

Public Document Pack



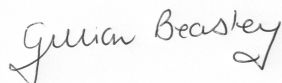
PETERBOROUGH CITY COUNCIL SUMMONS TO A MEETING

You are hereby summonsed to attend a meeting of the Peterborough City Council, which will be held in the Council Chamber, Town Hall, Peterborough on

WEDNESDAY 6 MARCH 2013 at 7.00 pm

AGENDA

	Page No.
1. Apologies for Absence	
2. Declarations of Interest and Whipping Declarations	
3. Minutes of the meeting held on 30 January 2013	1 - 24
COMMUNICATIONS TIME	
4. Mayor's Announcements	25 - 26
5. Leader's Announcements	
6. Chief Executive's Announcements	
COMMUNITY INVOLVEMENT TIME	
7. Questions with Notice by Members of the Public	
8. Questions with Notice by Members of the Council relating to Ward Matters and to Committee Chairmen	
9. Questions with Notice by Members of the Council to representatives of the Fire Authority	
10. Questions with Notice to the Leader and Members of the Executive	
11. Petitions submitted by Members or Residents	
EXECUTIVE BUSINESS TIME	
12. Questions without Notice on the Record of Executive Decisions	27 - 34
13. Executive Recommendations	35 - 36
(a) Housing Allocations Policy	37 - 82
(b) Budget 2013/14 and Medium Term Financial Strategy 2022/2023	<u>See separate book</u>
COUNCIL BUSINESS TIME	
14. Reports and Recommendations	
(a) Changes to the Constitution - Health and Wellbeing Board and Transfer of Public Health Responsibilities	83 - 90



Chief Executive

26 February 2013
Town Hall
Bridge Street
Peterborough

Emergency Evacuation Procedure – Outside Normal Office Hours

In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point in front of the Cathedral. The duty Beadle will assume overall control during any evacuation, however in the unlikely event the Beadle is unavailable, this responsibility will be assumed by the Committee Chair.

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact Alex Daynes in the City Council's Governance team on Peterborough (01733) 452447 or by email at alexander.daynes@peterborough.gov.uk



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Alex Daynes on 01733 452447.

**MINUTES OF COUNCIL MEETING HELD
30 January 2013**

The Mayor – Councillor George Simons

Present:

Councillors Arculus, Ash, Casey, Cereste, Dalton, Davidson, Day, Elsey, Fitzgerald, Fletcher, Forbes, Fower, JA Fox, JR Fox, Goodwin, Harper, Harrington, Hiller, Holdich, Jamil, Johnson, Khan, Knowles, Kreling, Lamb, Lane, Lee, Maqbool, Martin, McKean, Miners, Murphy, Nawaz, North, Over, Peach, Rush, Sanders, Saltmarsh, Sandford, Scott, Seaton, Serluca, Shabbir, Sharp, Simons, Stokes, Swift, Sylvester, Thacker, Thulbourn and Walsh.

1. Apologies for Absence

Apologies for absence were received from Councillors Allen, Nadeem, Shaheed, Shearman and Todd.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes of the Meetings Held on 5 December 2012

The minutes of the meeting held on 5 December 2012 were agreed and signed as an accurate record, subject to the following amendment:

Appendix B – Executive Business Time – 11. Questions with Notice to the Leader and Members of the Executive.

Question 8; Councillor Fitzgerald's response to the supplementary question asked by Councillor Harrington, change £233k to £23k.

Councillor Murphy requested clarification as to whether the provisions for Members to ask questions of the Police and Crime Commissioner had been confirmed. In response the Solicitor to the Council advised that the procedures were currently still under review and would be circulated in due course.

4. Mayors Announcement Report

The Mayor advised that the visit from Year 6 Children from St Thomas More School had not taken place due to inclement weather conditions.

Members noted the updated report outlining the Mayor's engagements for the period commencing 19 November 2012 to 30 January 2013, including the amendment as outlined.

The Mayor addressed the meeting and advised that throughout his term so far, it had become apparent to him that the role of Mayor was important in the eyes of the public and was good for the city as a whole. The Mayor further thanked his family and friends for their continued support.

5. Leader's Announcements

There were no announcements from the Leader.

6. Chief Executive's Announcements

There were no announcements from the Chief Executive.

COMMUNITY INVOLVEMENT TIME

7. Questions with Notice by Members of the Public

Four questions had been raised by members of the public, these were in relation to:

1. Why Paston Play Farm Centre had reduced its opening hours;
2. Why no action was being taken in relation to grass verge parking in Ravensthorpe;
3. Raising the rainbow flag on top of the Town Hall on February 12 for the Lesbian, Gay, Bisexual and Transgender (LGBT) History Month event; and
4. Assistance for residents affected by the bedroom tax.

A summary of the question and answers raised within agenda item 7 is attached at **Appendix A** to these minutes.

8. Questions with Notice by Members of the Council Relating to Ward Matters to the Cabinet Members and to Committee Chairmen

Questions relating to Ward matters were raised and taken as read in respect of the following:

1. Planned increases of primary school places in Park Ward; and
2. Improvement of communications between officers and Ward Members.

A summary of all questions and answers raised within agenda item 8 are attached at **APPENDIX A** to these minutes.

9. Questions with Notice by Members of the Council to representatives of the Fire Authority

There were no questions received for the Council's representatives of the Fire Authority.

10. Questions with Notice to the Leader and Members of the Executive

Questions to the Leader and Members of the Executive were raised, with all of the questions being taken as read, in respect of the following:

1. The total income being generated by the solar panel installation on the ex Freemans warehouse;
2. The consultation undertaken in relation to the service charges and changes within Adult Social Care and the possible repeat of certain sessions;
3. What the Council was doing to implement its carbon reduction policy in order to meet Co2 and energy reduction targets;
4. The length of the consultation period for the eligibility criteria for adult social care in comparison to other consultation periods;
5. The lowering of the speed limit to 20mph in built up areas;
6. Council support for a future referendum on UK membership of the EU; and
7. A reduction in the provisions of Children's Centres and services, and proposed future reductions.

Due to the time limit for this item being reached, the following question was to be responded to in writing:

8. A new care home being built by Cambridgeshire County Council and the views of the Leader in relation to the closure of the local authority care homes.

A summary of all questions and answers raised within agenda item 10 are attached at **APPENDIX B** to these minutes.

11. Petitions Submitted by Members or Residents

There were no petitions submitted by Members or residents.

EXECUTIVE BUSINESS TIME

12. Questions without Notice on the Record of Executive Decisions

Members received and noted a report summarising:

1. Decisions taken at the Cabinet Meetings held on 10 December 2012 and 21 January 2013;
2. Use of the Council's call-in mechanism, which had not been invoked since the last meeting;
3. Special Urgency and Waiver of Call-in provision, which had been invoked once in respect of the Council Tax Support Scheme decision; and
4. Cabinet Member Decisions taken during the period 10 December 2012 to 16 January 2013.

Questions were asked about the following:

Peterborough City Centre Development Plan Document – Consultation Draft

Councillor Murphy queried when the consultation would commence. Councillor Cereste responded that there was no fixed date for the start of the consultation.

Consultation on Proposed Changes to Eligibility Criteria and Charging Policy

Councillor Murphy sought assurance from the Cabinet Member that all of the consultation responses would be taken into account. Councillor Fitzgerald stated that all consultation comments would be taken into account, as they always were.

Expansion and Refurbishment of Old Fletton Primary School

Councillor North commented that the proposals appeared very positive, did the Cabinet Member wish to comment? Councillor Holdich stated that the expansion was extremely welcomed and the conversion was a cost effective way of providing much needed school places to this area of the city.

Closure of Fulbridge School, Academy Transfer Agreement and Lease of Premises

Councillor Miners queried whether the Cabinet Member was concerned with the increasing number of schools transferring to be academies locally, and what were the advantages of them transferring to academies. Councillor Holdich responded that he was in no way concerned with the school's transition to academy status as it was a well run and organised school, furthermore he was not aware of the benefits of this particular school transferring to an academy, in general, as well as enabling the schools to have more freedom in relation to the curriculum, the benefits tended to be financial ones.

Councillor Miners queried whether the intake for academies was more selective to which Councillor Holdich responded that this was not the case.

Councillor Murphy queried whether the contracts had been placed with companies who had received bad press due to blacklisting employees and being exposed in the media? Councillor Holdich responded that the sub-contractors had been approved by both himself and officers and that he was satisfied with their work practices and the quality of their work at the current time.

13. Executive Recommendations

(a) Council Tax Support Scheme

Cabinet, at its meeting of 21 January 2013, received a report following the consultation on proposals made by Cabinet on 24 September 2012, including discussion at the Sustainable Growth and Environment Capital Scrutiny Committee on 8 November 2012, for a Local Council Tax Support Scheme for Peterborough.

Councillor Seaton, the Cabinet Member for Resources provided an overview of the proposals and moved the recommendation that Council adopt the Local Council Tax Support Scheme for Peterborough, including the proposed 30% reduction in benefit for working age claimants and the draft scheme documentation. This was seconded by Councillor Cereste, who reserved his right to speak.

Members debated the recommendation and raised points including:

- The proposals would deliver growth, but there could be a risk that this would be at the expense of sustainability and good planning practice;
- The depth of consultation extended to all those individuals who paid/or might pay council tax;
- The implementation of locally proposed schemes was supported in principle however the scheme put forward seemed to hit the poorest the hardest.

Councillor Cereste exercised his right to speak and stated that he believed the proposals represented the best choice for the citizens of Peterborough, furthermore continued growth and investment would be undertaken in the city.

Councillor Seaton summed up as mover of the recommendation and in so doing reaffirmed that Peterborough had one of the lowest Council Tax rates in the country and there was another proposed freeze in 2013, which would assist the residents of Peterborough with their bills.

A vote was taken (29 For, 16 Against) and it was **RESOLVED** that:

Council adopts the Local Council Tax Support scheme for Peterborough, including the proposed 30% reduction in benefit for working age claimants and the draft scheme documentation.

COUNCIL BUSINESS TIME

14. Notices of Motion

1. Councillor Murphy moved the following motion:

That this council:

1. Notes the increasing proportion of private rented accommodation in Peterborough and the effects this is having on social cohesion and the detrimental effect on quality of life in neighbourhoods;

2. Notes that the council is introducing an area based registration scheme and is developing policies and practices to improve our neighbourhoods and communities such as bringing empty properties back into use. In other parts of the UK and in English council areas registration schemes have been introduced with an appropriate registration fee levied;
3. Believes that whilst many landlords provide a decent level of service there are significant management, environmental and public health issues associated with some dwellings and a licensing scheme will help mitigate these problems, ensure rent allowances are paid for appropriate dwellings and reduce the levels of illegal eviction and harassment. It is expected that the management of occupants and the housing standard quality will also improve; and
4. Agrees to explore introducing an authority- wide Licensing Scheme for landlords with discounts considered for early registration.

In introducing his motion, Councillor Murphy stated that he hoped that the scheme would be explored as there was an increasing number of private rental dwellings in Peterborough, some of which had serious issues surrounding them. It was also to be noted that similar schemes were being adopted successfully in London.

The motion was seconded by Councillor Forbes.

Councillor Cereste commented that the motion was good in principle, however he had recently been given assurances that an authority wide licensing scheme could not be achieved. It was further advised that issues that were being experienced in certain parts of the city would be addressed going forward.

Councillor Swift commented that it would be sensible for Councillor Murphy to withdraw his motion in order for a solution to be explored via other means.

Councillor Cereste stated that he would be happy to undertake further discussions in relation to the proposals contained within Councillor Murphy's motion, with a view to the issues being explored and addressed by alternate means.

Councillor Murphy agreed to withdraw his motion, pending further discussions with Councillor Cereste.

2. Councillor Thulbourn moved the following motion:

That this council:

1. Investigates the possibility of implementing a pay policy consistent with The Living Wage across the entire organisation, leading real change across Peterborough reducing the high levels of poverty of those in work;
2. Further investigates the impact on existing partners and new contracts in the ability of these organisations to implement a living wage policy when dealing with Peterborough City Council; and
3. Agrees that the results of the above investigations be referred to the relevant scrutiny committee for consideration and further recommendation accordingly.

In introducing his motion, Councillor Thulbourn provided an overview of the living wage and outlined how it would benefit families and individuals including that a number of councils were investigating proposals and some had already implemented them.

The motion was seconded by Councillor Sylvester.

Members debated the motion and raised points including:

- Pay rates for local authority employees were set nationally by the Local Government Association in consultation with trade unions. Pay rates had been frozen for the past three years with a modest increase was expected for the forthcoming year;
- A number of measures were already being implemented to mitigate against the effects of the current economic climate on the most vulnerable within society;
- There were 44 out of 1600 employees paid below the living wage, with 33 paid above the minimum guaranteed wage. To bring them up to the living wage would cost £28k per year;
- There was no jurisdiction around partner organisation wages;
- The use of scrutiny could not be approved as a vehicle to approve the decision;
- For any proposed additional cost, there should be proposed savings;
- The motion requested further investigation of a scheme only;
- If contractors were requested to pay the living wage, this could mean that charges to the Council may be increased.

Following comments, Councillor Seaton highlighted that there would be no issue with further exploring the prospect of paying the living wage to those 44 employees previously mentioned, however the wording of Councillor Thulbourn's motion could not be supported in full.

Councillor Cereste moved an amendment to the motion to remove paragraphs 2 and 3. This was seconded by Councillor Lee.

There was no further debate and Councillor Thulbourn stated that he accepted the amendment to his original motion.

Council **AGREED** the amendment. There was no further debate on the substantive motion and it was **CARRIED** unanimously as below:

That this council investigates the possibility of implementing a pay policy consistent with The Living Wage across the entire organisation, leading real change across Peterborough reducing the high levels of poverty of those in work;

15. Reports and Recommendations

a) Report of the Independent Members Remuneration Panel

Councillor Cereste introduced the report and moved the recommendations that Council note the recommendations of the Independent Members' Allowances Panel as summarised in paragraph three of the report and determine the action it wished to take in response to the recommendations contained within the report. Councillor Cereste thanked the Panel for all of the hard work that had gone into the report in the first and recommended that the current provisions were kept in place going forward. This was seconded by Councillor Walsh, who reserved her right to speak.

Councillor Sandford moved an amendment to the recommendations, as attached at **APPENDIX C** to these minutes. This amendment proposed a five year phased increase in the basic allowance and special responsibility allowance and a proposed decrease in the special responsibility allowances (SRAs) with immediate effect, from the beginning of the 2013/14 financial year. In moving his amendment, Councillor Sandford stated that the proposals represented an overall saving and furthermore, an increase in the basic allowance would ensure that a wide cross section of society were able to stand as Local Councillors. This was seconded by Councillor Davidson who echoed the comments made by Councillor Sandford.

Members debated the amendment and in summary it was highlighted that although it was important to ensure a wide cross section of individuals were encouraged to become Local Councillors, it was felt then an increase in allowances during the current economic climate would not be appropriate.

Councillor Sandford stated that the proposals did not propose an overall increase, but rather a £38k overall reduction in the allowances in the first year, with further savings to be realised in the second year.

A vote was taken (3 For, 44 Against, 1 Abstention) and the amendment was **DEFEATED**.

Councillor Harrington moved an amendment to the recommendations, as attached at **APPENDIX D** to these minutes. This amendment proposed revised calculations for the SRAs to base them on particular percentages of the Leader's allowance. This was seconded by Councillor Fletcher.

Members debated the amendment and raised points as follows:

- The decision whether or not to implement the Panel's recommendations should be removed from Councillors;
- Many Members put in a lot of time and effort to their roles, this was not exclusive to Committee Chairmen and Cabinet Members;
- SRAs were deserved, but needed to be kept reasonable so they remained fair and equitable;
- Decreasing Special Responsibility Allowances for Cabinet Members would not assist with encouraging good calibre individuals to become Cabinet Members; and
- The proposals disregarded the views of the Independent Remuneration Panel.

Councillor Holdich recommended that it be moved to the vote, this was seconded by Councillor Lee.

Councillor Cereste exercised his right of reply as mover of the original motion and stated that the proposals were aimed at those individuals who put in extra time and effort into their Council duties and not at the basic allowance overall, the SRAs were not disproportionate.

A vote was taken (16 For, 26 Against, 4 Abstentions) and the amendment was **DEFEATED**.

A vote was taken on the original recommendation from Councillor Cereste to retain the current allowance levels (30 For, 11 Against, 4 Abstentions) and this was **CARRIED** as below:

Council noted the recommendations of the Independent Members' Allowances Panel as summarised in paragraph three of the report and determined that the current provisions for 2012/13 be kept in place for 2013/14.

b) Appointment of Independent Person

Council received a report which sought its approval of the recommendation by the Audit Committee to appoint an independent person for Peterborough City Council. This was moved by Councillor Lamb and seconded by Councillor Goodwin.

A vote was taken (unanimous) and it was **RESOLVED** to:

Approve the recommendation by the Audit Committee to appoint Gillian Holmes as the Independent Person for Peterborough City Council.

c) Changes to the Constitution Required to Reflect Current Legislative Requirements Regarding the Licensing of Sex Establishments

Council received a report which sought to update references within the Constitution relating to the licensing of sex establishments, and to clarify within the Constitution, licensing delegations, confirming whether they were to the Licensing Committee, an Officer or Chairman of the Licensing Committee when determining different applications, and to provide further clarity regarding the setting of licensing fees. This was moved by Councillor Hiller and seconded by Councillor Thacker.

A vote was taken (unanimous) and it was **RESOLVED** to:

1. Approve the amendments to the delegations for the Licensing Committee in accordance with the functions and provisions of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009; and
2. Agree that the Constitution be updated accordingly.

d) Changes to the Constitution Required to Reflect Current Legislative Requirements Regarding Scrap Metal Dealers

Council received a report which outlined that Scrap Metal Dealers were currently under the Planning and Environmental Protection Committee within the Constitution and it was proposed that the Licensing Committee take over this function, furthermore it was requested that orders of exemption (for itinerant dealers) be added under Section 3 of the Act, to the Constitution. This was moved by Councillor Hiller and seconded by Councillor Thacker.

A vote was taken (unanimous) and it was **RESOLVED** to:

Approve the amendments to ensure the Constitution was correct in administering the functions and provisions of the Scrap Metal Dealers Act 1964.

The Mayor
19.00 – 22.15

FULL COUNCIL 30 JANUARY 2013

QUESTIONS AND ANSWERS

Questions were received under the following categories:

<u>COMMUNITY INVOLVEMENT TIME</u>	
7	<u>Questions with notice by members of the public</u>
1.	<p>Question from Bonita Yonga</p> <p>To Councillor Scott, Cabinet Member for Children's Services:</p> <p>Could the Cabinet Member please let me, as a Paston resident and many other families with young children know why the Playcentre in Paston Farm is now only open for one day when it used to be open for six? For families in Paston and Gunthorpe this is a vital resource offering early educational development through play and signposting to families to further services.</p> <p>Councillor Scott responded:</p> <p>Play Services were reviewed and consulted upon during the setting of 2011/12 budgets to ensure we were providing play opportunities where they are most needed, for the largest number of children and represent the best value for money for tax payers.</p> <p>It was indicated at the time of setting that budget that the review may result in some play centres closing, we may start to charge for some sessions, or it may lead to some services being moved into some of the centres being run by voluntary organisations. It may also result in play services being moved into some of our children centres that already provide a number of successful services for families.</p> <p>Since these changes were implemented and the further changes to funding available for council services, as part of setting next year's budget, the council is proposing a further review of play centres and children centres in the open budget consultation.</p> <p>The consultation is open until 5 March and the council would welcome comments on this proposal and any other proposal within the consultation document.</p> <p>Bonita Yonga asked the following supplementary question:</p> <p>Are the Council aware of the implications and repercussions and knock on effect that closing Paston Farm would have on an already deprived area?</p> <p>Councillor Scott responded:</p> <p>I certainly understand the implications of what we are having to do. The consultation sets out why we are looking at this and it also sets out the savings that we have to make. My priority, and the priority of this Council is the safeguarding of children and that is what I have to bear in mind.</p> <p>This is a consultation, please take part in it and I will keep you informed of how we make our decisions.</p>

2.	<p>Question from M J Ladha</p> <p>To Councillor Hiller, Cabinet Member for Housing, Neighbourhoods and Planning:</p> <p>Over the last few years, there has been a lot of discussion in public, in community organisations such as residents groups and within City Council structures such as Neighbourhood Committees about the destruction to grass verges in Ravensthorpe and nearby wards, including North Bretton. The damage done to the grass verges is enormous and the visual impact on the area is hideous. It makes residents feel angry, embarrassed and upset and gives the general impression that the Council does not care a hoot about the area.</p> <p>Can the Cabinet Member advise me why the council does nothing about taking legal action against such perpetrators, by giving them clear notice about their unacceptable behaviour and or/by taking them to court or is it that the Council feels that this behaviour is perfectly acceptable and that we as residents are making a fuss about nothing?</p> <p>Councillor Hiller responded:</p> <p>The issues associated with verge parking are both recognised and widespread, both here in Peterborough and nationally. However no offence or contravention is committed when parking on a verge unless there is either a traffic regulation order in place that prohibits such parking, or where the parked vehicle significantly reduces the width of the footway available for pedestrians causing an obstruction. At the end of last year, I asked our Officers to review our Traffic Regulation Orders to make sure that vulnerable parts of the city are covered by the relevant powers enabling a more enforcement-focussed approach to be implemented.</p> <p>However, our I do recognised the need for more immediate action in some parts of the city, and our budget proposals for 2013/14 include investment for the Ravensthorpe, Bretton and Paston areas as well as further work on Coneygree Road in Stanground, to prevent verge parking through measures including the installation of grass-crete, and tree and shrub planting.</p> <p>We hope that the combination of preventative measures alongside our review of Traffic Regulation Orders will bring significant improvements to the community and will start to encourage changed behaviours by the minority.</p> <p>M J Ladha asked the following supplementary question:</p> <p>I realise that there have been plans about traffic management discussions and options, but the question I was asking was specifically about the powers and action against individuals, otherwise what happens is that people who misbehave in this destruction of public property are just encouraged that nothing is going to happen to them and in so doing, they encourage others to ignore what is in fact wanton destruction of public property.</p> <p>Councillor Hiller responded:</p> <p>I have asked our Officers to review our traffic regulation orders to make sure that we can tackle vulnerable parts of the city with this contravention in mind, although it isn't a contravention unless we do have an order in place. I hope the measures I have mentioned will go a long way to alleviating the problem.</p>
3.	<p>Question from Andrew Palmer</p> <p>To Councillor Cereste, Leader of the Council:</p>

As part of the Lesbian, Gay, Bisexual and Transgender History Month event being held at the Town Hall on 12 February can the Leader advise me if the council will be flying the rainbow flag on this day like many other councils who proudly fly the flag on Council Buildings during LGBT History Month to show their LGBT residents, constituents and employees that they are an inclusive council?

Councillor Cereste responded:

We are looking forward to welcoming people from the LGBT community to the Town Hall on 12th February and to playing our part in celebrating the History Month here in Peterborough. Peterborough benefits from a diverse population that has, for generations, added value to our economy and our community.

However, because of this diversity the volume of requests to fly different flags is significant, and our current approach is to give the Union Flag precedence.

In order to fly other flags on top of the Town Hall which celebrate different communities or occasions, the Council will need to develop a protocol which ensures fairness to all communities and which is agreed by Council.

Until this protocol is place, we will have to regretfully decline the request to fly the rainbow flag. However, I would hope that we will be able to get the protocol in place before next year so we can make a decision when the time arises.

Andrew Palmer did not have a supplementary question.

4. Question from Nicola Day

To Councillor Cereste, Leader of the Council:

A Paston resident has lived in Peterborough for over half his life, has lived in his home for 30 years and moved to Peterborough at the age of 16 years where he began work for a local company. He has raised two children here and now has family living throughout the local area. He has three bedrooms - but due to his disabilities he needs two separate rooms - for both he and his wife - to sleep in. The bedroom tax now imposed as part of the Welfare Reform Act means he will lose 25% of his housing benefit, the difference he will have to make up from a £51 weekly allowance. His only option is to find a smaller property, however, there is a lack of social housing and he is finding it hard to find somewhere else to live in the city. If he has to move to smaller accommodation his daughter and son, who both have grandchildren, will no longer be able to stay with him, something he is bitterly disappointed about. This resident has also helped to set up local charitable organisations to assist Peterborough residents. I urge and plead the council and all councillors to work together to prevent this awful removal of people from the communities they have worked and lived in all their lives, allowing them to stay, and not making them destitute.

I know the council is facing severe spending cuts - but will the Leader write and urge central government to change the shape of this damaging bedroom tax and I understand that changes can also be made under the new Localism Act? We all know so many people will suffer and it will cause a huge crisis in Peterborough if not prevented. Please can you let us know what can be done by this Council to provide support and assistance to residents affected by the 'bedroom tax' problem that many will face?

Councillor Cereste responded:

Whilst the Council is unable to change the national rules relating to the under occupation

of social housing laid down in the Welfare Reform Act, we are working with our partners in trying to positively deal with the impact.

Cross Keys Homes currently offers a cash incentive scheme to those who are looking to downsize and The Peterborough Homes Allocations Policy, which is currently going through the council's adoption process, gives special consideration to those who are considered to be under occupying social housing by giving them band 1 priority to move to alternative more suitably sized accommodation.

In addition, the government has provided all local authorities with an increased discretionary housing payment fund. In cases where tenants are under occupying, but have had their property significantly adapted to meet their needs or require extra bedrooms for specialist medical equipment or storage, they will be able to apply to that fund for assistance to top up their rent shortfall. Any Councillors who have concerned constituents should ask them to contact the Housing Needs service for advice.

Nicola Day asked the following supplementary question:

In Scotland there is a 'No Eviction for Bedroom Tax' campaign endorsed by Shelter Scotland, the STUC and it has also gained cross party support in Glasgow. The governed law centre has endorsed these principles suggesting the need for urgent minor law reform with amendments to implement this 'No Eviction for Bedroom Tax' policy. They are suggesting that bedroom tax rent arrears be pursued as ordinary debt and should not be forced upon as grounds for eviction, so I just wondered if we could consider something?

Councillor Cereste responded:

As local councillors who do care about our residents, we will look at what can be done.

8 Questions with notice by Members relating to ward matters To the Cabinet Members and to Committee Chairmen

1. Question from Councillor Shearman (read by the Mayor Councillor George Simons)

To Councillor Holdich, Cabinet Member for Education, Skills and University:

Despite the welcome additional school places for children of primary age in Park Ward, there will still be a considerable shortfall in provision given projected birth rates and continuing inward migration. In view of this will the cabinet member confirm if the Local Authority is planning to increase further the primary aged provision in Park Ward, and if it is, what is the projected timescale for the project?

Councillor Holdich responded:

As the ward member knows from the briefings we have undertaken, the pressure on school places across the PE1 ward is significant. Since 2009 we have created or are in the process of creating nearly 1000 extra primary places spending over £19m on this issue. We have spent a further £14m creating additional secondary school places. In addition, we have expanded many of the schools on the periphery of the PE1 area including discovery and Paston Ridings. We are working on proposals for a further school in Central Ward (opening September 2014) which will support the residents of the Park Ward. There are two key limiting factors, availability of land and the long term costs of providing places which may not be full. We strive to provide local places for local children and we will make sure every child can access a school place.

	<p>Councillor Shearman was not present and therefore there was no supplementary question.</p>
2.	<p>Question from Councillor Ash</p> <p>To Councillor Cereste, Leader of the Council:</p> <p>On several occasions the ward Councillors in Dogsthorpe feel that they have not been kept properly informed of issues concerning the ward.</p> <p>Part of the problem is felt to be the need for better inter-department communication as well as communications between officers and members. Would the Leader ensure that, in the interests of good and effective working relationships, communications are improved and officers are encouraged to engage with members and fully support the Ward Member role as outlined in the Member Officer protocols so that ward members can carry out their duties for their local area effectively?</p> <p>Councillor Cereste responded:</p> <p>Officers should engage with Members and support the Ward Member role. I suggest that if it is failing, he take it up with the Officer in question and if that then fails, then please come and see me or the Chief Executive.</p> <p>Councillor Ash asked the following supplementary question:</p> <p>The Leader has done that on my behalf in past when I have had a problem, but the main issue here is that Senior Officers need to have the information to tell us. Does he agree that it would help localism if Councillors could pass on information when it is requested so that local issues are dealt with and organisations understand what is happening?</p> <p>Councillor Cereste responded:</p> <p>I and the Group very much support localism, it is Conservative Policy and we want to see it work properly. I would be happy to spend time with you to understand what the issue of concern is and if you can give me examples of where we may have failed then we will try and rectify it.</p>
9	<p><u>Questions with notice by Members to Council representatives of the Fire Authority</u></p>
	<p>None received.</p>

EXECUTIVE BUSINESS TIME

10 Questions with Notice to the Leader and Members of the Executive

1. **Question from Councillor Fletcher**

To Councillor Cereste, Leader of the Council:

The Independent group have asked to be told exactly and truthfully 'what is the total income being derived from the solar panel installation on the ex Freeman's Warehouse'.

Following 'legal advice', the answer to this question has been denied.

Would the leader please explain exactly why and for what possible reason this information should be withheld from the elected members?

Councillor Cereste responded:

Thank you Councillor Fletcher.

Although we try to be as open as possible about what we do as a Council, there are times when the Council has to act in a commercial way. This is so that we can produce the best return possible on the money the public entrust to us to run their services. Those commercial dealings are often private, so that the Council can protect its interests and protect its investment.

We are not saying that we will never release this information to you. We are saying that for a limited time only this information is confidential and, in time, we will tell Members what they want to know about the income from this project."

Councillor Fletcher asked the following supplementary question:

I would like to ask the Leader what he thinks is so confidential about letting this Chamber of Councillors know what the income is from a project which costs £1m and it also costs £62k/£65k per year now in repayments. By refusing to divulge the present income now being derived from this project it could be assumed that the income does not exceed the outgoing costs. Therefore the Freemans project must have had a business case associated with it, this should have contained a cash flow and projected return, it should also have a risk register which would have identified the risks to the Council and hence those risks that the tax payer was exposed to. Was that method used? Was there a risk assessment done beforehand and if there was, why can't we be open and honest about it and say the Freemans project is earning us this amount of money; if it was earning that amount of money you would be shouting about it from the rooftops and it would set up your solar project at Newborough. Because if you aren't making money you would have a bit of difficulty saying you wouldn't make money there, at Newborough. But at Newborough it would bankrupt this Council, please minute that, because I would like in years to come for that statement to be read.

Councillor Cereste responded:

I couldn't answer the question because it is commercially confidential, therefore how would he expect me to respond to what he has just said again, so I believe I am acting in the best interests of the Council. No doubt, in a few months time when I can come forward and give the right information to this Council I shall be judged on what I say and no doubt

	Councillor Fletcher will not forget.
2.	<p>Question from Councillor Shabbir</p> <p>To Councillor Fitzgerald, Cabinet member for Adult Social Care:</p> <p>The consultation on the service changes and charges within adult social care has raised concerns regarding appropriate notification to those affected by the changes including letters that have gone out late that have resulted in people not being notified in time. As an example letters sent out for the consultation on the 12th of January were dated the 7th, franked on the 11th and therefore would not have been received in time. Can the Cabinet Member look at running these consultation sessions again? Also if possible could the Cabinet Member commit to rerun the sessions that were held around Christmas as this is not an ideal time for people to attend?</p> <p>Councillor Fitzgerald responded:</p> <p>Thank you for your question which provides me with the opportunity to re-emphasise the comprehensive nature of the consultation that is underway on the issues of charging changes and eligibility criteria for adult social care.</p> <p>I acknowledge that many of the letters inviting people to consultation events did go out later than would have been ideal. However this was due to changes in the venues that were made following representations made to us by Members. In order to re-book venues and re-draft the letters, there was inevitably some delay with sending them out. I am though confident that everyone received notification of the consultation events that were scheduled and everyone has had plenty of opportunity of attending at least one of those events. The first one where the letters were sent late, was well attended in any event.</p> <p>I am also please to note that officers conducting the consultation listened to the perfectly fair points raised by the public and voluntary sector partners about the venues for consultation events and responded by arranging additional events in the Town Centre as well as those scheduled for the Deaf-Blind UK centre in Hampton.</p> <p>I do not consider that further extending or repeating this consultation exercise is necessary nor will it gain any benefit for those involved, no one has been disadvantaged by those letters going out later than they were originally anticipated to and I am confident that all those affected have the chance to make their views known before the Cabinet is asked to come to a conclusion on these matters.</p> <p>Councillor Shabbir did not have a supplementary question.</p>
3.	<p>Question from Councillor Murphy</p> <p>To Councillor Cereste, Cabinet member for Growth, Strategic Planning, Economic Development, Business Engagement and Environment Capital:</p> <p>A recent perusal of the data concerning energy use and Co2 emissions from the Town Hall and Bayard Place shows that the council's own targets are regularly not being met. Are the targets still council policy in reality and what steps will the administration take to implement its reduction policy and meet Co2 and energy reduction targets?</p> <p>Councillor North responded on behalf of Councillor Cereste:</p> <p>In 2010 the Council voluntarily adopted an ambitious target to reduce its total carbon emissions by 35% over 5 years, from a 2008/09 baseline. By 2011/12 (i.e. third year), a 16.3% reduction had been achieved.</p>

The 35% target remains council policy and the Council continues to actively seek opportunities to reduce carbon emissions from its buildings, fleet vehicles, street lighting and schools as appropriate. The council is also preparing ambitious energy efficiency and renewable energy generation programmes, which further demonstrate its commitment to reducing carbon emissions.

Regular updates on these programmes to reduce our carbon emissions are, and continue to be, given to the Sustainable Growth and Environment Capital Scrutiny Committee.

Councillor Murphy asked the following supplementary question:

I do welcome that the Council set itself some targets in 2010 and from a perusal of Insite and the live data on the Council website, I can see that over the last quarter every month we have failed to meet the target of gas use on this building by 50%. I think we should use some of that money that we are wasting on sending hot air out there, to provide a decent night shelter for the city, for the homeless people that were freezing. Why do you think that is acceptable in this day and age?

Councillor North responded on behalf of Councillor Cereste:

The answer on the Town Hall is that it's a very old building and the heating system is difficult to control in different parts so that it is cool in some parts and warm in others. I agree that is not acceptable and I am working to get that fixed as much as possible which will then provide money for other useful services.

4. Question from Councillor John Fox

To Councillor Fitzgerald, Cabinet Member for Adult Social Care:

In a recent consultation carried out by PCC regarding the Homelessness situation, twelve weeks was given for the consultation period. Why was the consultation period regarding the eligibility criteria for adult social care a lot less, especially when you consider there are far more disabled and vulnerable people that these changes will effect.

Councillor Fitzgerald responded:

Thank you for your question and thank you for drawing my attention to the recent consultation on the housing allocations scheme.

The time given for consultation in the case of proposed changes to Adult Social Care whilst not being 12 weeks, it's actually 10 from the point of when the consultation was agreed by Cabinet, has been reasonable. It is also important that we consider not merely the length of the consultation period, but also its nature and I believe that this consultation from what I have seen so far has been comprehensive.

In effect consultation commenced when the report to 10th December Cabinet meeting was published on at the end of November. Prior to Cabinet meeting the Director arranged briefings of group leaders of all minority parties. There was also coverage in the Peterborough Telegraph and on Radio Cambridge at that time when the public began to engage in the consultation. A letter was sent out to all current service users following the Cabinet meeting to inform them of the decision and to reassure them that there would be no immediate changes. It also indicated that a questionnaire would be sent out after Christmas and consultation events organised in January. Information packs were also prepared and sent out to partner agencies. There were leaflets prepared, easy-read guides and voice-mail line and a facility for web responses.

During this phase of the consultation period a representation was received from one of our partner agencies, Age UK asking for an extension to the consultation period which had been due to conclude on 16th January. This has been agreed and I am pleased to say that consultation will now formally close on 13th February, although any comments received prior to the 21st February will be reported to Cabinet when it considers the outcome of the consultation on 25th February.

I would also want to make it clear that any changes to an individual's entitlement to funded care support, as a result of a change in eligibility criteria, would only arise at the time of the next care review of their needs. Such reviews take place annually and are in effect a further opportunity for consultation on the options available to individuals should their needs or some of their needs no longer fall within their current eligibility criteria.

I want to make it clear, people with significant care needs will not be left vulnerable as a result of any changes to eligibility criteria that might follow on from this consultation. I also want to remind all Councillors that part of the consultation has been to seek views about the sorts of preventative services that the Council should be supporting for those people who are not eligible for funded care support. I urge members to come forward with their positive contributions to this consultation.

Councillor John fox asked the following supplementary question:

What I now want to be reassured on is that you will listen, take the needs of the people it is going to affect - because there are a lot of people who this is going to affect – into account, which I'm sure you will. But could we also guarantee that we have a full breakdown of the results of the consultation?

Councillor Fitzgerald responded:

I'm pleased that you recognise that the Officers are listening and hence the answer to my last question. My understanding so far from talking to Officers is there is no information that would not be available to people. I don't know the precise format for the report yet but there have been 500 people for example leaving messages on the answer phone and all of that information is being collated into a report. I would also remind you that whilst we may make a decision, individuals may not be affected for another year and it would be wrong of me, or you, or any Councillor to get involved as we are not the professionals who decide where somebody fits the criteria or what their needs are in terms of their eligibility or personal issues and I have an assurance from Officers that everybody will be treated and reassessed on a case by case basis, and some people's eligibility may go up, they may go into critical or substantial where they are only at high or moderate at the moment so it's not all one way.

5. **Question from Councillor Sandford**

To Councillor Hiller, Cabinet Member for Housing, Neighbourhoods and Planning:

Is the Cabinet Member aware of research which show that if a child is hit by a car travelling at 30 mph, in 80% of cases they will be killed, whereas if they are hit by a car travelling at 20 mph in 80% of cases they will survive?

In view of this evidence, will he join me in welcoming the recent guidance and on line tool kit issued by the Department for Transport to make it easier for councils to lower speed in built up areas to 20 mph, where this makes sense and where there is support for the move from local people.

A number of councils including Bristol and Islington have implemented such speed reductions. Will he agree to investigate introducing a similar initiative here in

	<p>Peterborough?</p> <p>Councillor Hiller responded:</p> <p>It has long been accepted that a reduction in the lower vehicle speeds results in a reduction in the frequency of collisions and the risk of any injuries sustained proving fatal. The difficulty arises in achieving the reduction in vehicle speeds without the introduction of traffic calming or camera enforcement. The guidance states that introducing 20mph speed limits in the absence of such measures only achieves a 1mph reduction in actual speed and that there should be no expectation on the police to provide additional enforcement when the lower speed reduction has been implemented.</p> <p>In response to Councillor Sandford's specific question, I will of course ask our Highways Officers to investigate the ramifications and approximate costs of introducing an urban scheme of this nature to Peterborough and I will report their findings to Council at a future date. I will ask the Officers to liaise with their counterparts at Cambridge City Council as to why they do not have a scheme of the type suggested by Councillor Sandford.</p> <p>Councillor Sandford was not present and therefore there was no following supplementary question.</p>
6.	<p>Question from Councillor Miners</p> <p>To Councillor Cereste, Leader of the Council:</p> <p>Noting the possible influx of more people coming to Peterborough from the European Union (Bulgaria and Rumania) in the near future, adding pressure to our housing and employment issues, would the Leader be prepared to write to the Prime Minister's office expressing this council's support for a future referendum on UK membership of the EU, or if not, write to express this council's support for the notion that continuing the 'arcane debate' about membership of the EU is damaging jobs and investment in the UK and in this city and should therefore end?</p> <p>Councillor Cereste responded:</p> <p>Both I and my Group is fully supportive of the Prime Minister's initiative and we agree entirely with Conservative Policy over this matter.</p> <p>Councillor Miners asked the following supplementary question:</p> <p>For clarification purposes, does the Leader believe that holding a referendum in the near future on UK membership of the EU will have a chilling effect on local jobs and growth associated with coalition partners?</p> <p>Councillor Cereste responded:</p> <p>I actually believe that holding a referendum would be a good thing as it would get the subject out of the way and finally allow us to get on with whatever we are going to get on with.</p>
7.	<p>Question from Councillor Jamil</p> <p>To Councillor Scott, Cabinet member for Children's Services:</p> <p>Has there been a reduction in the provisions of Children's Centres or services from these buildings over the past year and are there any plans to close any building or reduce services or funding in the near future?</p>

Councillor Scott responded:

As part of the external commissioning process of Children's Centres from the 1st April 2012, a financial saving was made to support the 2012/13 budget position. To enable this reduction to be made and to keep centres open the contract with providers was focused on more targeted support around those families with greatest needs and less on universal services open to all.

For 2013/14, the Council is reviewing the whole of the early years' service provision (which includes Childrens centres) as part of the Council's current budget proposals. This could result in the closure of some children centres in our least deprived areas and providing more targeted support in some other centres.

The consultation is open until the 5th March and the Council would welcome comments on this proposal and any other proposals within the consultation document.

Councillor Jamil asked the following supplementary question:

Can you give me an assurance that any consultation that takes place is as fair and open as possible, and not one where the closures are determined beforehand and we are not going through the process for the sake of going through the process?

Councillor Scott responded:

Assuming that the proposals go ahead within the Budget, I am determined that this will be done in two stages, the first stage will relate to play centres and then we will look at what we can do with children's centres to ensure that the more deprived areas have their services maintained.

8. **Question from Councillor Saltmarsh**

To Councillor Fitzgerald, Cabinet member for Adult Social Care:

A proposal has been made by Cambridgeshire County Council to build and manage a new residential care home for the elderly as their conservative leader believes that this is a better economic option for council tax payers.

In view of this does the cabinet member still think that the decision to close our last two remaining local authority care homes was a correct one?

Councillor Fitzgerald may have responded:

I do indeed still consider that it was the right decision to close our two remaining, outdated care homes. I am also confident that we were correct in deciding not to invest in a replacement care home in the city, as there was and remains sufficient supply of care home beds in the independent sector.

It appears though that Cambridgeshire County Council face a different situation in that I am advised by the Cabinet Member for Adult Social Care that they face a shortage of residential and nursing care home places available to council funded residents, particularly in the south of the County, where there is a particularly strong self-funder market. We do not have such a shortage of care home places, indeed we have been experiencing a decrease in demand for residential care as our policy of supporting the development of extra care housing has developed.

However, whilst the recent press reports talk about the County Council building and

running a new care home, I am sure that the Council will look to see who is best placed to deliver the additional care home capacity that they have assessed is needed, and in the most cost effective way for their Council tax payers.

Should the circumstances change for us and there looked as if there was a potential shortage in supply for Peterborough, we may consider a similar approach but again it would be highly unlikely that the Council would consider building and running a care home itself, partly due to the costs involved, but also because the expertise in management of care homes increasingly exists within the independent sector.

COUNCILLOR SANDFORD, PROPOSED AMENDMENT TO RECOMMENDATIONS IN ITEM 15(a), REVIEW OF MEMBERS' ALLOWANCES SCHEME:

Council welcomes the report of the Independent Panel on Members' Allowances and agrees to implement the proposed new allowances in a phased manner as follows:

1. Implements the proposed increases in the basic allowance and special responsibility allowances over a period of five years (as shown below in table 1); and
2. Implements the proposed decreases in the special responsibility allowances with immediate effect from the beginning of the 2013/14 financial year.

TABLE 1

	Current Scheme (£)	2013/14	2014/15	2015/16	2016/17	2017/18
		Phased proposed allocation	Phased proposed allocation	Phased proposed allocation	Phased proposed allocation	Phased proposed allocation
<u>Basic Allowance</u>						
Basic Allowance per member	7,166	7,593	8,020	8,446	8,873	9,300
<i>inc telephone & subsistence</i>	7,962	8,389	8,816	9,243	9,669	10,096
Basic Allowance - Totals						
Basic Allowance	408,459	432,787	457,115	481,443	505,771	530,100
Telephone Allowance	32,415	32,415	32,415	32,415	32,415	32,415
Subsistence Allowance	12,965	12,965	12,965	12,965	12,965	12,965
Total Basic Allowance	453,839	478,167	502,495	526,823	551,151	575,479
<u>Special Responsibility Allowance (SRA)</u>						
Leader of The Council	21,498	22,778	24,059	25,339	26,620	27,900
Deputy Leader	16,123	15,186	16,040	16,894	17,747	18,601
Cabinet	100,323	79,724	84,205	88,687	93,168	97,650
Cabinet Advisors	21,498	17,084	18,044	19,004	19,965	20,925
Chair of Planning & Environmental Protection Committee	7,166	5,695	6,015	6,335	6,655	6,975
Chair of Licensing Committee	7,166	5,695	6,015	6,335	6,655	6,975
Chair of Audit Committee	7,166	5,695	6,015	6,335	6,655	6,975
Independent Member of Audit Committee	785	785	785	785	785	785
Chair of Employment Committee	1,791	1,424	1,504	1,584	1,664	1,744
Chair of Scrutiny Commissions	14,332	11,389	12,029	12,670	13,310	13,950
Chair of Scrutiny Committee	21,498	17,084	18,044	19,004	19,965	20,925
Chair of Neighbourhood Councils	21,498	-	-	-	-	-
Leader of Opposition Group - Distributed	7,166	5,695	6,015	6,335	6,655	6,975
Chair of Standards Committee	1,569	1,569	1,569	1,569	1,569	1,569
Independent Members of Standards Committee	785	785	785	785	785	785
Total Special Responsibility Allowance	250,363	190,585	201,122	211,659	222,196	232,734
Total (£)	704,202	668,752	703,616	738,481	773,347	808,213

COUNCILLOR HARRINGTON, PROPOSED AMENDMENT TO RECOMMENDATIONS IN ITEM 15(a), REVIEW OF MEMBERS' ALLOWANCES SCHEME:

Council welcomes the report of the Independent Panel on Members' Allowances and agrees to implement a proposed scheme as follows:

3. There be no increase to the basic allowance received; and
4. The calculations for the Special Responsibility Allowances based on a percentage of the Leader's allowance be introduced (see extract below and Table 1 below):
 - That the Deputy Leader's SRA should be paid at the rate of 66.67% of the Leader's SRA to recognise the role of Deputy in addition to the post holder's Cabinet responsibility.
 - That Cabinet members receive an SRA which is 50% of that paid to the Leader of the Council.
 - That Cabinet Advisors receive an SRA which is 25% of the Leader's SRA.
 - That the Chairmen of Regulatory Committees (Planning, Licensing and Audit) receive an SRA which is 25% of the Leader's SRA.
 - That the Chairman of the Employment Committee receives an SRA which is 6.25% of the Leader's SRA.
 - That the SRAs payable to Chairmen of Scrutiny Commissions and Committees be paid at 25% of the Leader's allowance.
 - That the SRAs paid to Chairmen of Neighbourhood Committees be discontinued.

TABLE 1

**Option 1 - Basic Allowance remains the same as current
implement proposed SRA allocation in 13/14**

	Current Scheme	Proposed Scheme	Details of Proposed scheme	2013/14 Basic at current level implement proposed SRA allocation
Basic Allowance				
Basic Allowance per member	7,166	9,300		7,166
<i>Amount per member including telephone & subsistence</i>	<i>7,962</i>	<i>10,096</i>		<i>7,962</i>
Basic Allowance - Totals				
Basic Allowance (G2300 09520)	408,459	530,100		408,459
Telephone Allowance (G2300 10630)	32,415	32,415		32,415
Subsistence Allowance (G2300 09410)	12,965	12,965		12,965
Total Basic Allowance	453,839	575,479		453,839
Special Responsibility Allowance (SRA)				
Leader of The Council	21,498	27,900	3* Basic	21,498
Deputy Leader	16,123	18,601	66.67% of Leader	14,333
Cabinet	100,323	97,650	50% of Leader Allowance	75,242
Cabinet Advisors	21,498	20,925	25% of Leader Allowance	16,123
Chair of Planning & Environmental Protection Committee	7,166	6,975	25% of Leader Allowance	5,374
Chair of Licensing Committee	7,166	6,975	25% of Leader Allowance	5,374
Chair of Audit Committee	7,166	6,975	25% of Leader Allowance	5,374
Independent Member of Audit Committee	785	785	Set amount	785
Chair of Employment Committee	1,791	1,744	6.25% of Leader Allowance	1,344
Chair of Scrutiny Commissions	14,332	13,950	25% of Leader Allowance	10,749
Chair of Scrutiny Committee	21,498	20,925	25% of Leader Allowance	16,123
Chair of Neighbourhood Councils	21,498	-	nil	-
Leader of Opposition Group - Distributed	7,166	6,975	25% of Leader Allowance	5,374
Chair of Standards Committee	1,569	1,569	Set amount	1,569
Independent Members of Standards Committee	785	785	Set amount	785
Total Special Responsibility Allowance	250,363	232,733		180,048
Total	704,202	808,212		633,887
IMPACT YEAR 1			Total saving 13/14	- 70,315

FULL COUNCIL	AGENDA ITEM No. 4
6 MARCH 2013	PUBLIC REPORT

MAYOR'S ANNOUNCEMENTS

1. PURPOSE OF REPORT: FOR INFORMATION

This report is a brief summary of the Mayor's activities on the Council's behalf during the last meetings cycle, together with relevant matters for information.
(Events marked with * denotes events attended by the Deputy Mayor on the Mayor's behalf).

2. ACTIVITIES AND INFORMATION – From 31 January to 3 March 2013

Attending	Event	Venue
Mayor, Mayoress and Deputy Mayor	Charity Committee	Bourges Room
Mayor and Mayoress	Concert in aid of the Sue Ryder Thorpe Hall Hospice, Peterborough followed by a post-concert supper at the Bull Hotel	Peterborough Cathedral
Mayor, Mayoress, Deputy Mayor and Deputy Mayoress	Jazz Breakfast	The Peterborough School
Mayor and Mayoress	ATC Sunday Parade	St John's Church
Deputy Mayor and Deputy Mayoress	Peterborough Photographic Society - 125th Anniversary Exhibition	Community Exhibition area of the Peterborough Museum
Mayor and Mayoress	Carluccio's Peterborough Launch Party	Carluccio's
Mayor and Mayoress	The Voyager Academy presents Les Miserables School Edition	The Voyager Academy
Mayor and Mayoress	The Mayor of Grantham's Charity Variety Show	The Guildhall Theatre
Mayor and Mayoress	Mayor of Haverhill's Fundraising Dinner and Comedy Evening	Haverhill Arts Centre
Mayor and Mayoress	Meeting with Holiday Inn regarding the Mayor's Ball	Holiday Inn
Mayor and Mayoress	LGBT History month event 2013	Town Hall
Mayor and Mayoress	Janus Theatre Group presents Aladdin Pantomime	St John's Hall
Mayor and Mayoress	King's Lynn Opening Ceremony of the Mart	Stone Hall, Town Hall, Kings Lynn
Mayor and Mayoress	The Norwich and Eastern Counties Section of The Showmens Guild - Buffet Luncheon	The Dukes Head Hotel
Mayor and Mayoress	Charity Committee	Forli Room
Mayor and Mayoress	Mayor of Bourne - A Special Musical Evening	Bourne Abbey Church
Mayor and Mayoress	Presentation of new Mitre for the Bishop	Peterborough Cathedral
Mayor, Mayoress, Deputy Mayor and Deputy Mayoress	Charity Valentine's Dinner	Reception Room
Mayor and Mayoress	25th Annual Multiple District Lioness Conference	Holiday Inn Peterborough

Attending	Event	Venue
Mayor and Mayoress	MD Lioness Annual Convention Dinner	Holiday Inn Peterborough
Mayor and Mayoress	Valentine's Fan Exhibition Tea at Island Hall	Island Hall Godmanchester
Mayor and Mayoress	Visit Enterprise for photo opportunity with Hungry Harry	Nursery Lane
Mayor and Mayoress	Visit Duke of Bedford School	Duke of Bedford School
Mayor and Mayoress	Citizenship Ceremony	Council Chamber
Mayor and Mayoress	The Peterborough School Founders' Day Service followed by lunch at The Peterborough School	Peterborough Cathedral / The Peterborough School
Mayor and Mayoress	Peterborough Youth MP Election Night	Town Hall
Mayor and Mayoress	Keeping Learning Disability Healthy	1st Floor Town Hall
Mayor and Mayoress	East Northamptonshire Council Chairman's Charity Dinner	The Courtyard Hotel
Mayor and Mayoress	Children in Care Awards 2013	Bushfield Leisure Centre
Mayor and Mayoress	Fair Trade Coffee Morning	Reception Room, Town Hall
Mayor and Mayoress	High Sheriff's Award Scheme Presentations	Bottisham Village College
Mayor, Mayoress and Deputy Mayor	Charity Coffee Morning	Reception Room
Mayor and Mayoress	Meeting with Peterborough Poet Laureate	The Parlour
Deputy Mayor and Deputy Mayoress	"Peterborough Then and Now" Book Launch	Waterstones, Peterborough
Mayor, Mayoress and Deputy Mayor	Charity Committee	The Parlour
Mayor and Mayoress	Nene Valley Railway Ltd - Fletton Branch Opening	Wansford Station
Deputy Mayor and Deputy Mayoress	Vivacity - La Belle Epoque Private View	Peterborough Museum
Mayor and Mayoress	Mayor of St Neots Annual Charity Ball	Great Hall, The Priory Centre
Mayor and Mayoress	Greater Peterborough Model Show	Town Hall
Mayor and Mayoress	Mayor of Stamford Civic Dinner and Dance	Burghley Golf Club

3. BACK GROUND DOCUMENTS (IN ACCORDANCE WITH THE ACCESS TO INFORMATION ACT 1985)

None.

4. DIRECTOR RESPONSIBLE

Gillian Beasley.

COUNCIL	AGENDA ITEM No. 12
6 MARCH 2013	PUBLIC REPORT

**EXECUTIVE REPORT – FOR INFORMATION
RECORD OF EXECUTIVE DECISIONS**

1. DECISIONS FROM CABINET MEETING ON 4 FEBRUARY 2013

BUDGET AND MEDIUM TERM FINANCIAL STRATEGY

Cabinet received a report presenting budget proposals for 2013/14 through to 2022/23, in line with the provisional local government finance settlement for 2013/14 and in advance of some Department for Education specific grants being announced. The report contained three key sections and set out proposals for consultation to enable Cabinet at its meeting on 25 February to make recommendations to be made to the meeting of Full Council on 6 March 2013:

- Cabinet report and summary of council funding implications, including proposals on council tax;
- The draft MTFs, including capital strategy, asset management plan and Treasury Strategy. This will allow consultation to take place on these elements; and
- The budget consultation document to enable scrutiny, stakeholder and public consultation.

Cabinet considered the report and **RESOLVED** to agree:

1. The following as the basis for the next stage of the budget consultation and in light of the announcement of the local government provisional settlement for 2013/14:
 - a) That the MTFs is set in the context of the council priorities.
 - b) The Budget monitoring report as the latest probable outturn position for 2012/13.
 - c) The draft revenue budget for 2013/14 and indicative figures for 2014/15 to 2022/23 (including the capacity bids and saving proposals).
 - d) The draft capital programme for 2013/14 to 2022/23 and associated capital strategy, treasury strategy and asset management plan.
 - e) The proposed council tax freeze in 2013/14 and indicative increases for planning purposes of 2% for 2014/15 to 2022/23.
 - f) To spend at the level of the Dedicated Schools Grant for 2013/14 to 2022/23.
 - g) The proposals for reserves and balances.
 - h) The proposals for setting fees and charges for 2013/14 including the indicative fees and charge increases for 2014/15 and 2015/16.
 - i) The proposal for the deferral of mandatory implementation of auto enrolment of pensions for employees until 30 September 2017.
2. To approve the budget proposals as the basis to consult with Scrutiny, Staff, Unions, Stakeholders and the public;
3. To note and have regard for the continuing uncertainty of national public finances, the impact that dwelling and business growth locally will have in future funding arrangements and the next Spending Round being published in the first half of 2013; and

4. To note that government grants will not be confirmed until the final settlement is released in February 2013.

Cabinet further **RESOLVED**:

5. To include, "Keeping our communities safe and cohesive", as an additional council priority.

ANNUAL AUDIT LETTER

Cabinet received a report following a referral from the Council's External Auditor (PriceWaterhouseCoopers) and the Audit Commission Relationship Manager. Cabinet was asked to consider and respond to the Annual Audit Letter for 2011/12, prepared jointly by our external auditors PriceWaterhouseCoopers (PwC) and the Audit Commission Relationship Manager.

Cabinet considered the report and **RESOLVED** to:

Approve the Annual Audit Letter 2011/12.

OUTCOME OF PETITIONS

Cabinet received a report updating it on the progress being made in response to petitions in accordance with Standing Order 13 of the Council's Rules of Procedure.

Councillor Cereste introduced the report.

Cabinet considered the report and **RESOLVED** to:

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

DECISIONS FROM CABINET MEETING ON 25 FEBRUARY 2013

TRANSFER OF PUBLIC HEALTH

Cabinet received a report describing the responsibilities and implications of the transfer of certain Public Health functions from Peterborough Primary Care Trust (PPCT) to the Council under the Health & Social Care Act 2012 ("the Act"), with effect from 1st April 2013.

Cabinet considered the report and **RESOLVED** to:

1. Note that the Council will become responsible for the delivery of certain public health functions with effect from 1st April 2013, and will acquire statutory responsibilities under the Health & Social Care Act 2012;
2. Authorise the Chief Executive to make arrangements for the appointment by the Council of a Director of Public Health for Peterborough, in line with Department of Health proposals following the Health & Social Care Act 2012 ("the Act");
3. Note the national approach taken to transferring staff from the Peterborough Primary Care Trust (PPCT) to the Council including the implications for the initial transitional structure for the public health function at the point of transfer from 1st April 2013 (paragraph 4.14 refers);
4. Note the ring fenced public health grants of £8,446,100 for 2013/14 and £9,290,700 for 2014/15;

5. Note that the Council will need to review its structures and priorities to ensure that its responsibility for public health is fully aligned with its existing core business;
6. Authorise the Solicitor to the Council to conclude arrangements for contracts for Public Health Services, including, as appropriate, entering into new contracts, novating contracts or extending and novating existing contracts to the Council, to enable the public health functions to continue to be delivered following transfer of responsibilities;
7. Authorise the Solicitor to the Council, in consultation with the Cabinet member for Adult Social Care, to sign a business Transfer Agreement with PPCT;
8. Note that a report will be presented to Council at its meeting on 6th March to agree to update the Constitution to note the leader's scheme of delegations and also to make provision for the Health & Wellbeing Board.

REVIEW OF CHARGING POLICY AND ELIGIBILITY CRITERIA FOR ADULT SOCIAL CARE SERVICES

Cabinet received a report detailing and requesting it consider the results of the consultation on a number of measures designed to increase the emphasis on promoting independence and prevention amongst people with developing social care needs and to revise the eligibility criteria for Adult Social Care from April 2013. The report also requested consideration of the results of the consultation on a number of changes to the Adult Social Care charging policy, including a review of the Disability Related Expenditure Disregard in the financial assessment, the introduction of new charges for assistive technology and the appointeeship service, and the removal of the subsidy for the home meals service.

Cabinet considered the report and **RESOLVED** to:

- 1) Note the responses received to the consultation with social care users, carers, staff and partners (appendix 1) on proposals to revise the council's eligibility criteria for council supported social care services, to extend access to reablement and the range of preventative services available to people with care needs who fall below eligibility criteria, modifications to the Adult Social Care charging policy and the removal of the subsidy to the home meals service.
- 2) Agree the following recommendations for implementation, which have been amended to reflect feedback received, together with the findings from the Equality Impact Assessment:
 - a) Raise eligibility criteria for Adult Social Care from high/moderate to critical/substantial in line with Department of Health categories with effect from April 2013 for new service users and for existing service users from the date of their annual review or sooner if there is a change in circumstance which merits earlier review;
 - b) Provide access to a period of reablement to all existing and new service users who would benefit;
 - c) Offer a longer term transition plan to younger adults with long term conditions including those who fall below critical/substantial needs;
 - d) Re-commission and further invest in 'a preventative offer' available to the wider community;
 - e) Introduce the banded disability disregard (as specified in section 4.8);
 - f) Introduce a charge for assistive technology ranging from £2.88 to £6.44 per week depending on the equipment provided;
 - g) Change the qualifying pension age of 60 to "Pension qualifying pension age" to reflect national changes which will come into force;

- h) Introduce an administrative charge of £5 per week where the local authority acts as appointee for service users who lack capacity in line with good practice guidance issued by the association of Public Authority Deputies;
- i) In the light of feedback, modify the proposal regarding the subsidy on home meals to allow for a phasing of its removal in respect of hot meals over two years, resulting in an increase from £3.20 to £4.20 per meal from 1 April 2013 rising to £5.20 from 1 April 2014; and
- j) Increase the charge for frozen home meals from £2.00 to £2.60 per meal from 1 April 2013.

CHILDREN'S SERVICES UPDATE

Cabinet received a report giving details of improvement actions undertaken since the November Cabinet meeting in response to the findings of the Ofsted Inspection of Safeguarding carried out in August 2011.

Cabinet considered the report and **RESOLVED** to:

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

2. CALL-IN BY SCRUTINY COMMITTEE OR COMMISSION

Since the previous report to Council, the call-in mechanism has not been invoked.

3. SPECIAL URGENCY AND WAIVE OF CALL-IN PROVISIONS

Scrutiny Procedure Rule 14 and Executive Procedure Rule 7 require any instances where the Council's special urgency provisions have been invoked, and/or the call-in mechanism was not applied, to be reported to the next available meeting of the Council, together with reasons for urgency.

Since the previous report to Council urgency provisions have not been invoked.

4. CABINET MEMBER DECISIONS

CABINET MEMBER AND DATE OF DECISION	REFERENCE	DECISION TAKEN
Councillor Seaton 28 January 2013	JAN13/CMDN/008	<p>Discretionary Rate Relief from Business Rates for Charities, Similar Organisations not Established or Conducted for Profit and Rural Businesses</p> <p>The Cabinet Member:</p> <p>1. Approved the award of Discretionary Rate Relief for charities and similar organisations shown in Appendix A of the report to 31 March 2015; and</p> <p>2. Rejected the applications for awards of Discretionary Rate Relief for charities and similar organisation as shown in Appendix B of the report.</p>

<p>Councillor Seaton</p> <p>28 January 2013</p>	<p>JAN13/CMDN/009</p>	<p>Discretionary Rate Relief from Business Rates for Charities, Similar Organisations not Established or Conducted for Profit and Rural Businesses</p> <p>The Cabinet Member approved the application for award of Discretionary Rate Relief for the organisation listed in Appendix A of the report.</p>
<p>Councillor Seaton</p> <p>30 January 2013</p>	<p>JAN13/CMDN/010</p>	<p>Superfast Broadband Contract Award</p> <p>The Cabinet Member for Resources:</p> <ol style="list-style-type: none"> 1. Agreed that the procurement exercise carried out by Cambridgeshire County Council to identify a preferred supplier for the provision of superfast broadband be on behalf of Peterborough City Council along with Cambridgeshire County Council; and 2. Approved that Cambridgeshire County Council's decision to nominate a preferred supplier for the provision of the Connecting Cambridgeshire Superfast Broadband project will be on behalf on both Cambridgeshire County Council and Peterborough City Council; and 3. Approved that the final decision to appoint a supplier by Cambridgeshire County Council will also apply to Peterborough City Council.
<p>Councillor Seaton</p> <p>6 February 2013</p>	<p>FEB13/CMDN/014</p>	<p>New Risk Based Verification Policy (Draft)</p> <p>The Cabinet Member:</p> <ol style="list-style-type: none"> 1. Approved the Risk Based Verification (RBV) Policy in its draft form for use in the Phase 1 exercise (to start in February 2013 in rolling out an on-line Housing/Council Tax Benefit claim form.) 2. Authorised the Executive Director – Strategic Resources to appoint Xantura Limited as data processor for the RBV hosted web based application under an End User Data Processing Agreement and, in conjunction with the Solicitor to the Council, to determine any issues that may require resolution.
<p>Councillor Seaton</p> <p>13 February 2013</p>	<p>FEB13/CMDN/015</p>	<p>Discretionary Rate Relief from Business Rates for Charities, Similar Organisations not Established or Conducted for Profit and Rural Businesses</p> <p>The Cabinet Member:</p> <ol style="list-style-type: none"> 1. Approved the award of Discretionary Rate Relief for charities and similar organisations shown in Appendix A of the report to 31 March 2015; and 2. Rejected the applications for awards of Discretionary

		Rate Relief for charities and similar organisation as shown in Appendix B of the report.
Councillor Fitzgerald 21 February 2013	FEB13/CMDN/016	<p>Commissioning a Local Healthwatch</p> <p>The Cabinet Member for Adult Social Care:</p> <ol style="list-style-type: none"> 1. Approved the proposed approach to commissioning a local Healthwatch service; 2. Approved the proposed local Healthwatch budget of £198,000 per annum, subject to final funding confirmation. This excludes £12,000 per annum retained by the Council to support contract management costs; 3. Approved the proposed sub-regional joint commissioning arrangements for Healthwatch Independent Complaints Advocacy; 4. Approved the procurement process to purchase a local Healthwatch service; and 5. Authorised the Executive Director of Adult Social Care to award the contracts for the local Healthwatch service in consultation with the Cabinet Member for Adult Social Care, Cabinet Member for Children's Services and the Cabinet Member for Resources.
Councillor Hiller 20 February 2013	FEB13/CMDN/017	<p>Peterborough Historic Environment Record</p> <p>The Cabinet Member approved the adoption the City Council's Historic Environment Record as the register of "sites of archaeological interest" within the terms of the Town and Country Planning (General Permitted Development) Order 1995.</p>
Councillor Cereste 25 February 2013	FEB13/CMDN/023	<p>Establishment of a Local Transport Body and Draft Assurance Framework</p> <p>The Cabinet Member:</p> <ol style="list-style-type: none"> a) Approved the creation of a Local Transport Body for which Cambridgeshire County Council will act as accountable body; b) Agreed the draft Assurance Framework for submission to Government by the end of February 2013; c) Delegated to the Cabinet Member for Housing, Neighbourhoods and Planning in consultation with the Executive Director, Operations the authority to make and agree any minor textual amendments to the Assurance Framework prior to submission to Government; and d) Delegated to the Cabinet Member for Housing, Neighbourhoods and Planning in consultation with the Executive Director, Operations the authority to make and agree any final changes to the Assurance Framework following comments from Government.

<p>Councillor Holdich</p> <p>22 February 2013</p>	<p>FEB13/CMDN/024</p>	<p>Appointment of Authority Governor - Ken Stimpson Community School</p> <p>The Cabinet Member appointed Mr Andrew Ratnett as authority governor nominated by the governing body.</p>
<p>Councillor Holdich</p> <p>22 February 2013</p>	<p>FEB13/CMDN/025</p>	<p>Appointment of Authority Governor - Dogsthorpe Infant School</p> <p>The Cabinet Member appointed Ms Nora Fitzsimons as authority governor nominated by the local authority.</p>
<p>Councillor Walsh and Councillor Seaton</p> <p>25 February 2013</p>	<p>FEB13/CMDN/026</p>	<p>Community Cohesion Action Plan 2012/13 - award of grants to not for profit organisations</p> <p>The Cabinet Members approved the award of funding to Third Sector partners as part of the Community Cohesion action plan for 2012-13 as below:</p> <ul style="list-style-type: none"> • Support funding to address hot spot high tension areas/individuals – Peterborough Racial Equality Council (PREC) £2k; • Support for community newsletters (editing, translation and production costs) Beehive Community Centre (c/o Millfield Medical Centre) - £1k; • Support for a city centre event to recognise and promote volunteering opportunities – Peterborough Council for Voluntary Services (PCVS) - £500; • Supporting the work of the Disability Forum to improve access for disabled people – DIAL Peterborough £2k; • Establishing Inspire Peterborough charity to improve access and choice of disability sports - £21k (DIAL Peterborough); • Supporting the work of the Faith and Communities Network (payment made to All Souls Church on behalf of the Network)- £3k; • Licence for Food Bank – Kingsgate Church - £500; and • To authorise the Executive Director of Operations or the head of service to enter into grant agreements or other suitable legal documents with the above named Third Sector partners.
<p>Councillor Holdich</p> <p>26 February 2013</p>	<p>FEB13/CMDN/027</p>	<p>Locally Agreed Syllabus for Religious Education (RE)</p> <p>The Cabinet Member approved the Locally Agreed Syllabus for Religious Education (RE).</p>

This page is intentionally left blank

COUNCIL	AGENDA ITEM No. 13
6 MARCH 2013	PUBLIC REPORT

EXECUTIVE REPORT – RECOMMENDATIONS

(a) HOUSING ALLOCATIONS POLICY

Cabinet at its meeting of 25 February 2013 received a report updating it on the proposed review of the Common Allocations Policy and requesting it agrees the final draft to be taken to full council for adoption.

IT IS RECOMMENDED that Council adopts the Common Housing Register Allocations Policy

(b) BUDGET 2013/14 AND MEDIUM TERM FINANCIAL STRATEGY (MTFS) TO 2022/23

Cabinet, at its meeting of 25 February 2013, received a report presenting budget proposals for 2013/14 through to 2022/23, in line with the provisional local government finance settlement for 2013/14 and in advance of some Department for Education specific grants being announced. The report contained three key sections:

- Cabinet report and summary of council funding implications, including proposals on council tax;
- The draft MTFS, including capital strategy, asset management plan and Treasury Strategy; and
- The budget consultation document being used for scrutiny, stakeholder and public consultation updated for any changes.

In addition, the report also had regard to the revised budget timetable approved by Full Council at the meeting of 10 October under the council constitution Part 4, Section 6 – Budget and Policy Framework Rules.

Cabinet endorsed the following recommendations for Council to:

1. Have regard to the consultation feedback received to date and statutory advice detailed in the report when determining the budget recommendations, noting that consultation remains open and further updates will be provided.
2. Agree that the following be approved and recommended to Council on 6 March 2013, noting that updates may be necessary if additional information emerges:
 - a) That the MTFS is set in the context of the council priorities.
 - b) The Budget monitoring report as the latest probable outturn position for 2012/13.
 - c) The revenue budget for 2013/14 and indicative figures for 2014/15 to 2022/23 (including the capacity bids and saving proposals).
 - d) The capital programme for 2013/14 to 2022/23 and associated capital strategy, treasury strategy and asset management plan.

- e) The council tax freeze in 2013/14 and indicative increases for planning purposes of 2% for 2014/15 to 2022/23.
 - f) To spend at the level of the Dedicated Schools Grant for 2013/14 to 2022/23.
 - g) The proposals for reserves and balances.
 - h) The proposals for setting fees and charges for 2013/14 including the indicative fees and charge increases for 2014/15 and 2015/16.
 - i) The proposal for the deferral of mandatory implementation of auto enrolment of pensions for employees until 30 September 2017.
3. Note that these recommendations are put forward on the basis of the confirmed local government finance settlement for 2013/14 and best estimates of future local government funding.

IT IS RECOMMENDED that Council adopts the recommendations above for the Budget for 2013/14 and Medium Term Financial Plan (MTFP) to 2022/23.

CABINET	AGENDA ITEM No. 7
25 FEBRUARY 2013	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Peter Hiller Cabinet member for Housing, Neighbourhoods and Planning	
Contact Officer(s):	Adrian Chapman/Paul Phillipson	Tel. 863887 / 453455

THE COMMON HOUSING REGISTER ALLOCATIONS POLICY

R E C O M M E N D A T I O N S	
FROM : Executive Director Operations	Deadline date : 06 March 2013
To note and agree the proposed Common Housing Register Allocations Policy and to agree for the proposed policy to be presented to full council for agreement and adoption.	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet following a referral from the Strong & Supportive Scrutiny Committee on the 16 January 2013.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to provide cabinet with an update on the proposed review of the Common Allocations Policy and for Cabinet to agree the final draft to be taken to full council for adoption.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.3 To take a leading role in promoting the economic, environmental and social well-being of the area.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	YES	If Yes, date for relevant Cabinet Meeting	25/02/2013
Date for relevant Council meeting	06/03/2013	Date for submission to Government Dept (please specify which Government Dept)	n/a

4. THE PROPOSED COMMON HOUSING REGISTER ALLOCATION POLICY

Peterborough City Council currently operates the Peterborough common housing register in partnership with 10 Registered Social Landlords (RSL) that have accommodation in Peterborough.

4.1 Eligibility to join the Housing Register

- 4.1.1 Currently Peterborough operates an open Housing Register, which is open to all who may wish to apply as long as they are 16 or over, except where:

- (i) They do not have a right to reside in the UK, or
- (ii) They have previously been guilty of unacceptable behaviour, which would make them unsuitable to be a tenant.

4.1.2 Having such an open register has meant that over the last few years we have seen a large increase in the number of live applications. As of the 23 December 2012 there were 9878 live applications, these are prioritised into 5 bands determined by the applicant's housing need and are broken down as follows:

416 Applicants in band 1
3351 Applicants in band 2
1343 Applicants in band 3
3455 Applicants in band 4
1313 Applicants in band 5

4.1.3 Unfortunately such is the demand for general needs accommodation most of the applicants in band 4 & 5 will never be successful for an allocation of accommodation.

4.1.4 Last year April 2011- April 2012 we allocated 1258 properties through our choice based lettings scheme. In the same period we accepted 2678 new applications.

4.1.5 The Localism Act 2011 made an amendment to the Housing Act 1996, which gave local authorities the power to set their own qualifying criteria for people who are allowed to join the housing register. This allows councils to restrict entry to the housing register to those who are in the most housing need as well allowing exclusions for other reasons based on local criteria.

4.1.6 The proposed amended allocations policy makes full use of these powers by setting the entry criteria to the housing register to those who are in the most urgent housing need, this includes:

- homeless households
- those who are threatened with homelessness
- those living in insanitary or unsatisfactory housing conditions
- those who need to move for social/welfare reasons, or
- those for whom failure to assist in moving will cause particular hardship

4.1.7 In addition it is proposed that we will only accept applications from those who have a connection with Peterborough. A connection will be established by:

- having lived in the area for 6 of the last 12 months or 3 of the last 5 years
- having immediate family members who live in the area and have done for the last 5 years
- those who are working in the city
- those who need to move to the area for special reasons e.g. in order to receive specialist medical care

4.1.8 Also we propose to exclude applicants who own suitable accommodation or those who have sufficient financial resources from joining the housing register. However this will not apply to those who are over 55 and eligible for sheltered accommodation.

4.1.9 Those who have previously behaved in an unacceptable manner will continue to be excluded from applying. This will be more rigidly defined to the following categories:

- the Council (or in the case of transfers, the relevant Housing Association) is satisfied that the applicant or a member of their household has previously been guilty of unacceptable behaviour, which would make them unsuitable to be a tenant, or
- the applicant or a member of their household has been served with an injunction by a council or their landlord to stop them behaving in a way which causes nuisance or annoyance to others, or

- the applicant or a member of their household has current tenancy arrears in excess of 8 weeks rent, or
- the applicant or a member of their household has any outstanding former tenant arrears

4.1.10 This will mean that a number of applicants who are not considered to be in housing need will be removed from the Housing Register.

4.2 Welfare Reform & the Bedroom Standards Policy

4.2.1 Current benefit rules mean that tenants who are currently living in social housing are not subject to having their property assessed against the size criteria housing benefit uses when assessing eligibility in the private sector. This means that applicants renting a property from a local authority or housing association and rely wholly on benefits income will receive the housing benefit to cover their full rent irrespective of the size of the property they occupy.

4.2.2 Changes brought about by the Welfare Benefit reform means that from April 2013 households in receipt of housing benefit who are living in social housing will be assessed to determine what size property they require based on the same criteria as if they were renting in the private sector: The criteria is as follows:

1 Bedroom for: every adult/couple
 any other adult aged 16 or over
 any two children of the same sex
 any two children regardless of sex under age 10
 any other child

4.2.3 Any household assessed under these criteria who is deemed to be occupying a property larger than they require will have their housing benefit reduced by:

- 14% if they are under occupying by 1 bedroom, or
- 25% if they are under occupying by 2 or more bedrooms

4.2.4 The current allocations policy does not mirror this criteria and is more generous in terms of the number of bedrooms we allow applicants to apply for. Our current bedroom standards policy is as follows:

1 Bedroom for: every adult/couple
 any member of the household over 10 years of age
 any two children of the same sex under the age of 10
 (where there is less than 5 years difference between them)
 any other child

4.2.5 We propose to bring the bedrooms standards policy in line with the criteria to be applied from April 2013 as continuing to do so would put families at greater risk of being placed into poverty, as a reduction of housing benefit would mean they would have to find the rent shortfall from other benefit income.

4.2.6 In addition this places an additional burden on our Housing Association partners as they are likely to see an increase in families in rent arrears as they are unable to meet the shortfall in benefit. This could ultimately lead to households being subject to eviction action and becoming homeless as a result. Further details can be found in section 19 page 39 of the draft policy.

4.3 Additional Preference

4.3.1 Recent statutory guidance highlighted that local authorities have the power to frame their allocations policies to give additional preference to particular groups of people. The

guidance recommends that Local authorities consider how they can use their allocation policies to support those households who want to work, as well as those who – while unable to engage in paid employment - are contributing to their community in other ways, for example, through voluntary work.

4.3.2 In addition local authorities have the ability to frame their allocations policy to give additional preference to serving and former members of the armed forces. With this in mind it is proposed that additional preference is awarded to applicants who:

- **Have strong local connections with Peterborough** - Additional preference will be given to applicants who can demonstrate a substantive and long-standing local connection through 5 years continuous settled residence in the city
- **Are working or are in training for work** - Peterborough's economic growth is a key priority for the authority. We want to encourage people, who can, to work and seek to raise levels of aspiration and ambition. We will give additional preference to applicants who are working and who are therefore making a contribution to Peterborough's economy. Working households are defined as households where at least one adult member is in employment within Peterborough unitary authority boundary. For the purposes of this Allocations Scheme employment is described as having a permanent contract, working as a temporary member of staff or being self-employed. Applicants would normally only qualify for the additional preference if the worker has been employed for 9 out of the last 12 months and has been working for a minimum of 16 hours per week. Peterborough City Council does however recognise the important role part-time workers play within the local economy and want to reward those who are making a concerted effort to get back into work. Such activities may include participating in partner RSL's back to work schemes
- **Are making a community contribution** - People who play a part in making their neighbourhood strong, stable and healthy, those who help make it a good place to live, work and play are valuable people. They are the backbone of their community, and they need to be recognised for those efforts. Applicants will receive additional preference if they are able to demonstrate that they, or anyone moving with them, undertakes voluntary work for at least ten hours per month and has done so for at least six months continuously.
- **Are members of the armed forces** – this applies to:
 - Former members of the Armed Forces
 - serving members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
 - bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
 - serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service

This includes people who have served in the Royal Navy, Royal Air Force and British Army, with the exception of those who have been dishonourably discharged.

4.3.3 Applicants who are awarded additional preference would receive priority over an applicant in the same priority band, who does not have additional preference, irrespective of the length of time they have been in the band.

5. CONSULTATION

5.1 Following agreement from cabinet we commenced a 12 week public consultation, which ran from the 6 October 2012 until the 30 December 2012. A consultation questionnaire was sent to all applicants who had a live application on the Common Housing Register; an electronic version of the questionnaire was sent by email to anyone who had previously received a copy of our weekly choice based lettings publication and it was made available

to view on the Council's website where members of the public could complete the questionnaire online.

- 5.2 The consultation period has just concluded and we received 563 completed questionnaires and some additional comments, which have been captured in the summary of responses report.
- 5.3 As part of the consultation process the proposed allocations policy was presented to the Scrutiny Commission for Rural Communities. Following the presentation the commission requested that as part of the amendments, cabinet should consider the possibility of including awarding local preference for allocations to those who have a connection with the villages in local authority area.
- 5.4 Whilst we are not against the idea of awarding additional preference to those who have a particular connection with a village, the purpose of the review of the allocations policy is to meet the needs of those most in housing need. It is felt that it would be unfair to include this provision as it would have a disproportionate effect on those living outside of the villages. If we were to include the provision, in order to not disadvantage others we would have to apply this across the whole of the local authority area. For example an applicant with a connection to Dogsthorpe would receive priority over someone who doesn't even if their priority for a move was lower. This would leave those who have been resident in, or have a connection with a village at a particular disadvantage, as they would only be considered a priority for a property in their village and the numbers of properties available in these locations every year are very few.
- 5.5 We do however encourage village parishes to consider suggesting sites, which could be developed as rural exception sites. An exception site is one that would not usually secure planning permission for housing, for example agricultural land next to but not within a local settlement area. The Council's Policy CS8 Meeting Housing Needs contained within the Peterborough Core Strategy states that the Council may release a site adjacent to a village envelope for the provision of affordable housing, as an exception to the normal policy of development restraint in the countryside, provided that:
- The site is otherwise suitable for residential development in the light of all other policies in the development plan; and
 - A specific local need for affordable housing has been demonstrated, over and above that which could be met through the operation of the affordable housing policy;
 - The proposed housing would provide affordable housing of a number and type which meets (or contributes towards meeting) the **local need**.
- 5.6 A Rural Exception Site should seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection, whilst also ensuring that rural areas continue to develop as sustainable, mixed, inclusive communities.
- 5.7 On the 16th January 2013 the proposed policy and summary of responses was presented to the Strong & Supportive Communities Scrutiny Committee. While the committee were in agreement with the proposed changes they recommended to cabinet that they consider removing the following criteria when assessing an applicant's local connection for entry onto the housing register.
- the applicant or a member of their household has resided in the Council's district for 6 months out of the last 12 months, or 3 out of the last 5 years and that residence is or was of his own choice, unless the reason that they came to the district was to attend an educational establishment
 - the applicant or a member of their household has immediate family (parents, children, brothers, sisters and other family members if there is a particularly close relationship) who have lived in the district for at least the previous 5 years

- 5.8 We recommend that the cabinet does not adopt this proposed change however as the local connection criteria in the proposed policy mirrors that of the local authority agreement in relation to the councils duties to homeless households. If the proposed change is inserted into the final policy the council could find itself in a position where we have a full housing duty to a homeless household, but we are unable to discharge that duty as the household do not meet the eligibility criteria to join the housing register. This would leave the council open to increased costs relating to that households stay in emergency accommodation and possible judicial review.
- 5.9 The committee also requested that cabinet further consider the income level, which is considered sufficient to be able to find and secure suitable alternative accommodation by way of outright purchase, by way of mortgage or renting privately excluded from the housing register. The committee felt that the level of £60,000 was excessive and beyond the reach of most households in Peterborough. They also felt that the proposal to lower this level to £40,000 per annum did not go far enough and asked cabinet to consider reducing the level further to somewhere around £30,000 per annum.
- 5.10 While we recognise that an annual income in excess of £40,200 per annum is beyond the reach of many families in Peterborough we recommend that cabinet agree to this level as reducing it further may dampen the aspirations of those applying to find better paid employment. This would also fly against our proposals to give additional priority to those who are working and contributing to Peterborough's economy as it may appear that we are encouraging households to get into employment, but only to a point and could be counter productive.
- 5.11 In addition many sustainable communities are built on the base of a good mix of residents of differing backgrounds. Restricting the income level too far could compromise this and turn areas with a high density of social housing into areas of high levels of deprivation.

5.12 Changes Following Consultation

Sufficient Resources

- 5.12.1 As part of the changes we intend to restrict entry to the register to those households who have sufficient financial resources to resolve their own housing situation by way of outright property purchase, being able to obtain a mortgage or by renting in the private sector. As part of the consultation we asked how much was a reasonable level of income and/or savings to set as the limit for entry to the register.
- 5.12.2 In the consultation questionnaire we set the limit on income to £60,000 as this was also the lower figure in the High Income Social Tenants Pay to Stay Consultation paper, which the department of communities and local government put out in June and the savings limit to £16,000 as this is the maximum amount of savings you are allowed to still be eligible to receive Housing Benefit.
- 5.12.3 Of those that had responded 267 felt the income limit of £60,000 was too high, 218 felt it was about right and only 40 felt it was too low. Many of the respondents suggested that an income limit of around £40,000 would be more appropriate. Therefore in the final draft of the proposed policy those with a household income in excess of £40,200 will be excluded from applying, except where they are aged over 55 years of age and would like to be considered for sheltered accommodation, but they will only be considered for accommodation of this type.
- 5.12.4 Most of the respondents felt that the savings limit of £16,000 was about right so this will be unchanged in the final draft.

Bedroom Standards Policy

5.12.5 We also propose to amend the current bedroom standards policy to mirror that used by the Department of Work and Pensions in assessing housing benefit entitlement for those renting in the private sector. The criteria are 1 Bedroom for:

- every adult/couple
- any other adult aged 16 or over
- any two children of the same sex
- any two children regardless of sex under age 10
- any other child

5.12.6 Changes as a result of the Welfare Reform Act 2011 due to be implemented in April 2013 mean that any household assessed under these criteria who is deemed to be occupying a social housing tenancy and is in receipt of housing benefit will have a reduction applied. The reductions are:

- 14% if they are under occupying by 1 bedroom, or
- 25% if they are under occupying by 2 or more bedrooms

5.12.7 By bringing the bedrooms standards policy in line with the criteria to be applied from April 2013 we are attempting to reduce the risk of more families being placed into poverty – a reduction of housing benefit would mean they would have to find the rent shortfall from other benefit income.

5.12.8 In addition this places an additional burden on our Housing Association partners as they are likely to see an increase in families in rent arrears as they are unable to meet the shortfall in benefit. This could ultimately lead to households being subject to eviction action and becoming homeless as a result.

5.12.9 As part of the consultation we asked whether the respondents agreed with these proposals. Of those that completed the questionnaires 392 agreed and 61 disagreed, 82 were not sure. While the majority agreed with the proposals many that disagreed made strong comments around the difficulties of children with learning and physical disabilities sharing bedrooms.

5.12.10 Therefore after consulting with the Housing Needs medical advisor we have proposed in the final draft of the policy to allow discretion to award an extra bedroom entitlement to those who require it because they have a member of the household who is disabled and to registered foster carers.

5.13 Summary of proposed changes

5.13.1 The tables at appendix 1 show a summary of the proposed changes to the policy.

6. ANTICIPATED OUTCOMES

6.1 That the proposed policy changes are noted, discussed and agreement given to take to full council for adoption.

7. REASONS FOR RECOMMENDATIONS

7.1 The proposed Allocation Policy has been written to meet the duties of Part VI of the Housing Act 1996, as amended by the Homelessness Act 2002 and with regard to the Communities and Local Government Allocation of Accommodation: guidance for Local Authorities in England June 2012.

7.2 The Localism Act 2011 made an amendment to the Housing Act 1996, which gave local authorities the power to set their own qualifying criteria for people who are allowed to join the housing register. This allows councils to restrict entry to the housing register to those

who are in the most housing need as well allowing exclusions for other reasons based on local criteria.

- 7.3 The proposed amended allocations policy makes full use of these powers by setting the entry criteria to the housing register to those who are in the most urgent housing need. Therefore reducing the number of households on the Housing Register and providing realistic options and expectations for households in housing need in the City.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 To not review the Policy and continue implementing the existing Policy- this would mean the Housing Register would continue to grow in number and households would be housed into properties which they would under-occupy (due to the bedroom standard) their housing benefit would not cover and they would fall into rent arrears.
- 8.2 Review the bedroom standard only – This would mean the Housing Register would continue to grow in number and the households on it would continue to have unrealistic expectations of being re-housed.
- 8.3 Review the Policy but not include the awarding of additional preference – this would not promote full discussion and debate of the policy.
- 8.4 Review the Policy and adopt everything in the Communities and Local Government Allocation of Accommodation: guidance for local authorities in England – this would not take into account Peterborough’s housing needs and issues.

9. IMPLICATIONS

- 9.1 We have sought internal and external legal opinion on the proposed changes to the policy.

10. BACKGROUND DOCUMENTS

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

- Communities and Local Government Allocation of Accommodation: guidance for local authorities in England June 2012
- Part VI of the Housing Act 1996, as amended by the Homelessness Act 2002
- The Localism Act 2011



Hyde Minster
Making a lasting difference



**Peterborough
Homes**



The Common Housing Register Allocations Policy



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

CONTENTS		Page Number
1	Introduction	
2	Aims & Objectives	
3	Scope	
	3.1	Operation of the housing register
	3.2	Nominations agreements
	3.3	Lettings covered by this policy
	3.4	Lettings not covered by this policy
	3.5	Annual Lettings Plan
4	Statement of Choice	
5	Equality & Diversity	
	5.1	Help in applying to join the Housing Register
6	Data Protection & The Freedom of Information	
7	Joining the Peterborough Homes Housing Register	
	7.1	Applications from young people aged 16 or 17
	7.2	Applications from councillors, board members, employees & their close relatives
	7.3	Joint tenancies
	7.4	Who can apply to join the Housing Register?
8	Eligibility	
9	Qualifying persons	
	9.1	Key Workers
	9.2	Indirect Exchanges
	9.3	National Witness Mobility Scheme
	9.4	Multi Agency Public Protection Arrangements (MAPPA)
	9.5	Children Leaving Care
	9.6	Assured tenants of a Peterborough Homes Landlord in defined circumstances
	9.7	Occupants of supported accommodation
	9.8	Exceptions
	9.9	Unacceptable Behaviour
	9.10	Anti Social Behaviour Injunctions
	9.11	Rent Arrears
	9.12	Homeowners and those with sufficient financial resources
	9.13	Local Connection
10	Information required to register	
	10.1	Proofs of identification required
	10.2	Other personal information required to register
	10.3	Applicant's consent and declaration
11	How applications are processed	
	11.1	Confirming application details
	11.2	Changes of circumstances
	11.3	False statements and withholding information

12	How applications are assessed and prioritised		
	12.1	Reasonable preference	
	12.2	Homeless applicants	
	12.3	Applicants owed a homelessness duty	
	12.4	Insanitary and unsatisfactory housing conditions	
	12.5	Disability, mobility and medical needs	
	12.6	Medical or welfare grounds	
	12.7	Hardship grounds	
13	Additional preference		
	13.1	Strong local connection	
	13.2	Working households	
	13.3	Community contribution	
	13.4	Serving and former member of the forces	
14	Deferred priority		
15	Other housing needs		
	15.1	Service occupiers	
	15.2	Under occupation	
	15.3	Sustainable lettings policies	
	15.4	Local lettings policies	
	15.5	Adapted properties	
	15.6	Close family members with no right to succeed	
16	Sheltered accommodation		
	16.1	Standard sheltered accommodation	
	16.2	Extra care/very sheltered accommodation	
17	How choice works		
	17.1	The choice based lettings process	
	17.2	Banding date	
	17.3	Hard to let properties	
	17.4	Number of offers	
18	Property size and type		
19	Notifications of refusing entry to the Housing Register and requests for reviews		
Appendix 1	The Banding Scheme		
Appendix 2	Bedroom Standards Examples		

1. Introduction

This policy is the Council's scheme for determining priorities, and the procedure to be followed, in allocating housing accommodation pursuant to their functions under Part VI of the Housing Act 1996. It explains how Peterborough City Council ("the Council"), working in partnership with a number of social landlords, allocate social housing through Peterborough Homes, a jointly operated choice based lettings scheme ("CBL"). CBL aims to provide applicants with as much choice as possible by openly advertising vacancies and inviting applicants to express their interest in available properties. This system further aims to simplify allocations procedures and provide an open and transparent service to applicants. The following social landlords ("the Peterborough Homes Landlords") and the Council form the Peterborough Homes Partnership:



Cross Keys Homes
Shrewsbury Avenue
Woodston
Peterborough
PE2 7BZ

Tel: 01733 385000
<http://www.crosskeyshomes.co.uk/>

Axiom Housing Association
Axiom House
Maskew Avenue
Peterborough
PE1 2SX



Tel: 01733 347135
<http://www.axiomha.org.uk>



BPHA
Pilgrims House
Horne Lane
Bedford
MK40 1NY

Tel: 01234 791000
<http://www.bpha.org.uk/>



Circle Anglia
Circle Anglia House
1-3 Highbury Station Road
London
N1 1SE

Tel: 020 7288 4000
<http://www.circleanglia.org>



Muir Group
Stable Court
Ferrars Road
Huntingdon
PE18 6DH

Tel: 01480 453234
<http://www.muir.org.uk/>



Accent Nene
Manor House
57 Lincoln Road
Peterborough
PE1 2RR

Tel: 01733 294500
<http://www.accentnene.org/>



Hyde Minster
Jubilee House
92 Lincoln Road
Peterborough
PE1 2SN

01733 349800
<http://www.hyde-housing.co.uk/>



Home Housing Group
39 Broadway
Peterborough
PE1 1SQ

Tel: 0845 1550376
<http://www.homegroup.org.uk/>



ECHG
Riverside House
49 Western Boulevard
Leicester
LE2 7HN

<http://www.echg.org.uk/>



Longhurst Group
Leverett House
Gilbert Drive
Endeavour Park
Boston

Tel: 0845 30 90 700
<http://www.longhurst-group.org.uk/>

The Peterborough Homes Register (“the Housing Register”) is the single register for access to most rented social housing in Peterborough.

With the current level of demand for social housing exceeding supply, the Housing Register exists to enable all households who are in need of re-housing to be included on one list, so maximising their opportunities for re-housing. The scheme seeks to offer choice, while giving reasonable preference to those in the greatest housing need.

By joining the Housing Register, those in housing need can be considered for vacancies, which occur in properties owned and managed by any of the Peterborough Homes Landlords. The aim is to make the task of applying for social housing as simple as possible, requiring only one form to be completed for all social housing opportunities.

Housing is in short supply in Peterborough and waiting times are very long.

The Peterborough Homes Partnership is committed to equal opportunities and to ensuring that everyone is treated fairly.

2. Aims & Objectives

The objectives of this policy include:

- i. providing a single route of access to social housing in Peterborough by using a common housing register and a common allocation scheme
- ii. allocating social housing fairly and transparently, according to the applicant’s assessed priority
- iii. meeting the Council’s statutory duties with regards to homeless households
- iv. preventing where possible the use of bed and breakfast accommodation for homeless families
- v. minimising the cost of homelessness to the Council
- vi. maximising choice for applicants as far as possible, whilst acknowledging that housing is in short supply
- vii. making effective use of the social housing stock in Peterborough
- viii. maximising opportunities for mobility amongst tenants
- ix. helping build and sustain cohesive communities
- x. contributing to the speedy allocation of properties
- xi. recognising and supporting individual needs where appropriate
- xii. enabling Peterborough Homes Landlords to meet their objectives
- xiii. encouraging and supporting sustainable communities
- xiv. encouraging and supporting social and financial inclusion
- xv. ensuring that applicants are treated fairly, individually and in accordance with the commitment of the Peterborough Homes Partnership to equality and diversity
- xvi. providing timely feedback about homes let through the scheme

3. Scope

3.1 Operation of the Housing Register

CBL has been designed to provide consistency across the Council's district. The scheme aims to take account of both the geographical and demographic make up of the area as well as the diversity of Peterborough's population.

The Housing Register is operated and maintained by the Council on behalf of the Peterborough Homes Partnership.

3.2 Nominations agreements

The Council has nominations agreements with the Peterborough Homes Landlords for current housing stock in the city. Nominations agreements for future housing developments will be included in a section 106 agreement. The detail contained in these agreements is not affected or changed by this policy.

3.3 Lettings covered by this policy

This policy sets out the arrangements for allocating social housing in Peterborough by the Council and applies to:

- i. new applicants for an assured tenancy of accommodation
- ii. existing tenants of a Peterborough Homes Landlord who want to transfer to accommodation let by their current landlord
- iii. existing tenants of a Peterborough Homes Landlord who want to transfer to accommodation let by a different Peterborough Homes Landlord

The Peterborough Homes Landlords may facilitate tenant transfers internally. Where this right is exercised void properties will be allocated in line with the individual Peterborough Homes Landlord's policy and the number of properties made available for transfer will be in accordance with the terms of existing nominations agreements.

3.4 Lettings not covered by this policy

The following are examples of lettings not covered by this policy:

- i. assured tenancies of their current homes granted to starter tenants
- ii. transfers of assured tenancies made by court orders
- iii. assignment of and succession to assured tenancies
- iv. mutual exchange of assured tenancies
- v. temporary accommodation offered to homeless families whilst applications under the homeless legislation are investigated
- vi. temporary accommodation to enable the landlord to carry out repairs and improvements to the tenant's existing home

3.5 Annual Lettings Plan

An Annual Lettings Plan will be produced in consultation with the members of the Peterborough Homes Partnership, covering:

- i. the percentage of void properties to be allocated between priority bands as determined by the Council's statutory duties and the charitable or other regulatory requirements of the Peterborough Homes Landlords;
- ii. the level of nominations to be offered to social services and any other organisations;
- iii. the operation of the HOMES scheme or any subsequent replacement scheme;
- iv. nominations to be made to key workers;
- v. the number of voids to be made available for those in designated, short-term move-on accommodation; and
- vi. any other operational issues.

The Annual Lettings Plan is bound by the contents of any nominations agreement. It cannot change the provisions in that agreement.

The Plan will be produced annually and reviewed and amended as and when necessary to ensure that the aims and objectives of this policy are met. Any amendments that amount to a change in policy will be subject to negotiation and ratification by the Peterborough Homes Partnership.

4. Statement of choice

The Peterborough Homes Partnership is committed to offering the greatest choice possible in the allocation of social housing within the Council's district. However, the ability to offer applicants choice has to be balanced against a legal requirement for an allocation scheme to ensure that certain applicants in housing need are given priority.

This is achieved by advertising all social rented housing vacancies within the Council's district and inviting applicants to state which property they would prefer to live in, by registering a 'bid' for the property (see section 17).

Applicants can only bid for a property that is suitable for their household need. Housing will only be allocated to applicants who bid for a specific property. Therefore if an applicant does not bid for a property, they will not be considered for its allocation. The successful applicant will normally be the applicant with the greatest housing need that has been on the Housing Register the longest. There is very high demand for affordable housing in Peterborough, and this demand cannot be fully met from the current social/affordable housing stock. Consequently our expectation is that only those applicants in greatest housing need, will be successful in securing accommodation.

5. Equality and diversity

The Peterborough Homes Partnership is committed to promoting equal opportunities for those requesting or receiving housing services. We aim to deliver quality services without prejudice and discrimination to meet the needs of all the community, regardless of age, cultural or ethnic background, disability, gender, marital status, religious or political persuasion or sexual orientation.

To view the Council's Equality and Diversity Policy please visit the city Council's website at www.peterborough.gov.uk or telephone the Council on 01733 747474.

5.1 Help in applying to take part in the CBL scheme

The Council, Peterborough Homes Landlords and other local organisations are able to provide help to applicants when joining and taking part in the CBL scheme.

In particular, help will be provided to anyone who may have difficulty participating in the scheme; for example, applicants who are disabled, ill, elderly, for whom English is not a first language, or any other reason that might make it harder for them to participate.

Organisations that may be able to assist applicants include:

Peterborough Streets Day Centre
The Salvation Army - Peterborough
Citizens Advice Bureau
Connexions – Peterborough
Cambridgeshire & Peterborough Community Mental Health Team
Peterborough MIND
National Probation Service
Peterborough Women's Aid
Peterborough City Council Leaving Care Team
The New Haven Hostel
Fairview Court
Axiom Young Parents Project
Timestop YMCA
The YMCA Bretton
Aspire Drug Services
Peterborough Drug Intervention Programme
Drinksense Alcohol Services
HMP Peterborough Resettlement Teams
Youth Offending Team
The One Service / St Giles Trust

6. Data protection and freedom of information

Any personal information that the Council holds about applicants will be made available to applicants to view on request. We will use the information provided by the applicant at a registration interview to enable us to assess applications. We may also use the information for issues of child protection, public protection and for preventing and detecting fraud and other criminal offences. This includes information we hold as paper and electronic records. If you would like to access your file, please contact the Council.

7. Joining the Housing Register

Any applicant who is aged 16 or over can apply to join the Housing Register.

7.1 Young people aged 16 or 17

By law, a landlord cannot grant a tenancy to a person under the age of 18.

An application to join the Housing Register by a person aged 16 or 17 will only be accepted if they nominate an adult who can hold a tenancy as their trustee until they are 18.

7.2 Applications from councillors, board members, employees and their close relatives

If a member (i.e. a councillor) or an employee of the Council or a member of the board or an employee of a Peterborough Homes Landlord or a close relative of such a person applies to join the Housing Register, they must disclose their position and/or relationship to the Council.

For these purposes, a person is a “close relative” of another person if they are a member of the other person's family as defined by s.113 of the Housing Act 1985.

7.3 Joint tenancies

If at the date of allocation, the applicant is married or living in a civil partnership or is co-habiting with another person as if they were married or living in a civil partnership, the relevant Peterborough Homes Landlord will grant the applicant and that other person a joint tenancy of the accommodation that is allocated provided that other person is eligible for an allocation. Joint tenancies will not normally be granted to other persons.

7.4 Who can apply to join the Housing Register?

The Council will accept an application to join the Housing Register from any person provided they are:

- i. eligible for an allocation of accommodation;
- ii. a qualifying person.

8. Eligibility

An applicant is not eligible for an allocation of accommodation if they are person from abroad who is ineligible for an allocation under s.160ZA of the Housing Act 1996. There are two categories for the purposes of s.160ZA:

- i. *A person subject to immigration control* - such a person is not eligible for an allocation of accommodation unless he or she comes within a class prescribed in regulations made by the Secretary of State; and
- ii. *A person from abroad other than a person subject to immigration control* - the Secretary of State may make regulations to provide for other descriptions of persons from abroad who, although they are not subject to immigration control, are to be treated as ineligible for an allocation of accommodation.

9. Qualifying persons

Accommodation may only be allocated to qualifying persons. Subject to the exceptions set out below (see section 9.8), an applicant is a qualifying person in any of the following circumstances:

- i. they are entitled to a reasonable preference (see section 12.1 below);
- ii. they are a key worker (see section 9.1 below);
- iii. they are a party to an indirect exchange (see section 9.2 below);
- iv. the application is made pursuant to the National Witness Mobility Scheme (see section 9.3 below);
- v. the application is made pursuant to Multi-Agency Public Protection Arrangements (see section 9.4 below);
- vi. they are a child leaving care (see section 9.5 below);
- vii. they are an assured tenant of a Peterborough Homes Landlord in defined circumstances (see section 9.6 below); or
- viii. they occupy recognised supported accommodation (see section 9.7 below).

9.1 Key Workers

The Council is working with a number of partners to deliver affordable housing for key workers. The arrangements for the nomination will be contained in a separate Key Worker Policy document, which the Council will negotiate with its partners, and will be subject to separate consultation. Priorities under these schemes will be defined in the individual schemes that are produced.

9.2 Indirect exchanges

An indirect exchange occurs when one tenant is offered a vacant property, which will then enable a chain of exchanges to take place and to free up a much-needed property. Such indirect exchanges will be allowed only at the discretion of the Housing Needs Manager where they best make use of all properties involved and where it is reasonable to do so, taking into account supply and demand issues. Mutual exchanges by assignment are not governed by this policy.

9.3 National Witness Mobility Scheme

The Peterborough Homes Partnership support the National Witness Mobility Scheme and may consider at its discretion referrals made to house witnesses. In deciding whether to make an allocation, the Council will take into account the level of risk the applicant is facing and the demand and supply issues at the time in its district.

The Council will liaise with one of the Peterborough Homes Landlord to identify a suitable property and an offer of accommodation will be made directly and outside the CBL scheme.

9.4 Multi Agency Public Protection Arrangements (MAPPA)

All local authorities have a duty to co operate with Multi Agency Public Protection Arrangements (MAPPA). The Council appreciates the importance of accommodation in the resettlement of offenders and hence in the assessment and management of risk.

Where an applicant is subject to MAPPA, the Council will liaise with the MAPPA panel to ensure an appropriate housing solution is sought to meet the needs of the applicant and the community as a whole.

On acceptance of the referral the Council will liaise with one of the Peterborough Homes Landlords to identify a suitable property and an offer of accommodation will be made directly and outside the CBL scheme.

9.5 Children leaving care

A child leaving care is a person:

- i. who has been looked after by the Council for the purposes of s.22 of the Children Act 1989;
- ii. has left care; and
- iii. has had no settled accommodation since leaving care or has applied for an allocation within 6 months of leaving care.

Applicants will be placed into Band 1 and will be eligible for additional preference if they qualify. Appropriate care packages must be in place before an offer can be made.

If the applicant is successful for an allocation prior to their 18th birthday, an adult nominated by the Council's Leaving Care Team will hold the tenancy as their trustee until they are 18.

9.6 Assured tenants of a Peterborough Homes Landlord in defined circumstances

Applicants who are assured tenants of a Peterborough Homes Landlord are qualifying persons if:

- i. they are under-occupying their current accommodation;
- ii. they live in sheltered accommodation and wish to move to alternative sheltered accommodation; or
- iii. they need to move on management grounds.

Tenants must obtain their landlord's permission to transfer in writing.

In general, tenants of Peterborough Homes Landlords who wish to transfer will not be allowed to move until their landlord has carried out an inspection of their property and is satisfied that:

- i. the applicant(s) have held a tenancy for at least twelve months, and
- ii. there are no rent arrears, and
- iii. the property is in good condition, and
- iv. there are no breaches of tenancy conditions.

9.7 Occupants of supported accommodation

Except as set out below, an applicant is a qualifying person if they occupy short-term supported accommodation in the Council's district which is provided by one of the following landlords

- The YMCA Cresset
- Eastlands
- Fairview Court
- The New Haven
- Peterborough Foyer
- The YMCA Timestop

An applicant is not a qualifying person if:

- i. they are guilty of unacceptable behaviour (see section 9.9); or
- ii. they do not have a local connection with the Council's district (see section 9.13).

9.8 Exceptions

An applicant is not a qualifying person in any of the following circumstances:

- i. the applicant or a member of their household has previously been guilty of unacceptable behaviour, which would make them unsuitable to be a tenant (see section 9.9);
- ii. the applicant or a member of their household is the subject of an anti-social behaviour injunction (see section 9.10);
- iii. the applicant or a member of their household is in at least 8 weeks' arrears of accommodation charges (see section 9.11);
- iv. the applicant or a member of their household owes a former landlord accommodation charges (see section 9.11);
- v. the applicant or a member of their household owns a freehold or long leasehold interest in a property or has sufficient financial resources to secure a suitable property by way of purchase or rental in the private sector (see section 9.12) or
- vi. the applicant does not have a local connection with the Council's district. (section 9.13)

9.9 Unacceptable behaviour

An applicant is not a qualifying person if they have been guilty of unacceptable behaviour.

Unacceptable behaviour is behaviour of the applicant or a member of their household which would entitle the Council to obtain at least a suspended possession order on any of grounds 1 – 7 of the Housing Act 1985 of the applicant were a secure tenant of the Council. Such behaviour may include:

- i. failing to pay the rent;
- ii. breaking the terms of a tenancy agreement;
- iii. causing nuisance to neighbours or anti social behaviour;
- iv. being convicted of using the home for immoral or illegal purposes;
- v. being convicted of an arrestable offence committed in, or in the vicinity of the home;
- vi. causing the condition of the property to deteriorate by a deliberate act, or by neglect; and
- vii. making a false statement to obtain a tenancy

9.10 Anti-social behaviour injunctions

An applicant is not a qualifying person if they are the subject of an anti-social behaviour injunction.

Local Authorities, housing trusts or other housing organisations or companies who are landlords can apply for an injunction against a person or a member of their household to stop them behaving in a way which causes nuisance or annoyance to other people living in or visiting the rented property or the area itself. These are known as "injunctions against anti-social behaviour".

Anti-social behaviour can include noise, harassment, drug dealing, racial threats, violence or using property for immoral or illegal purposes.

9.11 Rent arrears

An applicant is not a qualifying person if they have current tenant arrears in excess of 8 weeks' rent or any former outstanding former tenant arrears. Applicants can request a review of a decision where they can first demonstrate that they have entered into a regular arrangement to re-pay the arrears and have maintained that agreement for at least 13 weeks.

9.12 Homeowners and those with sufficient financial resources

Subject to the exception set out below, an applicant is not a qualifying person if they own a freehold or long leasehold interest in a residential property, which it would be reasonable for them to occupy or they have sufficient resources to secure their own accommodation by purchase or by renting privately.

An applicant is also not a qualifying person if their household's gross annual income is in excess of £40,200 per annum, or has savings or assets totalling more than £16,000. They will be considered to have sufficient income to secure a suitable home by purchase or by renting privately. .

An applicant who owns a freehold or long leasehold interest in a residential property, is aged 55 or over and satisfied the criteria for sheltered accommodation (see section 16 below) is a qualifying person but only for the purposes of being allocated sheltered accommodation.

9.13 Local Connection

Subject to the exception set out below, an applicant is not a qualifying person if they do not have a local connection with the Council's district. For these purposes, a person has a local connection with the Council's district if:

- i. the applicant or a member of their household has resided in the Council's district for 6 months out of the last 12 months, or 3 out of the last 5 years and that

- residence is or was of his own choice, unless the reason that they came to the district was to attend an educational establishment;
- ii. the applicant or a member of their household works in the Council's district full- or part-time;
 - iii. the applicant or a member of their household has immediate family (parents, children, brothers, sisters and other family members if there is a particularly close relationship) who have lived in the district for at least the previous 5 years; or
 - iv. there is a need for the applicant or a member of their household to be housed in the district because of special circumstances (special circumstances might include the need to be near special medical or support services which are available only in the Council's district).

Despite not having a local connection with the Council's district, an applicant is a qualifying person in any of the following circumstances;

- i. They are aged 55 or over and satisfy the criteria for sheltered accommodation (see section 16 below) but only for the purposes of being allocated sheltered accommodation.
- ii. They are members of the British regular forces working in the Council's district.
- iii. They are former members of the British regular forces working in the Council's district or are due to leave the forces within the next 12 months whose principal home prior to them joining the forces was in the Council's district.
- iv. Looked after children for whom the Council is responsible who are placed outside the Council's district.
- v. Former asylum-seekers who are leaving asylum support accommodation if their last placement was in the Council's district.

10. Information required to register

Applicants wishing to join the Housing Register will need to complete an application form for housing. Application forms can be downloaded from:

www.peterborough-homes.com, or
www.peterborough.gov.uk/housing/housing_needs

Or to obtain a paper copy of the form contact/visit:

- The Customer Service Centre, Bayard Place, Broadway, Peterborough
- Telephone Housing Needs on 01733 864064
- In the offices of our Housing Association Partners

In all circumstances the Council will require proof of identity, national insurance number, proof of eligibility and proof of an applicant's current address **before** it will

accept an application on to the Housing Register. In the case of joint applicants proof will be required for both applicants.

10.1 Proofs of identification required

The table below shows the identification required to register.

Applicants must provide either:

- i. TWO items from Group A for each applicant; or
- ii. One item from Group A and TWO from Group B

GROUP A	GROUP B
Passport National Identity Card Drivers Licence Birth Certificate	Marriage Certificate NHS Medical Card (Doctors Registration Letter) Bank Card Other Photo Identification

These must be original documents photocopies will not be accepted.

10.2 Other personal information required to register

1. Proof of National Insurance Number	Examples include: National insurance card, recent pay slips, tax credits award letter, child benefit award letter and other correspondence from the DWP or HMRC.
2. Two proofs of the applicants current address	Examples include: Bank Statements, Utility Bill, Medical Card (GP registration letter), tenancy agreement and driver's licence.
3. Identity proofs for dependant children to be housed with the applicant(s)	We will need to see birth certificates and proof of child benefit or tax credits for all dependant children who are to be housed with the applicant(s)
If you are not a British Citizen, but from another EU member state we need to confirm you have a right to reside and are eligible for an allocation of accommodation	
4. Proof of employment, or	Examples include: payslips for your last 2 months employment
5. Proof of self employment, or	Self-employed persons should be able to confirm that they are a self-employed person by providing documents relating to their business such as: a) invoices, b) tax accounts, c) utility bills, and d) current client list
6. Proof of benefits, or	Examples include: DWP award letter
Applicants who have been granted refugee status or have leave to enter or remain in the UK, will need to provide confirmation of their status in the UK	
7. Proof of leave to remain in the UK	Examples include: Original Home Office papers or entry visa endorsements

In cases where an applicant from outside of the UK are unable to provide proof of their status in the UK the Council shall make enquiries with the Home Office's UK Border Agency (UKBA) to confirm their status. The Council will not accept an application until it is satisfied that the applicant(s) is eligible for an allocation of accommodation.

The Council will not register the application if it is not satisfied that the applicant has given sufficient proof of identity and address. In exceptional circumstances a senior manager may agree to accept alternative proofs of identification and/or address.

10.3 Applicant's consent and declaration

Applicants will be required to sign a declaration that:

The information they have provided is true and accurate and that they will notify the Council of any change in circumstances immediately it occurs.

They will be asked to declare any incidents of anti social behaviour that they (or people living with or visiting them) have been involved in either as a victim or perpetrator they consent to the Council verifying the information that they have provided.

This may include checking with:

- a credit reference agency to verify address, household and income details
- checking with their previous and/or current landlords to establish whether tenancy conditions have been adhered to
- checking with the Council's Community Safety team to verify any incidents of anti social behaviour

If the above is not provided the applicant will not be registered because insufficient information will have been given.

11 How applications are processed

All applicants wishing to join the Housing Register will be required to attend an interview with the Council. Applicants will need to attend the interview with their completed application form and the documents relevant to their circumstances listed in sections 10.1 – 10.3.

Once the officer who conducts the interview is satisfied that the applicant has provided sufficient documentation in order to be registered they will update the Housing Register database and carry out an assessment based on the information available at that time.

In most cases further checks will be required in order to confirm eligibility to join the Housing Register or the applicants priority. The officer will make every effort to obtain this information at the Housing Register interview, however where this is not possible the applicant may be required to provide further information.

We will contact the applicant within five (5) working days of the application interview to advise if we require any further information.

Once we have received all of the information we require to process an application we will contact the applicant within ten (10) working days of their application to confirm whether their application has been accepted on to the Housing Register and the priority their application has been awarded.

Applicants who attend their Housing Register interview with insufficient documents to enable the interviewing officer to confirm their identity or eligibility may have their application refused and an interview arranged for an alternative time when the applicant is able to provide further required documentation.

11.1 Confirming application details

It is the applicant's responsibility to provide all of the information the Council requires to make a correct assessment of need. Failure to provide information will result in delays in processing of an application or outright refusal.

All housing applications will be checked prior to being accepted on to the Housing Register. We may contact current and former landlords to confirm applicant's conduct in their tenancy. Any delays in providing this information will result in delays in the processing of an application. We may also check applicant's details with a credit-referencing agency.

In cases where we have requested further information from an applicant if, after a 28-day period, they have not provided the information required, their housing application will be cancelled and any new approach will be dealt with as a new application.

Any applicant who gives false and/or misleading information on their application form and during its processing may have their application cancelled and be considered as guilty of unacceptable behaviour (as defined in section 9.9) or have their application deferred for a period of 12 months (as defined in section 11.3). The Council may also take legal action against the applicant.

Applicants are required to state on the application form whether they or a member of their household has any current and/or former arrears of accommodation charges in respect of any accommodation that they are occupying or have occupied in the past. Failure to notify us of this information may result in their application being cancelled and legal action being taken.

Applicants will be required, where possible, to provide evidence of why they have rent arrears or rechargeable repairs. Applicants will need to provide evidence of payments made or arranged payment plans to reduce any arrears.

Representatives of the Council or the Peterborough Homes Landlords may visit applicants in order to verify medical or other information. Applicants may not be

registered until this has taken place and any queries arising resolved. Visits may take place at any stage whilst an applicant is on the Housing Register.

If an applicant is successful in making a bid for accommodation we will seek to verify that their circumstances are still the same as those described on the application form prior to making an offer of accommodation. If it is found that the applicant's circumstances have changed to the extent that they are now incorrectly banded in a higher band than their circumstances dictate and the Council have not been informed of the change, we will not make you an offer of accommodation. The application will be re-banded and we may take action under section 11.3 (False statements and withholding information).

11.2 Changes of Circumstances

Once placed in a priority band, applicants must notify the Council in writing of any material change in their circumstances that may affect their priority for housing, for example:

- a change of address, for themselves or any other person on the application.
- any additions to the family or any other person joining the application
- any member of the family or any other person on the application who has left the accommodation
- any change in income and/or savings
- any medical or mobility need which will affect the type of accommodation being offered deemed suitable

Applications may be temporarily suspended while the Council assesses the information provided by the applicant and completes further enquiries that may be necessary. The Council will carry out an assessment of each applicant's entitlement to and priority for re-housing on the basis of information which has been provided by the applicant or otherwise received in connection with the applicant.

Where the Council believes that information about the applicant's personal circumstances have been withheld or misleadingly presented, then the Council will reserve the right to withdraw any offer of accommodation made and may take action as described in section 11.3.

11.3 False statements and withholding information

Section 171 of the Housing Act 1996 states:

A person commits an offence if, in connection with the exercise by a local housing authority of their functions under this Part,

- i. he knowingly or recklessly makes a statement which is false in material particular, or
- ii. he knowingly withholds information which the authority have reasonably required him to give in connection with the exercise of those functions.

Where an applicant is found guilty of giving false information they will be excluded from the Housing Register for a period of 12 months, and where false information has resulted in the applicant being allocated accommodation, The Council or the relevant Peterborough Homes Landlord may bring possession proceedings for recovery of the property that was allocated to them.

12. How applications are assessed and prioritised

Applicants on the Housing Register will have their individual housing needs assessed and will be placed into the most appropriate application category as defined in Appendix 1. The application category will determine, which of the 5 priority bands they will be placed into. In order to correctly assess applications applicants will be required to attend an interview and a home visit may be carried out. Home visits will be carried out ad hoc and applicants may not be warned in advance.

Tenants of Peterborough Homes Landlords wishing to transfer to alternative accommodation will be assessed in the same way.

12.1 Reasonable Preference

An applicant has a reasonable preference if they are:

- i. are homeless (within the meaning of Part VII of the Housing Act 1996) (see section 12.2);
- ii. are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under section 192(3) (see section 12.3);
- iii. occupy insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions (see section 12.4);
- iv. need to move on medical or welfare grounds, including grounds relating to a disability (see sections 12.5 – 12.6); and
- v. need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship to themselves or to others (see section 12.7).

12.2 Homeless applicants

Applicants who present to the Council as homeless or threatened with homelessness within the next 28 days, will be assessed to determine whether they are owed a duty by under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985). While this assessment is being undertaken applicants will be awarded Band 2 priority except where they do not have a local connection with the Council's district.

12.3 Applicants owed a homelessness duty

Applicants who are owed a duty by any housing authority under section 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) will be awarded Band 1 priority except where they do not have a local connection with the Council's district. Applicants who are found to have no priority need and are owed a duty under s.192(2) or are found to be intentionally homeless and are owed a duty under section 195(5) will be placed into Band 2.

The Council may allocate accommodation to such applicants by:

- i. by the applicant bidding under the CBL Scheme;
- ii. by the Council bidding on behalf of the applicant: or
- iii. by the Council making a direct offer to the applicant.

12.4 Insanitary or overcrowded housing and unsatisfactory housing conditions

Accommodation is overcrowded if it is not of sufficient size to ensure that the bedroom requirements in section 18 are met.

The following are examples of insanitary housing and unsatisfactory housing conditions:

- Accommodation lacking a bathroom or kitchen or inside toilet
- Accommodation lacking hot or cold water supplies, electricity, gas, or adequate heating
- Accommodation which is subject to a statutory nuisance

Priority will be awarded where it is identified there are category 1 hazards however the Council will seek to remedy the hazards by way of enforcement notices and where necessary by carrying out works in default. Where the hazards are remedied priority will be withdrawn. (This could result in the applicant being removed from the Housing Register if they are no longer considered to be a qualifying person)

12.5 Disability, mobility and medical needs

In the case of applicants with access needs, which are not met by their existing accommodation, we will consider, together with the applicant, whether their needs would be better served by staying put in their current accommodation, if appropriate aids and adaptations were put in place.

Applicants who feel they need to be rehoused on medical grounds will be required to complete a separate medical assessment form giving details of their health problems, how their current accommodation affects their condition and how re-housing will help.

The Council will consider advice before determining the level of priority that will be given. The advice will be sought either from the Council's medical advisor who is an

internal suitably qualified or experienced officer such as an occupational therapist or from an external advisor where necessary.

The priority awarded will be categorised as, overriding (band 1), high (band 2), medium (band 3) or low (band 4).

Applicants should note that whilst advice will be sought, the Council will make the final decision. In some cases the Council may feel that in the circumstances it is not appropriate or reasonable to accept the advice. If this is the case the applicant will be notified in writing and reasons will be given.

12.6 Medical or welfare grounds

Priority will be given to those needing to move on medial or welfare grounds. These encompass a wide range of needs, including, but not limited to, the need to:

- Provide a secure base from which a care leaver, or a person who is moving on from a drug or alcohol recovery programme, can build a stable life
- Provide accommodation, with appropriate care and support, for those who could not be expected to find their own accommodation, such as young adults with learning disabilities who wish to leave the family home so that they can live independently within the community
- Provide or receive care or support, including foster carers, those approved to adopt, or those being assessed for approval to foster or adopt, who need to move to a larger home in order to accommodate a looked after child or a child who was previously looked after by a local authority.
- To access specialised medical treatment

12.7 Hardship grounds

Priority will be given to those needing to move to a particular locality in the Council's district, where failure to meet that need would cause hardship (to themselves or to others), for instance to take up a particular employment, education or training opportunity.

13 Additional Preference

Applicants will be awarded additional preference will be awarded where:

- i. they have a strong local connection with the Council's district:
- ii. they have a commitment to and contribute towards the economic growth of the Council's district as working households:
- iii. they make a significant impact by their contribution to their local community, or
- iv. they are a former member of the regular forces (where the application is made within 5 years of discharge).
- v. they are entitled to a reasonable preference and have urgent housing needs and:
 - a) they are serving in the regular forces and suffering from a serious injury, illness or disability which is attributable (wholly or partly) to their service;

- b) they formerly served in the regular forces;
- c) they have recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of their spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service; or
- d) are serving or have served in the reserve forces and are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to their service.

Applicants who are awarded additional preference are given priority over an applicant in the same priority band, who does not have additional preference, irrespective of the length of time they have been in the band.

13.1 Strong local connection

Additional preference will be given to applicants who can demonstrate a long-standing local connection through 5 years' continuous settled residence in the Council's district.

13.2 Working Households

Peterborough's economic growth is a key priority for the authority.

We want to encourage people to work and seek to raise levels of aspiration and ambition. We will give additional preference to applicants who are working and who are therefore making a contribution to Peterborough's economy.

Working households are defined as households where at least one adult member is in employment within the Council's district. For this purpose employment means having a permanent contract, working as a temporary member of staff or being self-employed.

Applicants would normally only qualify for the additional preference if the worker has been employed for 9 out of the last 12 months and has been working for a minimum of 16 hours per week. The Council does however recognise the important role part-time workers play within the local economy and want to reward those who are making a concerted effort to get back into work. Such activities may include participating in Peterborough Homes Landlord's back-to-work schemes. In cases where special circumstances present themselves additional priority may be awarded at the Council's discretion.

13.3 Community contribution

People who play a part in making their neighbourhood strong, stable and healthy, those who help make it a good place to live, work and play are valuable people. They are the backbone of their community, and they need to be recognised for those efforts.

Applicants will receive additional preference if they are able to demonstrate that they, or anyone moving with them undertakes voluntary work for at least ten hours per month and has done so for at least six months continuously, or they are registered with Peterborough City Council as an approved foster carer.

13.4 Serving and former member of the forces

Additional priority will be awarded to the following classes of armed forces personnel:

- i. former members of the British regular forces (within 5 years of discharge)
- ii. serving members of the British regular forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
- iii. bereaved spouses and civil partners of members of the British regular forces leaving services family accommodation following the death of their spouse or partner
- iv. serving or former members of the British reserve forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service

No additional preference will be awarded to a person who has been dishonourably discharged from the British regular or reserve forces.

14 Deferred priority

Applicants who are assessed as having deliberately worsened their own housing circumstances in order to receive higher priority, will have their priority deferred.

Applicants will be assessed on their housing circumstances at their previous accommodation and placed into the appropriate priority band for a period of 12 months. On expiry of the 12 months their priority will be restored.

Examples of deliberately worsening housing circumstances are:

- Abandoning a previous tenancy
- Moving without good reason to accommodation, which is more overcrowded, or is considered more unsatisfactory or insanitary than their previous accommodation
- Selling their home or otherwise terminating their right to occupy their home, such as terminating a tenancy without having alternative accommodation available to them

If following this assessment their application would not normally be accepted onto the Housing Register, as they are not considered to be a qualified person as defined in section 9, their application will be deferred for a period of 12 months and the applicants will be unable to express interest for properties through the choice based lettings scheme.

15 Other housing needs

15.1 Service occupiers

A service occupier is a person who occupies accommodation let to them by a Peterborough Homes Landlord for the better performance of their duties as an employee of the Council or a Peterborough Homes Landlord.

Where a service occupier retires or is made redundant, or whose employment is terminated (other than due to misconduct), or is no longer required to occupy their accommodation for the better performance of their duties, they will be made one suitable offer provided they do not own a property elsewhere which is, available for their occupation, and it is not reasonable for them to purchase a home. Where the property is required quickly to enable the new post-holder to carry out the essential requirements of their job description, additional priority may be awarded.

Service occupiers who are dismissed for misconduct, who resign as a result of disciplinary investigations or proceedings, who fail to satisfactorily complete probationary periods or who resign within a year of appointment will not qualify for an offer.

Former service occupiers will not normally be re-housed in schemes or establishments in which they were employed, or in the locality of such schemes.

In making the offer, the Council will take into account the applicant's choice of area and property type, but it may not be possible to meet these. If the offer is refused, the applicant will not be given any preference. If the applicant re-applies to go on the Housing Register, no further offers will be made whilst the applicant remains living at this address.

15.2 Under-occupation

Accommodation is under-occupied if there are more bedrooms than required when applying the criteria set out in section 18.

Tenants of Peterborough Homes Landlords who are applying to move as they are under-occupying their current home will be given priority to move. All applicants who are assured tenants of a Peterborough Homes Landlord and are resident in the Council's district will be given band 1 priority. For existing applicants this priority will be backdated to when they became under-occupied. For new applicants or change of circumstances this priority will be awarded from the application date or notification of change.

In order to ensure that the allocations scheme is not dominated by applicants wishing to transfer because they are under-occupying their home, their accumulated time spent in band 1 will only apply to one offer of accommodation. Therefore, if an applicant who is considered to be under-occupying is made an offer of accommodation and refuses that offer their priority will be reassessed. Their application will remain in

band 1; however the date of banding will be reset to the date we are notified of the refusal.

15.3 Sustainable lettings policies

In rural areas, there may be some sites where planning permission and/or funding was given subject to a condition that the development should be for local people. In such areas, priority will be given to local people.

This policy contains provision to maximise choice and this is seen as a key step in achieving cohesive communities (See *“Offering Communities Real Choice – Lettings and Community Cohesion”* from the Chartered Institute of Housing).

15.4 Local Lettings Policies

Section 166A(6)(b) of the 1996 Act enables housing authorities to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories, provided that overall the authority is able to demonstrate compliance with the requirements of s.166A(3). This is the statutory basis for so-called ‘local lettings policies’. Local lettings policies may be used to achieve a wide variety of housing management and policy objectives.

Before adopting a local lettings policy, the Council and the relevant Peterborough Homes Landlord will consult those who are likely to be affected by the implementation of the policy e.g. tenants and residents. Local lettings policies will be published once implemented and will be reviewed annually. Policies will be revised or revoked where they are no longer appropriate or necessary.

15.5 Adapted Properties

In cases where a property has been fitted with adaptations, the Council will seek to match a suitable applicant to the property. This may mean that higher priority applicants will be bypassed in order to make best use of the adaptations; for instance where a property has been fitted with a stairlift, priority will be given to applicants who need this facility.

Applicants who apply to join the Housing Register and are currently residing in a property which has been adapted to meet the needs of a disabled member of the household who no longer resides with them, will be given priority to move. Applicants will be placed into Band 1 and will be eligible for additional preference if they qualify. Applicants will be able to bid for properties in the normal way.

15.7 Close family members with no right to succeed

Where a tenant of a Peterborough Homes Landlord dies and a close family member has right to succeed to the tenancy, the Council may allocate the property to the close family member.

For these purposes, a person is a close family member if they are:

- i. a family member for the purposes of s.113 of the Housing Act 1985; and
- ii. resided with the tenant throughout the period of twelve months ending with the tenant's death

In deciding whether to allocate the property, the Council shall take into account all the circumstances including how long the applicant has lived in the property as their sole or principal home, the size and type of the property, particularly any under-occupation, whether there are special facilities or adaptations which would be unused, whether the applicant benefits from any local support networks and any other relevant issues.

16 Sheltered accommodation

16.1 Standard sheltered accommodation

Applicants will need to be eligible to register on the Housing Register (see sections 8-9).

Applications for sheltered accommodation will be considered where the main applicant is at least 55 years of age and:

- i. has an assessed need for housing related support;
- ii. would benefit from the social activities available in the sheltered ; or
- iii. would benefit a different level of support need e.g. life skills support for people with mild learning disabilities.

Applications for sheltered accommodation from persons aged at least 50 may be considered where individual need is demonstrated.

Applicants aged at least 50 may apply for sheltered accommodation where:

- i. There are two joint applicants and one of them is aged at least 55 , or
- ii. there is assessed risk, vulnerability or disability and living in sheltered accommodation would improve the applicant's quality of life

16.2 Extra care/very sheltered accommodation

Applicants meet the criteria for extra care/very sheltered accommodation if

- i. they meet the criteria above for standard sheltered accommodation;
- ii. they require assistance with daily and/or personal care and support tasks; and
- iii. they will be able to care for themselves and live independently with the support of community care services such as home care and meals on wheels.

A joint housing and community care assessment will be carried out by a panel of professionals dealing with the case, (for example, housing, health, social care) who will recommend allocation on the basis of individual need. The Banding system will not be used. Priority will be given to those applicants at greatest risk as a result of living in unsuitable accommodation where adequate support cannot reasonably be provided,

who are requiring discharge from hospital or who would otherwise have to go into residential or nursing care. Priority amongst those at greatest risk will be given to applicants with a local connection.

17. How choice works

17.1 The choice based lettings process

Step 1. As the Peterborough Homes Landlords become aware that a property is due to become available for letting, they will notify the Council by way of a nomination request.

Step 2. The Council will advertise the property as available to let to those applicants who have been accepted on to the Housing Register. Advertisements will usually run from 9 am on Tuesday to midnight on the following Sunday (“the bidding period”). Properties are advertised in the Peterborough Homes Landlords’ offices; local libraries; the customer service centre at Bayard Place; the Peterborough Homes website www.peterborough-homes.com and in the offices of other agencies that we work closely with. The bidding period may be extended where there is a public holiday e.g. Christmas and Easter.

Step 3. During the bidding period applicants are invited to express interest (bid) in up to 3 properties per week, which they would like to be considered for. Applicants can bid by:

- Logging on to the Peterborough Homes website at www.peterborough-homes.com and following the on screen instructions, or
- Telephoning Housing Needs on 01733 864064, or
- E-mailing housing Needs on housing.needs@peterborough.gov.uk, or
- Sending a text message to **07860 019230**. Text must be in the following format: Texts should start with the edition/advert reference number followed by a #. Then the application number followed by a #. Then the property details. For example, 0448#10912# woodland way, or
- In person to the Customer Service Centre at Bayard Place and using the kiosks provided.

Bids must be received before the closing date and time of the edition. Bids received after this time will not be considered.

Step 4. On the weekday immediately after the bidding period closing, the Council will collate all of the bids against each individual property.

Please note: Bids for properties for which the applicant is not eligible will be disregarded. If an applicant bids for more than the allowed 3 properties in one week their first 3 bids will be considered and the rest disregarded.

Step 5. The Council will generate a shortlist of the remaining eligible applicants and they will be prioritised in order of their assessed housing need. As described in section 18.2.

Please note: In cases where a property has been fitted with adaptations, the Council will seek to match a suitable applicant to the property. This may mean that higher priority applicants will be bypassed in order to make best use of the adaptations. E.g. where a property has been fitted with stair lift, priority will be given to applicants who have been assessed by the Council as requiring this facility.

Step 6. The 3 highest priority applicants who have bid and are eligible to be considered for the property will be contacted, normally on the Monday afternoon or Tuesday morning, and invited to view the property. Viewings will normally take place later in the same week.

Please note: Applicants will not be advised of their position on the shortlist prior to the viewing.

Step 7. A representative of the Peterborough Homes Landlord which manages the property will conduct accompanied viewings. After the accompanied viewing has taken place the representative will contact the applicant who is placed number 1 on the shortlist and make them the offer.

If applicant number 1 refuses the property, the representative will repeat the process with the applicant number 2 and if necessary with applicant number 3 respectively.

Step 8. The Peterborough Homes Landlord representative will inform the Council, which applicant the property has been offered to and the Council will confirm that the applicant is still eligible to be offered the property.

Step 9. Where the Council is satisfied that the applicant remains eligible to be offered the property they will confirm this with the Peterborough Homes Landlord representative who will make contact with the successful applicant to make arrangements to sign up.

There will be occasions where all 3 applicants who shortlist do not accept or are no longer eligible to be offered the property. In this case the Council will provide the Peterborough Homes Landlord with the next 3 placed applicants on the original shortlist and the process will be repeated from Step 6. This process will be repeated until all eligible applicants on the original shortlist have been exhausted. On the very rare occasions that this happens the Peterborough Homes Landlord will be given the choice to re advertise the available property and repeat the above process for Step 2 or to treat the property as Hard to Let.

17.2 Banding date

Applications are prioritised for allocation in the following way.

Applications who are assessed in Band 1 with additional preference will be considered first. Where there are 2 applicants in the same band priority will be given to the applicant who has been in the band the longest. If there are not 3 successful applicants in band 1 applicants will be considered from band 2.

For example the table below shows a dummy shortlist of applicants who have bid for a 2 bedroom house.

	Band	Additional Preference	Banding Date
Applicant 1	Band 2	Yes	13/05/2009
Applicant 2	Band 1	Yes	12/03/2012
Applicant 3	Band 3	Yes	04/01/2012
Applicant 4	Band 1	No	15/01/2011
Applicant 5	Band 2	No	12/09/2011
Applicant 6	Band 1	Yes	12/01/2012

Assuming all applicants were eligible to bid for a 2 bedroom house the applicants would be prioritised as below.

	Band	Additional Preference	Banding Date	Position for shortlist purposes
Applicant 6	Band 1	Yes	12/01/2012	1
Applicant 2	Band 1	Yes	12/03/2012	2
Applicant 4	Band 1	No	15/01/2011	3
Applicant 1	Band 2	Yes	13/05/2009	4
Applicant 5	Band 2	No	12/09/2011	5
Applicant 3	Band 3	Yes	04/01/2012	6

17.3 “Hard to let” properties

Where a property has been advertised through the CBL Scheme and an applicant has not been found, the Peterborough Homes Landlord who manages the property may wish for the property to be considered as ‘Hard To Let’.

Where this is the case, the Council will advertise the available property in their offices as well the Peterborough Homes Landlord’s offices as available to the first applicant who wishes to be considered. Applicants must be eligible to apply to join the Housing Register as defined in section 8 and have a household, which meets the eligibility for the size of the property as defined in appendix 2.

If the property has still not been let after 7 days the bedrooms standards policy may be relaxed to allow under occupation by a maximum of 1 bedroom, however the

applicant will be made fully aware that, if required, there is a possibility that Housing Benefit may not meet the full rent as a result.

17.4 Number of offers

While the Peterborough Homes Partnership is committed to offering applicants accepted onto the Housing Register as much choice as possible. Entry to the Housing Register is generally restricted to those in the most urgent housing need and refusals of offers should be few and far between.

Applicants, who fail to attend viewings and those who refuse properties without good cause, can become a burden on the administration of the scheme and could be denying other applicants the opportunity to be shortlisted for properties. Therefore applicants who refuse three offers of accommodation or who fail to attend three viewings without good reason will have their application suspended for a period of 12 months.

As part of an ongoing review of the Housing Register those applicants who do not bid for any properties within a 12-month period will be deemed as no longer in housing need and will have their application cancelled.

18 Property size and type

The number of bedrooms needed is based on the number, age and sex of the people who form their household. The bedroom requirement is calculated as follows:

- one bedroom for a couple who are married, in a civil partnership or cohabiting as if they were married or in a civil partnership
- one bedroom for any other person aged 16 or over
- one bedroom for any two children of the same sex aged at least 10 and under 16
- one bedroom for any two children regardless of sex aged less than 10
- one bedroom for any other child
- one additional bedroom for each carer of a member of the household who is disabled or has a long-term health condition, provided that it is essential that overnight care of that member of the household is provided by a non-resident carer.

The Council has discretion to allow under-occupation by a maximum of one bedroom where:

- A property is considered to be 'hard to let' as defined by section 17.3, or
- it is assessed that an extra bedroom is required as a member of the household is disabled and requires space for specialist equipment, storage or to accommodation adaptations, or
- the household have signed up and have been accepted by the Council to be foster carers.

Certain properties may be designated for occupation by particular groups, or designated as not appropriate for certain applicants, either temporarily or on a longer term basis, including flats designated for occupation by elderly or disabled persons; temporary accommodation for homeless families; to address the particular management needs of an area; or to ensure that the Council facilitates the development of diverse and sustainable communities.

Bungalows are in short supply. Preference will usually be given to applicants with mobility, disability or other special support needs.

From time to time, it may be necessary for the Council to restrict the offers of accommodation it makes to families, in order to meet the child density rules required by the Housing Corporation, or to meet the management needs of an area in order to build sustainable and balanced communities.

19. Notifications of refusing entry to the Housing Register and requests for reviews

Any person who is refused admission to or are removed from the Housing Register will be notified in writing. The letter will confirm the grounds for the decision. The letter will be posted to their home or mailing address and will also be made available for collection at the Council's offices.

An applicant has the right to ask the Council to review:

- i. any decision about the facts of their case which is likely to be, or has been, taken into account in considering whether to allocate housing accommodation to them; and
- ii. any decision that they are ineligible for an allocation or are not a qualifying person,

Any request for a review must be made in writing and submitted to:

The Review Officer
Housing Needs
Peterborough City Council
4th Floor Bayard Place
Broadway
Peterborough
PE1 1HZ

Requests for review of decisions relating to priority awarded will be carried out by an officer who was not involved in the original decision, and who is senior to the officer who took the decision.

Requests for review of decision relating to any decision that they are ineligible for an allocation or are not a qualifying person, will be considered by a panel of at least three representatives from the Council and the Peterborough Homes Landlords. Applicants may be asked to attend the panel to make representations at the panel's discretion.

Appendix 1 – The banding scheme

BAND 1	
AC AHL	The applicant is owed a duty under section 193(2) or 195(2) of the Housing Act 1996.
UNDER	The applicant is under-occupying a property, which is let to him or her by one of the Peterborough Homes Landlords. As defined in section 18.
2OVER	The applicant is occupying accommodation, which is overcrowded by 2 or more bedrooms. As defined in section 18.
OVERM	The applicant, or a member of their household, has an overriding medical priority.
SHELM	The applicant is a tenant of a Peterborough Homes Landlord of sheltered accommodation and needs to move from accommodation above the ground floor to alternative sheltered accommodation on the ground floor because of medical need.
SPNP	The applicant has composite housing needs requiring an urgent move.
PROBN	The applicant's accommodation is subject to a prohibition order has been served due to poor disrepair.
HARAM	The applicant (or a member of their household) has medical priority and is: <ul style="list-style-type: none"> • a victim of harassment, violence or abuse, and • is at significant risk of harm
DISRM	The applicant (or a member of their household) has medical priority and their landlord has been served with an improvement notice because a category 1 hazard exists at their accommodation. (Priority may be withdrawn if the hazard ceases to exist.)
CARE	The applicant is a child leaving the Council's care
BAND2	
1OVER	The applicant is occupying accommodation, which is overcrowded by 1 bedroom. As defined in section 18.
HIGHM	The applicant has a high medical priority for a move.
SHEL	The applicant is a tenant of sheltered accommodation let by a Peterborough Homes Landlord and wishes to move to alternative sheltered accommodation.
SHOV	The applicant occupies accommodation in which they have to share a bedroom with a friend/family member where it would not be reasonable to do so.
NONP	The Council owe the applicant a duty under s.192(2) of the Housing Act 1996.
INTE	The Council owe the applicant a duty under s.190 of the Housing Act 1996, or the Council owes the applicant a duty under s.193(2) of the Housing Act 1996 but they have ceased to be subject to that duty because the applicant has refused an offer of suitable accommodation.
SOCW	The applicant needs to move on welfare or hardship grounds for instance, the need to:

	<ul style="list-style-type: none"> • Provide a secure base from which a care leaver, or a person who is moving on from a drug or alcohol recovery programme, can build a stable life. • Provide accommodation, with appropriate care and support, for those who could not be expected to find their own accommodation, such as young adults with learning disabilities who wish to leave the family home so that they can live independently within the community. • Provide or receive care or support. This would include foster carers, those approved to adopt, or those being assessed for approval to foster or adopt, who need to move to a larger home in order to accommodate a looked after child or a child who was previously looked after by a local authority. • To access specialised medical treatment. • To take up a particular employment, education or training opportunity.
DISR	The applicant's landlord has been served with an improvement notice because a category 1 hazard exists at their accommodation. (Priority may be withdrawn if the hazard ceases to exist.)
HARA	The applicant (or a member of their household) is: <ul style="list-style-type: none"> • a victim of harassment, violence or abuse or • is at significant risk of harm
BAND 3	
ACAHNL	The applicant does not have a local connection with the Council's district and another local housing authority owe the applicant a duty under section 190(2), 193(2) Housing Act 1996.
MEDM	Applicant(s) who have been assessed as having a medium medical priority for a move.
BAND 4	
LOWM	Applicant(s) who have been assessed as having a low medical priority for a move.
ADEQ	Applicant(s) who are currently residing in a property, which is of the right bedroom size and has all the required facilities. (This priority will only apply where applicants are aged 55 or over and would be suitable for sheltered accommodation, bids will only be considered for accommodation of this type)
BAND 5	
AWAY	Applicants who do not have a local connection with Peterborough unless they need to move to a particular locality on social and welfare grounds. (This priority will only apply where applicants are aged 55 or over and would be suitable for sheltered accommodation, bids will only be considered for accommodation of this type)
CARO	Applicants with sufficient resources to purchase a property (outright or by

	<p>way of a mortgage) or who can afford to rent privately. (This priority will only apply where applicants are aged 55 or over and would be suitable for sheltered accommodation, bids will only be considered for accommodation of this type)</p>
OWN	<p>Owner occupiers who:</p> <ul style="list-style-type: none"> • are adequately housed, or have sufficient resources to finance the purchase of a suitable property (outright or by way of a mortgage), or • have sufficient resources to rent privately and in the circumstances it would be reasonable for them to do so, or • own or rent a property elsewhere which it would be reasonable for them to occupy. <p>(This priority will only apply where applicants are aged 55 or over and would be suitable for sheltered accommodation, bids will only be considered for accommodation of this type)</p>

Appendix 2

Please note: This table shows examples of household compositions and the property types they will be considered for. Other household types that do not appear within this table will be advised what size and type of property they qualify to bid for. <ul style="list-style-type: none"> • 'Household' includes single adult or couple. • 'Couple' includes same sex couples. • Preference for bungalows will be given to households where the Council has assessed the applicant or a member of their household requires accommodation of that type. • Sheltered accommodation will be offered to households over 55 with a need for a level of support. 	Single Person Bedsit	1 Bedroom Flat	2 Bedroom Flat	3 Bedroom Flat	1 Bedroom Bungalow	2 Bedroom Bungalow	3 Bedroom Bungalow	4 Bedroom Bungalow	1 Bedroom House / Maisonette	2 Bedroom House / Maisonette	3 Bedroom House / Maisonette	4 Bedroom House / Maisonette	5 Bedroom House / Maisonette	6 Bedroom House / Maisonette
Single Applicant	X	X			X				X					
Couple Without Children		X			X				X					
Household with 1 Child			X			X				X				
Household with 2 Children (2 Boys aged 15 & 8)			X			X				X				
Household with 2 Children (1 Boy aged 8 & 1 Girl aged 4)			X			X				X				
Household with 2 Children (2 Boys aged 17 & 6)				X			X				X			
Household with 2 Children (1 Boy aged 15 & 1 Girl aged 14)				X			X				X			
Household with 3 Children (2 Boys aged 15 & 8 and 1 Girl aged 6)							X				X			
Household with 3 Children (2 Boys aged 17 & 6 and 1 Girl aged 6)							X				X			
Household with 3 Children (2 Boys aged 17 & 12 and 1 Girl aged 6)								X				X		
Household with 4 Children (2 Boys aged 15 & 12 and 2 Girls aged 6 & 4)							X				X			
Household with 4 Children (2 Boys aged 17 & 12 and 2 Girls aged 6 & 4)								X				X		
Household with 4 Children (3 Boys aged 17, 15 & 12 and 1 Girl aged 6)								X				X		
Household with 4 Children (2 Boys aged 17 & 12 and 2 Girls aged 16 & 6)													X	
Household with 4 Children (3 Boys aged 17, 16 & 12 and 1 Girl aged 6)													X	
Household with 5 Children (3 Boys aged 17, 13 & 12 and 2 Girls aged 14 & 6)								X				X		
Household with 5 Children (3 Boys aged 17, 13 & 12 and 2 Girls aged 16 & 6)													X	
Household with 5 Children (3 Boys aged 17, 16 & 12 and 2 Girls aged 16 & 6)														X
Household with 6 Children (3 Boys aged 15, 13 & 8 and 3 Girls aged 14, 9 & 6)								X				X		
Household with 6 Children (3 Boys aged 17, 13 & 8 and 3 Girls aged 14, 9 & 6)													X	
Household with 6 Children (3 Boys aged 17, 16 & 8 and 3 Girls aged 16, 9 & 6)														X
Household with 7 Children (4 Boys aged 17, 16, 9 & 8 and 3 Girls aged 16, 9 & 6)														X
Household with 7 Children (4 Boys aged 9, 7, 5 & 2 and 3 Girls aged 16, 9 & 6)													X	
Household with 7 Children (4 Boys aged 17, 7, 5 & 2 and 3 Girls aged 16, 9 & 6)														X
Household with 8 Children (4 Boys aged 9, 7, 5 & 2 and 4 Girls aged 15, 12, 9 & 6)													X	
Household with 8 Children (4 Boys aged 9, 7, 5 & 2 and 4 Girls aged 16, 12, 9 & 6)														X
Household with 9 or more children														X

This page is intentionally left blank

COUNCIL	AGENDA ITEM No. 14(a)
6 MARCH 2013	PUBLIC REPORT

CHANGES TO THE CONSTITUTION REQUIRED AS A RESULT OF THE TRANSFER OF PUBLIC HEALTH RESPONSIBILITIES TO THE COUNCIL UNDER THE HEALTH AND SOCIAL CARE ACT 2013 WITH EFFECT FROM 1ST APRIL 2013.

RECOMMENDATIONS
FROM : Helen Edwards – Solicitor to the Council
<ol style="list-style-type: none"> 1) That Council notes that the responsibility for Public Health is to be moved from the portfolio of the Cabinet Member for Adult Social Care at part 3, section 3, para 3.10 (d) into the Leader's personal portfolio at para 3.4; 2) That Council notes the delegations from the Leader to the Director of Public Health, as shown in the attached Appendix 1, to be included in the Constitution; and 3) That Council approves the Standing Orders and Rules of Procedure in relation to the Health & Wellbeing Board as shown in the attached Appendix 2, to be included in the Constitution.

1. PURPOSE AND REASON FOR REPORT

- 1.1 With effect from 1st April 2013, the responsibility for certain public health functions will transfer to Peterborough City Council from Peterborough Primary Care Trust (PPCT) under the Health & Social Care Act 2012 ("the Act"). A report relating to this transfer, and actions needed to achieve it, will be considered by the Cabinet at its meeting on 25th February 2013, and by the time of this meeting any decision made by the Cabinet will have been published.
- 1.2 As a result of this transfer of responsibilities, with effect from 1st April 2013, the local authority will be required to employ a Director of Public Health, who will report to the Chief Executive, and be a member of the Council's Corporate Management Team (CMT). The Director of Public Health is currently employed by PPCT, although he is a member of the Council's CMT and there is already well-established joint working. However, as an employee of the NHS there are currently no functions delegated to the Director of Public Health, and Council is therefore asked to note the amendment to the Leader's scheme of delegations put before Annual Council on 23rd May 2012, by the inclusion of delegations to the Director of Public Health with effect from 1st April 2013 (see Appendix 1).
- 1.3 The Leader's scheme of delegations noted at Annual Council included delegations in respect of public health to the Cabinet Member for Adult Social Care, Council is now asked to note that this responsibility will be transferred to the Leader's portfolio. For the avoidance of any doubt Council is asked to note that this includes the much wider responsibilities that will become the Council's responsibility with effect from 1st April 2013.
- 1.4 s.194 of the Act requires that every upper-tier local authority establishes a Health & Wellbeing Board (HWB), with effect from 1st April 2013. The role of the HWB is:
 - To provide strategic leadership
 - To strengthen the influence of local authorities and elected representatives in shaping healthcare commissioning
 - To support partnership working and integrated commissioning across the NHS, public health & social care; and
 - To develop the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS).

- 1.5 To enable the HWB to fit within local authority structures, the Act provides that the HWB is a committee of the local authority which established it, and for the purposes of any enactment is to be treated as if it were a committee appointed by that local authority under s102 of the Local Government Act 1972. However, this is a structure for convenience of governance only, as it has always been intended that the HWB operates very differently from a normal local authority committee appointed under s102. Therefore, s194(12) of the Act enables regulations to provide that any enactment relating to a committee appointed under s102 of the 1972 Act may be disapplied, modified or retained in relation to HWBs. The Department of Health intends that regulations will be laid in January 2013 and will come into force on 1 April 2013.
- 1.6 The HWB will review its terms of reference in light of these regulations, at the next meeting of the Shadow Board on 25th March 2013, and a further report will be brought back to Council at its meeting on 17th April 2013 for amendment if necessary. In the meantime Council is asked to approve the Terms of Reference set out in Appendix 2 of this report to enable the HWB to properly operate in its statutory form with effect from 1st April 2013.
- 1.7 It should be noted that as a local authority committee the standing orders and general rules of procedure set out in Part 4 of the Constitution will apply to the Health & Wellbeing Board, unless any provision is specifically excluded by its terms of reference, or is inconsistent with the statutory provisions relating to it.

2. BACKGROUND

- 2.1 Councils were encouraged by the Secretary of State to establish Shadow Health and Wellbeing Boards, to prepare for the implementation of the Act. The Council originally held informal, preparatory meetings in January and February 2012, to discuss the role and function of the HWB. This work was the basis of a Cabinet Member decision notice dated 1st April 2012, as a result of which the Shadow Board was established from June 2012, since when the meetings have been held in public. The final meeting of the Shadow Board will be on 25th March 2013, after which it will have full statutory status and no longer operate as a Shadow Board.
- 2.2 The Shadow Board has approved the terms of reference which Council is now being asked to include within the Constitution in relation to the Board in its full statutory format.
- 2.3 The membership of the Shadow Board was approved by the Cabinet Member decision notice, and is set out in the Terms of Reference attached at Appendix 2. This membership will continue after the HWB achieves full statutory status, although will be reviewed to take into account the passage and implementation of the Act and particularly to take account of the abolition of Primary Care Trusts on 31 March 2013 (their members to be replaced by representatives from the Clinical Commissioning Group and NHS Commissioning Board) and the replacement of local Link with Local HealthWatch.
- 2.4 One of the particular features of the HWB is, unlike other local authority committees, all of its members (including officers) have full voting rights. The Board may also co-opt other such representatives or persons in a non-voting capacity as it sees relevant in assisting it to undertake its functions effectively.

3. IMPLICATIONS

3.1 Legal

The recommendations in this report allow the Council to meet its statutory obligations under the Act. It has already followed the recommendations of the Department of Health in setting up a Shadow Board in advance of the statutory requirement to have a Board. Coupled with the recommendations to Cabinet at its meeting on 25th February 2013, these

recommendations will ensure that the Council meets its statutory requirements, which it will continue to keep under review. The HWB is supported by the Council's Legal and Governance team, which will ensure that it continues to fulfil its legal obligations.

3.2 Financial

The financial implications of the transfer of public health responsibilities to the local authority are dealt with in the report to Cabinet dated 25th February 2013. There are no financial implications to the specific recommendations within this Council report.

3.3 Other

There are no other specific implications resulting from the recommendations in this report.

4. CONSULTATION

The terms of reference being put forward were widely consulted on with partner organisations forming the Shadow Health & Wellbeing Board, before being adopted. There is no need for further consultation at this stage, but this will be kept under review. There will be ongoing consultation with the Scrutiny Commission for Health as the role of the HWB develops.

5. BACKGROUND DOCUMENTS

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

Cabinet member decision notice dated 1st April 2012
Report to Cabinet for its meeting on 25th February 2013.

3.26 Delegations to officer – Public Health Functions

3.26.1 The Director of Public Health (DPH) shall have the responsibility and delegation to carry out all of the local authorities functions under the NHS Act 2006 and the Health & Social Care Act 2012, and related Regulations, including, but not limited to:

- (a) writing the Annual report on the health of the local population (which the Council then has a duty to publish);
- (b) any actions necessary to improve public health;
- (c) any actions necessary to fulfil the Secretary of State's public health protection or health improvement functions;
- (d) exercising the local authority's functions in planning for, and responding to, emergencies that present a risk to public health;
- (e) co-operating with the police, the probation service and the prison service to assess the risks posed by violent or sexual offenders;
- (f) such other public health functions as the Secretary of State specifies in regulations;
- (g) responsibility for the local authority's public health response as a responsible authority under the Licensing Act 2003, such as making representations about licensing applications;
- (h) ensuring plans are in place to protect the population including through screening and immunisation, and where such programmes are delivered by other organisations, ensuring that the combined plans deliver effective programmes to the local population;
- (i) community infection prevention and control;
- (j) appropriate access to sexual health services (including testing and treatment for sexually transmitted infections, contraception outside of the GP contract and sexual health promotion and disease prevention);
- (k) ensuring NHS Commissioners receive the public health advice they need;
- (l) the National Child Measurement Programme;
- (m) the NHS Health Check Assessment;
- (n) if the local authority provides or commissions a maternity or child health clinic, the DPH has responsibility for providing Healthy Start vitamins;
- (o) any other functions which, in the professional opinion of the DPH, are necessary to fulfil the local authority's public health responsibilities.

3.26.2 The Director of Public Health shall be a member of the Health & Wellbeing Board, and may delegate attendance at this Board to a member of his management team in the event of his unavailability.

Peterborough Health and Wellbeing Board
Purpose and Terms of Reference

1. Background and context:

- 1.1 The Peterborough Health & Well Being Board has been established to provide a strategic leadership forum focussed on securing and improving the health and well being of Peterborough residents.

2. The aims are:

- 2.1 To bring together the leaders of health and social care commissioners to develop common and shared approaches to improving the health and well being of the community
- 2.2 To actively promote partnership working across health and social care in order to further improve health and well being of residents.
- 2.3 To influence commissioning strategies based on the evidence of the Joint Strategic Needs Assessment.

3. Its functions are:

- 3.1 To develop a Health and Well Being Strategy for the City which informs and influences the commissioning plans of partner agencies.
- 3.2 To develop a shared understanding of the needs of the community through developing and keeping under review the Joint Strategic Needs Assessment and to use this intelligence to refresh the Health & Well Being Strategy.
- 3.3 To oversee the transition and delivery of the designated public health functions in Peterborough
- 3.3.1 In the first instance to consider and recommend to the Council and PCT the plans for the transfer of the designated public health functions to the Council in line with the requirements of the Health and Social Care Bill (Act)
- 3.3.2 To keep under review the delivery of the designated public health functions and their contribution to improving health and well being and tackling health inequalities
- 3.3.3 To consider the recommendations of the Director of Public Health in their Annual Public Health report.
- 3.4 To consider options and opportunities for the joint commissioning of health and social care services for children, families and adults in Peterborough to meet identified needs (based on the findings of the Joint Strategic Needs Assessment) and to consider any relevant plans and strategies regarding joint commissioning of health and social care services for children and adults.
- 3.5 To identify areas where joined up or integrated commissioning, including the establishment of pooled budget arrangements, would benefit improving health and wellbeing and reducing health inequalities.
- 3.6 By establishing sub groups as appropriate give consideration to areas of joint health and social care commissioning, including but not restricted to services for people with learning disabilities.

- 3.7 To oversee the development of Local HealthWatch for Peterborough and to ensure that they can operate effectively to support health and well being on behalf of users of health and social care services.
- 3.8 To keep under consideration, the financial and organisational implications of joint and integrated working across health and social care services, and to make recommendations for ensuring that performance and quality standards for health and social care services to children, families and adults are met and represent value for money across the whole system.
- 3.9 To ensure effective working between the Board and the Greater Peterborough Partnership ensuring added value and an avoidance of duplication.

4. Membership

- 4.1 Membership of the Health and Wellbeing Board will be composed of the following:

Peterborough City Council:

The Leader of the Council – Chairman of the Board
 The Cabinet Member for Health & Adult Social Services
 The Cabinet Member for Children’s Social Care
 The Cabinet Member for Education, Skills and University

The Chief Executive
 The Executive Director of Adult Social Services
 The Executive Director of Children’s Services

Peterborough PCT:

The Chief Executive
 The Director of Public Health

Cambridgeshire and Peterborough Clinical Commissioning Group

2 members representing Peterborough Local Commissioning Group
 1 member representing Borderline Clinical Commissioning Group

LINK/Pathfinder Local Healthwatch

1 member

- 4.2 The membership will be kept under review and in particular will be amended consequential to the passage and implementation of the Health & Social Care Bill (Act) to take account of the abolition of PCTs and the replacement of local LinK with Local HealthWatch.
- 4.3 The Board shall co-opt other such representatives or persons in a non-voting capacity as it sees relevant in assisting it to undertake its functions effectively.

5. Meetings

- 5.1 The Board will meet in public.
- 5.2 The minimum quorum for the Board shall be 5 members which should include at least one elected member, one statutory director (DCS/DASS/DPH) and a PCT/CCG member.
- 5.3 The Board shall meet periodically and at least quarterly. Additional meetings shall be called at the discretion of the Chairman where business needs require.
- 5.4 Administrative arrangements to support meetings of the Board shall be provided through the City Council’s Governance team

6. Governance and Approach

- 6.1 The Board will function at a strategic level, with priorities being delivered and key issues taken forward through the work of the partnership organisations.
- 6.2 Decisions taken and work progressed will be subject to scrutiny of the City Council's Scrutiny Commission for Health Issues.

7. Wider Engagement

- 7.1 The Health and Wellbeing Board will develop and implement a communications engagement strategy for the work of the Board, including how the work of the Board will be influenced by stakeholders and the public.
- 7.2 The Board will ensure that its decisions and the priorities it sets take account of the needs of all of Peterborough's communities and groups are communicated widely.

8. Review

- 8.1 These Terms of Reference will be reviewed after 1 year to take account of the enactment and implementation of the Health & Social Care Bill (Act) and the experience that the Board will have developed over its initial period of operation.

This page is intentionally left blank