP) contract	Procedures outlined in this Policy (Schedule 1)
Interim	Paid through invoice Short-term or fixed length employment	Requires tendering process to invite bids or sourced from the Professional Services Partnership (PSP) contract	Procedures outlined in this Policy (Schedule 1)
Agency staff	Paid through invoice	Appointed through the council's framework arrangements for agency staff	See Insite
Temporary employee	Paid through salary	Advertisement	<ul style="list-style-type: none"> • Director's Board approval • Advert • Normal recruitment process

4. Policy Requirements

4.1 This policy requires that:

- Officers are required to ensure that recruitment (and on-going management) of any consultant complies with the requirements of this Policy.
- The consultant in turn will be bound by the terms of the contract with them (either through the overarching PSP contract, or via a direct contract for services)
- Officers will be required to ensure that any tendering exercise includes a requirement for consultants to certify that they do not have any conflict of interest in carrying out the contract. Examples of potential conflicts of interest are set out at Schedule 2 to this policy.
- Officers must ensure that any contract with the consultant contains a requirement that any conflicts of interest which arise during the course of the contract (including those of any sub-contractor engaged) will be notified to an officer of the Council. See Schedule 3 for an example of an appropriate condition. A similar clause is contained within the PSP contract
- Skills transfer must be a written contractual requirement for appropriate professional skills contracts, particularly project and programme management, to enable officers to develop expertise which will directly benefit the council. An example of a model skills transfer condition is also included at Schedule 4.
- Where the Council engages consultants on a long-term contract or on a series of successive short term contracts, there should be, only in appropriate circumstances, a requirement for managers to approach the consultant, at fixed periods in the contract, about filling a permanent role within the Council.
- Managers should negotiate, where appropriate, fixed-price or incentive-based contracts. It is noted that incentive-based contracts contain an element of high risk: therefore, guidance and agreement should be sought from the Senior Contracts & Partnerships Manager before managers embark on this course
- Officers should, wherever possible, seek to fill senior management posts with a permanent employee where it is beneficial for the Council and consider all other available options (e.g. internal employees acting up) before seeking to recruit an interim to a managerial position.
- Where appropriate, HR should be involved in the recruitment process for interims occupying managerial positions so that advice can be given on suitable candidates from amongst existing employees and in-house expertise, skills or knowledge.

5. Reporting and Monitoring

- 5.1 The recruiting manager will be required to complete progress reports on Verto to demonstrate that the objectives of the original business case are being achieved.
- 5.2 A monthly report on consultancy/interim usage will be submitted to the Executive Director Strategic Resources and the Cabinet Member for Resources for their information and scrutiny.
- 5.3 The Scrutiny Review recommended that the on-going monitoring role at Member level is undertaken by Audit Committee. Regular reports will be produced for the Audit Committee as requested.

6. Further support for Managers

- 6.1 Managers will be encouraged to source internal skills, expertise and resources before preparing a business case for consultancy resources (including consultants in interim positions).
- 6.2 HR will provide the necessary advice and support to test internal capacity before a decision is made to procure external assistance.
- 6.3 Legal Services will provide a standard form of consultancy contract for use by the Council which officers should use in preference to any contract proposed by the consultant. Where officers intend to rely upon a contract proposed by the contractor it must ensure that as a minimum the conflicts of interest condition and the transfer of skills condition at schedules 3 & 4 are included in the agreement.
- 6.4 Further guidance and support can be obtained from the contacts below:

Area	Contact
Business cases and Verto	Ramnit Bassi Business Transformation Manager (01733) 452388 ramnit.bassi@peterborough.gov.uk
Procurement	Andy Cox Senior Contracts & Partnerships Manager andy.cox@peterborough.gov.uk
Legal advice	Kim Sawyer Head of Legal kim.sawyer@peterborough.gov.uk
Finance	Departmental Heads of Business Support Steven Pilsworth Head of Strategic Finance steven.pilsworth@peterborough.gov.uk

Schedule 1

Process for Engaging Consultants or Interims

- A business case must be written on Verto (the Council's project management system) outlining the need for a consultant, the benefits and the cost. Business cases need to be approved by the department Head of Service or Director (along with finance, legal and procurement approval).
- Those exceeding £5,000 in cost require approval from the Executive Director Strategic Resources. Where the business case exceeds £50,000, the EDSR will in turn seek approval from the Cabinet Member for Resources.
- The business case must be approved before any other elements of the process can be undertaken. If you have any queries about this process, please contact Ramnit Bassi on (01733) 452388 or ramnit.bassi@peterborough.gov.uk
- Business cases will be available for Members to view via their Verto access
- If the cost of the consultant exceeds £5,000, then Council procurement regulations also apply. These are explained on Insite and can be accessed via the following link:
<http://insite/Information%20Library2/InfoLibraryPages/CategoryDetails.aspx?CatID=173>
- The ordering process is also explained on Insite and can be accessed via the following link:
<http://insite/Information%20Library2/InfoLibraryPages/CategoryDetails.aspx?CatID=631>

Schedule 2

Examples of potential conflicts of Interest

The following are matters which could potentially give rise to a conflict of the consultant's interest with the Council's interest. This list is not exhaustive but it might assist in identifying whether any potential conflict of interest arises:

- The consultant's financial interests are affected by the outcome of the contract (but this does not include the salary paid to the consultant).
- The consultant is a member of a body or holds a position of responsibility in a body whose interests may conflict with those of the Council.
- The consultant is personally known to the officer or member awarding the contract (this is not necessarily fatal to the contract if the contract has been obtained through fair competition but ought to be declared in any event).
- The consultant owns shares or has an interest in any company which is affected by the outcome of the contract.
- The consultant has another contract which conflicts with the Council's interests.

Schedule 3

Proposed condition of contract - Conflicts of Interest

Conflicts of Interest

- 1 The Consultant shall take appropriate steps to ensure that neither the Consultant nor any of its personnel is placed in a position where in the reasonable opinion of the Council there is or may be an actual conflict, or a potential conflict, between the pecuniary or personal interests of the Consultant or such persons and the duties owed to the Council under the provisions of the Agreement. The Consultant shall disclose to the Council any actual or likely conflict of interest arising from the Consultant's provision of Services under the Agreement within 5 Working Days after becoming aware that such actual or likely conflict exists.
- 2 The Council reserves the right to terminate the Agreement immediately by written notice and/or to take such other steps it deems necessary where, in the reasonable opinion of the Council, there is or may be an actual conflict, or a potential conflict, between the pecuniary or personal interests of the Consultant and the duties owed to the Council under the provisions of the Agreement.
- 3 The Consultant acknowledges that a conflict of interest shall, or is likely to, arise in circumstances where either it or any of its personnel:
 - 3.1 bids for work from the Council in relation to the same procurement for which the Consultant is or has provided consultancy services to the Council; or
 - 3.2 is asked by the Council to review or evaluate any aspect of the business of a competitor including, without limitation, its commercial proposals, strategies, methodologies, goods and services.

Schedule 4

Proposed condition of contract - Skills Transfer

Skills Transfer

1. The Consultant shall where required use its best endeavours to identify the required knowledge and skill set to carry out the Services and impart the necessary skills and knowledge to the Council's employees with whom the Consultant has contact in the performance of the Consultancy Services. This should be undertaken with a view to increasing and consolidating the skills base within the Council.
2. In addition the Consultant shall deliver training including a Question and Answer Session to those workers and employees with whom the Consultant has had contact together with such others as are nominated by the Council. The training shall be of such duration and timing as specified by the Council and shall focus on those areas identified by the Council that arise from the delivery of the Consultancy Services to the Council.

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SUSTAINABLE GROWTH SCRUTINY COMMITTEE	Agenda Item No. 9
6 MARCH 2012	Public Report

Report of the Solicitor to the Council

Report Author – Paulina Ford, Senior Governance Officer, Scrutiny

Contact Details – 01733 452508 or email paulina.ford@peterborough.gov.uk

FORWARD PLAN OF KEY DECISIONS

1. PURPOSE

- 1.1 This is a regular report to the Sustainable Growth Scrutiny Committee outlining the content of the Council's Forward Plan.

2. RECOMMENDATIONS

- 2.1 That the Committee identifies any relevant items for inclusion within their work programme.

3. BACKGROUND

- 3.1 The latest version of the Forward Plan is attached at Appendix 1. The Plan contains those key decisions, which the Leader of the Council believes that the Cabinet or individual Cabinet Member(s) will be making over the next four months.
- 3.2 The information in the Forward Plan provides the Committee with the opportunity of considering whether it wishes to seek to influence any of these key decisions, or to request further information.
- 3.3 If the Committee wished to examine any of the key decisions, consideration would need to be given as to how this could be accommodated within the work programme.

4. CONSULTATION

- 4.1 Details of any consultation on individual decisions are contained within the Forward Plan.

5. BACKGROUND DOCUMENTS

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

None

6. APPENDICES

Appendix 1 – Forward Plan of Executive Decisions

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**PETERBOROUGH CITY
COUNCIL'S FORWARD PLAN
1 MARCH 2012 TO 30 JUNE 2012**

FORWARD PLAN OF KEY DECISIONS - 1 MARCH 2012 TO 30 JUNE 2012

During the period from 1 March 2012 To 30 June 2012 Peterborough City Council's Executive intends to take 'key decisions' on the issues set out below. Key decisions relate to those executive decisions which are likely to result in the Council spending or saving money in excess of £500,000 and/or have a significant impact on two or more wards in Peterborough.

This Forward Plan should be seen as an outline of the proposed decisions and it will be updated on a monthly basis. The dates detailed within the Plan are subject to change and those items amended or identified for decision more than one month in advance will be carried over to forthcoming plans. Each new plan supersedes the previous plan. Any questions on specific issues included on the Plan should be included on the form which appears at the back of the Plan and submitted to Alex Daynes, Senior Governance Officer, Chief Executive's Department, Town Hall, Bridge Street, PE1 1HG (fax 01733 452483). Alternatively, you can submit your views via e-mail to alexander.daynes@peterborough.gov.uk or by telephone on 01733 452447.

The Council invites members of the public to attend any of the meetings at which these decisions will be discussed and the papers listed on the Plan can be viewed free of charge although there will be a postage and photocopying charge for any copies made. All decisions will be posted on the Council's website: www.peterborough.gov.uk. If you wish to make comments or representations regarding the 'key decisions' outlined in this Plan, please submit them to the Governance Support Officer using the form attached. For your information, the contact details for the Council's various service departments are incorporated within this plan.

NEW ITEMS THIS MONTH:

Award of a Framework for Temporary Staff for Children's Services - KEY/04MAR/12

Section 75 Agreement with NHS Peterborough for Drugs and Alcohol Services - KEY/05MAR/12

Award of Framework for Supply of Utilities - KEY/06MAR/12

Supporting People - Specific Grant Agreements for Accommodation Based Housing Related Support - KEY/07MAR/12

Extension to various Highways Related Contracts to July 2013 - KEY/08MAR/12

Organic and Food Waste Treatment Services Contract - KEY/01MAY/12

MARCH

KEY DECISION REQUIRED	DATE OF DECISION	DECISION MAKER	RELEVANT SCRUTINY COMMITTEE	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	REPORTS
<p>Delivery of the Council's Capital Receipt Programme through the Sale of Land and Buildings - Vawser Lodge Thorpe Road - KEY/04DEC/10 To authorise the Chief Executive, in consultation with the Solicitor to the Council, Executive Director – Strategic Resources, the Corporate Property Officer and the Cabinet Member Resources, to negotiate and conclude the sale of Vawser Lodge</p>	<p>March 2012</p>	<p>Cabinet Member for Resources</p>	<p>Sustainable Growth</p>	<p>Consultation will take place with the Cabinet Member, Ward councillors, relevant internal departments & external stakeholders as appropriate</p>	<p>Andrew Edwards Head of Peterborough Delivery Partnership Tel: 01733 452303 andrew.edwards@peterborough.gov.uk</p>	<p>A public report will be available from the governance team one week before the decision is taken</p>
<p>Energy Services Company - KEY/03JUL/11 To consider potential future developments of energy related products.</p>	<p>March 2012</p>	<p>Cabinet Member for Environment Capital, Cabinet Member for Resources</p>	<p>Environment Capital</p>	<p>Internal and External Stakeholders</p>	<p>John Harrison Executive Director-Strategic Resources Tel: 01733 452398 john.harrison@peterborough.gov.uk</p>	<p>A public report will be available from the Governance Team one week before the decision is taken.</p>

<p>Sale of surplus former residential care home - Eye - KEY/01OCT/11 To authorise the Chief Executive, in consultation with the Solicitor to the Council, Executive Director – Strategic Resources, the Corporate Property Officer and the Cabinet Member for Resources, to negotiate and conclude the sale of a former care home now surplus to requirement -The Croft, Eye.</p>	March 2012	Cabinet Member for Resources	Sustainable Growth	Consultation will take place with the Cabinet Member, & Ward councillors, as appropriate	Simon Webber Capital Receipts Officer Tel: 01733 384545 simon.webber@peterborough.gov.uk	A public report will be available from the Governance team one week before the decision is taken.
<p>Section 75 agreement with Cambridge and Peterborough Foundation Trust - KEY/03OCT/11 To approve the section 75 agreement with CPFT for the provision of mental health services.</p>	March 2012	Cabinet Member for Adult Social Care	Health Issues	Internal and external stakeholders as appropriate.	Terry Rich Executive Director Adult Social Services (interim) Tel: 01733 758444 terry.rich@peterboroughpct.nhs.uk	A public report will be available from the Governance Team one week before the decision is taken.
<p>Hampton Community School - KEY/07OCT/11 To vary the Ormiston Bushfield Academy (OBA) Design and Build Contract with Kier Eastern to allow for the design and build of Hampton Community School.</p>	March 2012	Cabinet Member for Education, Skills and University, Cabinet Member for Resources	Creating Opportunities and Tackling Inequalities	Public, ward councillors and internal departments	Brian Howard Programme Manager - Secondary Schools Development Tel: 01733 863976 brian.howard@peterborough.gov.uk	A public report will be available from the Governance Team one week before the decision is taken

<p>Peterborough's Transport Partnership Policy for pupils aged 4-16 years - KEY/01NOV/11 To approve the new policy for September 2012.</p>	March 2012	<p>Cabinet Member for Education, Skills and University</p>	Creating Opportunities and Tackling Inequalities	Internal and public consultation	<p>Isabel Clark Head of Assets and School Place Planning Tel: 01733 863914 isabel.clark@peterborough.gov.uk</p>	A public report will be available from the Governance team one week before the decision is taken.
<p>Children's Centres Commissioning - KEY04/NOV/11 To approve the award of contracts for the management and operation of 12 Children Centres in Peterborough.</p>	March 2012	<p>Cabinet Member for Children's Services</p>	Creating Opportunities and Tackling Inequalities	Providers, Councillors, Staff,	<p>Pam Setterfield Assistant Head of Children & Families Services (0-13) Tel: 01733 863897 pam.setterfield@peterborough.gov.uk</p>	A public report will be available from the Governance Team one week before the decision is taken.
<p>Traffic Signals LED Project - award of contract - KEY/03SEP/11 Contract to replace all traffic signal head lamps in Peterborough with LED Heads.</p>	March 2012	<p>Cabinet Member for Housing, Neighbourhoods and Planning</p>	Environment Capital	Internal and external stakeholders as appropriate	<p>Amy Wardell Team Manager - Passenger Transport Projects Tel: 01733 317481 amy.wardell@peterborough.gov.uk</p>	A public report will be available from the Governance Team one week before the decision is taken.

<p>City of Peterborough Academy – Free School Academy and free special school - KEY/03JAN/12 To procure a design and build contractor to carry out remodelling and refurbishment works to the existing school buildings and design and build a new special school building at the former Hereward Community College site, Reeves Way</p>	March 2012	<p>Cabinet Member for Education, Skills and University, Cabinet Member for Resources</p>	Creating Opportunities and Tackling Inequalities	Ward Councillors and local residents.	<p>Brian Howard Programme Manager - Secondary Schools Development Tel: 01733 863976 brian.howard@peterborough.gov.uk</p>	A public report will be available from the Governance Team one week before the decision is taken.
<p>Cowgate Enhancement Scheme - KEY/05JAN/12 To award the contract to undertake engineering works as part of the Cowgate Enhancement Scheme.</p>	March 2012	<p>Leader of the Council and Cabinet Member for Growth, Strategic Planning, Economic Development and Business Engagement</p>	Sustainable Growth / Strong and Supportive Communities	Relevant internal and external stakeholders	<p>Stuart Mounfield Senior Engineer Tel: 01733 453598 stuart.mounfield@peterborough.gov.uk</p>	A public report will be available from the Governance Team one week before the decision is taken.
<p>Local Broadband Plan - KEY/06JAN/12 To approve the Local Broadband Plan for Peterborough and Cambridgeshire to release funding for Superfast Broadband.</p>	March 2012	<p>Cabinet Member for Resources</p>	Sustainable Growth	Relevant internal and external stakeholders.	<p>Heather Darwin Head of Service Improvement Tel: 01733 452495 heather.darwin@peterborough.gov.uk</p>	A public report will be available from the Governance Team one week before the decision is taken.

<p>Eye C of E Primary School Extension - KEY/02FEB/12 Award of contract for 3 additional classrooms and an additional staffroom with refurbishment of reception area.</p>	March 2012	Cabinet Member for Education, Skills and University	Creating Opportunities and Tackling Inequalities	Relevant Internal and External Stakeholders.	Sharon Bishop Assets Officer Tel: 01733 863997 sharon.bishop@peterborough.gov.uk	A public report will be available from the Governance Team one week before the decision is taken.
<p>All Saints Junior School - Extension of Age Range - KEY/03FEB/12 To commission a new all through Voluntary Aided Primary School to enable the extension of the age range of All Saints Junior School.</p>	March 2012	Cabinet Member for Education, Skills and University	Creating Opportunities and Tackling Inequalities	Relevant internal stakeholders as appropriate.	Alison Chambers Principal Assets Officer (Schools) Tel: 01733 863975 alison.chambers@peterborough.gov.uk	A public report will be available from the Governance team one week before the decision is taken.
<p>Single Equality Scheme - KEY/02SEP/11 To approve the Single Equality Scheme.</p>	March 2012	Cabinet	Creating Opportunities and Tackling Inequalities.	Public consultation via stakeholders and partnerships.	Paul Phillipson Executive Director Operations Tel: 01733 453455 paul.phillipson@peterborough.gov.uk	A public report will be available from the governance team one week before the decision is taken.

<p>Local Transport Plan Capital Programme of Works (CPW) 2012/13 - KEY/01MAR/12 To approve the Capital Programme of Works for financial year 2012/13.</p>	March 2012	<p>Cabinet Member for Housing, Neighbourhoods and Planning</p>	Sustainable Growth	Neighbourhood Committees, internal and external stakeholders.	<p>Michael Stevenson Project Engineer Tel: 01733 317473 michael.stevenson@peterborough.gov.uk</p>	<p>A public report will be available from the Governance Team one week before the decision is taken.</p>
<p>Statement of Community Involvement (including Neighbourhood Planning guidance) - draft - KEY/02MAR/12 To approve the draft Statement of Community Involvement (including Neighbourhood Planning guidance) for public consultation.</p>	March 2012	<p>Cabinet</p>	Sustainable Growth	Internal and external as appropriate.	<p>Richard Kay Policy and Strategy Manager richard.kay@peterborough.gov.uk</p>	<p>A public report will be available from the Governance Team one week before the decision is taken.</p>
<p>Award of a Framework for Temporary Staff for Children's Services - KEY/04MAR/12 To expand the current framework for temporary staff to support Children's Services improvement following the ofsted inspection.</p>	March 2012	<p>Cabinet Member for Community Cohesion and Safety</p>	Creating Opportunities and Tackling Inequalities	Internal and external stakeholders as appropriate including social care staff.	<p>Oliver Hayward Commissioning Officer - Aiming High Tel: 01733 863910 oliver.hayward@peterborough.gov.uk</p>	<p>A public report will be available from the Governance Team one week before the decision is taken.</p>

<p>Section 75 Agreement with NHS Peterborough for Drugs and Alcohol Services - KEY/05MAR/12 To approve the 75 agreement with NHS Peterborough for the transfer of funds for the provision of Adult drugs and alcohol services.</p>	March 2012	<p>Cabinet Member for Community Cohesion and Safety</p>	Health Issues	Internal and external stakeholders as appropriate.	<p>Adrian Chapman Head of Neighbourhood Services Tel: 01733 863887 adrian.chapman@peterborough.gov.uk</p>	<p>A public report will be available from the Governance Team one week before the decision is taken.</p>
<p>Award of Framework for Supply of Utilities - KEY/06MAR/12 Enter into a framework agreement with Government Procurement Service for the supply of utilities to council properties.</p>	March 2012	<p>Cabinet Member for Resources</p>	Sustainable Growth	Internal and external stakeholders	<p>Andrew Cox Senior Category Manager andy.cox@peterborough.gov.uk</p>	<p>A public report will be available from the Governance Team one week before the decision is taken.</p>
<p>Supporting People - Specific Grant Agreements for Accommodation Based Housing Related Support - KEY/07MAR/12 Award of specific grant agreements for the continued provision of accommodation based housing related support funded by the Supporting People programme.</p>	March 2012	<p>Cabinet Member for Housing, Neighbourhoods and Planning</p>	Strong and Supportive Communities	Internal and external stakeholders as appropriate.	<p>Sharon Malia Housing Programmes Manager Tel: 01733 863764 sharon.malia@peterborough.gov.uk</p>	<p>A public report will be available from the Governance Team one week before the decision is taken.</p>

<p>Extension to various Highways Related Contracts to July 2013 - KEY/08MAR/12 To extend the existing Highways Maintenance, Professional Services, Street Lighting and Gully Cleansing Contracts until July 2013 pending the review of alternative procurement options.</p>	<p>March 2012</p>	<p>Cabinet Member for Resources</p>	<p>Sustainable Growth</p>	<p>Consultation with senior officers has been undertaken including the Director of Operations and Head of Business Transformation.</p>	<p>Simon Machen Head of Planning, Transport and Engineering Services Tel: 01733 453475 simon.machen@peterborough.gov.uk</p>	<p>A public report will be available from the Governance Team one week before the decision is taken.</p>
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APRIL

KEY DECISION REQUIRED	DATE OF DECISION	DECISION MAKER	RELEVANT SCRUTINY COMMITTEE	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	REPORTS
<p>Award of Contract - Bus Shelter Provision and Maintenance - KEY/01APR/12 Award of contract for the provision, installation, cleaning and maintenance of Bus Shelters.</p>	<p>April 2012</p>	<p>Cabinet Member for Housing, Neighbourhoods and Planning</p>	<p>Sustainable Growth</p>	<p>Internal and external stakeholders as appropriate.</p>	<p>Darren Deadman Travel Information and Monitoring Officer Tel: 01733 317464 darren.deadman@peterborough.gov.uk</p>	<p>A public report will be available from the Governance Team one week before the decision is taken.</p>

<p>Award of Transport Contracts - KEY/02APR/12 To award contracts for Mainstream, Special Educational Needs, Children in Social Care and Public Transport.</p>	<p>April 2012</p>	<p>Cabinet Member for Education, Skills and University, Cabinet Member for Housing, Neighbourhoods and Planning</p>	<p>Sustainable Growth</p>	<p>Internal departments as appropriate.</p>	<p>Cathy Summers Team Manager - Passenger Transport Contracts and Planning Tel: 01733 317463 cathy.summers@peterborough.gov.uk</p>	<p>A public report will be available from the Governance Team one week before the decision is taken.</p>
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MAY

KEY DECISION REQUIRED	DATE OF DECISION	DECISION MAKER	RELEVANT SCRUTINY COMMITTEE	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	REPORTS
<p>Organic and Food Waste Treatment Services Contract - KEY/01MAY/12 To Award a contract for Organic and Food Waste Treatment Services.</p>	<p>May 2012</p>	<p>Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning</p>	<p>Sustainable Growth</p>	<p>Internal and external stakeholders as appropriate.</p>	<p>Amy Nebel Recycling Contracts Officer Tel: 01733 864727 amy.nebel@peterborough.gov.uk</p>	<p>A public report will be available from the Governance Team on week before the decision is taken.</p>

JUNE

There are currently no Key Decisions scheduled for June.

CHIEF EXECUTIVE'S DEPARTMENT Town Hall, Bridge Street, Peterborough, PE1 1HG

Communications
Strategic Growth and Development Services
Legal and Democratic Services
Policy and Research
Economic and Community Regeneration
HR Business Relations, Training & Development, Occupational Health & Reward & Policy

STRATEGIC RESOURCES DEPARTMENT Director's Office at Town Hall, Bridge Street, Peterborough, PE1 1HG

Finance
Internal Audit
Information Communications Technology (ICT)
Business Transformation
Strategic Improvement
Strategic Property
Waste
Customer Services
Business Support
Shared Transactional Services
Cultural Trust Client

CHILDRENS' SERVICES DEPARTMENT Bayard Place, Broadway, PE1 1FB

Safeguarding, Family & Communities
Education & Resources
Children's Community Health

OPERATIONS DEPARTMENT Bridge House, Town Bridge, PE1 1HB

Planning Transport & Engineering (Development Management, Construction & Compliance, Infrastructure Planning & Delivery, Network Management)
Commercial Operations (Resilience, Strategic Parking and Commercial CCTV, City Centre, Markets & Commercial Trading, Passenger Transport)
Neighbourhoods (Strategic Regulatory Services, Safer Peterborough, Strategic Housing, Cohesion, Social Inclusion)
Operations Business Support (Finance)
Planning Transport & Engineering (Development Management, Construction & Compliance, Infrastructure Planning & Delivery, Network Management)

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