

**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:

<b><u>COMMUNITY INVOLVEMENT TIME</u></b>	
<b>7</b>	<b><u>Questions with notice by members of the public</u></b>
1.	<p><b>Question from Bonita Yonga</b></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><b>Councillor Scott responded:</b></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><b>Bonita Yonga asked the following supplementary question:</b></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><b>Councillor Scott responded:</b></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><b>Question from M J Ladha</b></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><b>Councillor Hiller responded:</b></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><b>M J Ladha asked the following supplementary question:</b></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><b>Councillor Hiller responded:</b></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><b>Question from Andrew Palmer</b></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 12<sup>th</sup> 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><b>Councillor Shearman was not present and therefore there was no supplementary question.</b></p>
2.	<p><b>Question from Councillor Ash</b></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><b>Councillor Cereste responded:</b></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><b>Councillor Ash asked the following supplementary question:</b></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><b>Councillor Cereste responded:</b></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><b><u>Questions with notice by Members to Council representatives of the Fire Authority</u></b></p>
	<p><b>None received.</b></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

	<p>Councillor Fletcher will not forget.</p>
<p>2.</p>	<p><b>Question from Councillor Shabbir</b></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><b>Councillor Fitzgerald responded:</b></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><b>Councillor Shabbir did not have a supplementary question.</b></p>
<p>3.</p>	<p><b>Question from Councillor Murphy</b></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><b>Councillor North responded on behalf of Councillor Cereste:</b></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 10<sup>th</sup> 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 16<sup>th</sup> January. This has been agreed and I am pleased to say that consultation will now formally close on 13<sup>th</sup> February, although any comments received prior to the 21<sup>st</sup> February will be reported to Cabinet when it considers the outcome of the consultation on 25<sup>th</sup> 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><b>Councillor Hiller responded:</b></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><b>Councillor Sandford was not present and therefore there was no following supplementary question.</b></p>
6.	<p><b>Question from Councillor Miners</b></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><b>Councillor Cereste responded:</b></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><b>Councillor Miners asked the following supplementary question:</b></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><b>Councillor Cereste responded:</b></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><b>Question from Councillor Jamil</b></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 1<sup>st</sup> 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 Children's 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 5<sup>th</sup> 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

	<b>Current Scheme (£)</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>
		Phased proposed allocation	Phased proposed allocation	Phased proposed allocation	Phased proposed allocation	Phased proposed allocation
<b><u>Basic Allowance</u></b>						
<b>Basic Allowance per member</b>	<b>7,166</b>	<b>7,593</b>	<b>8,020</b>	<b>8,446</b>	<b>8,873</b>	<b>9,300</b>
<i>inc telephone &amp; subsistence</i>	7,962	8,389	8,816	9,243	9,669	10,096
<b>Basic Allowance - Totals</b>						
<b>Basic Allowance</b>	<b>408,459</b>	<b>432,787</b>	<b>457,115</b>	<b>481,443</b>	<b>505,771</b>	<b>530,100</b>
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
<b>Total Basic Allowance</b>	<b>453,839</b>	<b>478,167</b>	<b>502,495</b>	<b>526,823</b>	<b>551,151</b>	<b>575,479</b>
<b><u>Special Responsibility Allowance (SRA)</u></b>						
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
<b>Chair of Neighbourhood Councils</b>	<b>21,498</b>	-	-	-	-	-
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
<b>Total Special Responsibility Allowance</b>	<b>250,363</b>	<b>190,585</b>	<b>201,122</b>	<b>211,659</b>	<b>222,196</b>	<b>232,734</b>
<b>Total (£)</b>	<b>704,202</b>	<b>668,752</b>	<b>703,616</b>	<b>738,481</b>	<b>773,347</b>	<b>808,213</b>

**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

<b>Option 1 - Basic Allowance remains the same as current implement proposed SRA allocation in 13/14</b>				
	<b>Current Scheme</b>	<b>Proposed Scheme</b>	<b>Details of Proposed scheme</b>	<b>2013/14</b> Basic at current level implement proposed SRA allocation
<b>Basic Allowance</b>				
<b>Basic Allowance per member</b>	<b>7,166</b>	<b>9,300</b>		<b>7,166</b>
<i>Amount per member including telephone &amp; subsistence</i>	<i>7,962</i>	<i>10,096</i>		<i>7,962</i>
<b>Basic Allowance - Totals</b>				
<b>Basic Allowance (G2300 09520)</b>	<b>408,459</b>	<b>530,100</b>		<b>408,459</b>
Telephone Allowance (G2300 10630)	32,415	32,415		32,415
Subsistence Allowance (G2300 09410)	12,965	12,965		12,965
<b>Total Basic Allowance</b>	<b>453,839</b>	<b>575,479</b>		<b>453,839</b>
<b>Special Responsibility Allowance (SRA)</b>				
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
<b>Chair of Neighbourhood Councils</b>	<b>21,498</b>	<b>-</b>	<b>nil</b>	<b>-</b>
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
<b>Total Special Responsibility Allowance</b>	<b>250,363</b>	<b>232,733</b>		<b>180,048</b>
Total	<b>704,202</b>	<b>808,212</b>		<b>633,887</b>
IMPACT YEAR 1			<b>Total saving 13/14</b>	<b>- 70,315</b>