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PETERBOROUGH CITY COUNCIL SUMMONS TO A MEETING

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

WEDNESDAY 12 DECEMBER 2018 at 7.00 pm

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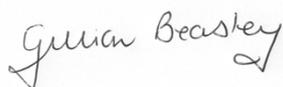
QUESTIONS AND PETITIONS

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Chief Executive

4 December 2018
Town Hall
Bridge Street
Peterborough

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**MINUTES OF THE COUNCIL MEETING
HELD WEDNESDAY 17 OCTOBER 2018
COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH**

THE MAYOR – COUNCILLOR CHRIS ASH

Present:

Councillors Allen, Ash, Ayres, Barkham, Bashir, Bisby, Bond, Brown, Casey, Cereste, Coles, Dowson, Ellis, Elsey, Farooq, Ferris, Fitzgerald, Fuller, John Fox, Judy Fox, Harper, Hemraj, Hiller, Hogg, Holdich, Howell, Hussain, Amjad Iqbal, Azher Iqbal, Jamil, Jones, Joseph, King, Lane, Lillis, Martin, Murphy, Gul Nawaz, Shaz Nawaz, Over, Rush, Saltmarsh, Sandford, Serluca, Simons, Smith, Stokes, Warren, Walsh, and Whitby.

29. Apologies for Absence

Apologies for absence were received from Councillors Ali, Davidson, Lamb, Aitken, Goodwin and Mahabadi.

30. Declarations of Interest

Councillor Ellis declared an interest regarding the agenda item 12(2) on Welfare Reform Policies, as he worked for the DWP and he advised he would not take part in the debate or vote for that motion.

31. Minutes of the Meetings held on 25 July 2018.

The minutes of the meeting held on 25 July 2018 were approved as a true and accurate record.

COMMUNICATIONS

32. Mayor's Announcements

The Mayor announced the forthcoming Armistice 100 on Remembrance Sunday would take place at the War Memorial outside the Town Hall on Sunday 11 November 2018 followed by a Service of Remembrance at the Cathedral. The military parade would commence at 10:45 outside the Town Hall with the cathedral service at 11:45. All were welcome.

33. Leader's Announcements

There were no announcements from the Leader.

QUESTIONS AND PETITIONS

34. Questions with Notice by Members of the Public

(a) To the Mayor

Questions from members of the public were raised in respect of the following:

1. Private tuition for secondary school pupils.
2. Parking issues in Geneva Street.

3. The Council's policy on Airbnb (not asked as questioner not present).
4. Re-instating Herlington Post Office.
5. Homelessness and housing shortage.
6. Animal welfare and food safety after Brexit.

The questions and responses are attached in **APPENDIX A** to these minutes.

35. Petitions

(a) Presented by Members of the Public

A petition was received from Mr Peach containing 40 signatures from residents in Kings Gardens in Park Ward. The petition called on the Council address the problems at the council owned Elizabeth Court development regarding anti-social behaviour including violence, alcohol and drug abuse and the selling of drugs,

(b) Presented by Members

A petition was received from Councillor Dowson containing over 1500 signatures. The petition called on the Council to take a more active approach in saving the Cherry Tree public house in Oundle Road as a designated community asset as it has been standing empty over two years.

(c) Petition for Debate – ‘Stop the Close of the Manor, Respite Home for Children and Young People with Disabilities’

On 7 March 2018 a petition was received with the Council from Ms Helen Harber. Following the undertaking of a verification process, the petition was confirmed to include 930 eligible signatures. Ms Harber requested that the petition was debated by a meeting of the Full Council, as per the Petitions Scheme.

The petition calls upon the Council to:

- Let the Manor continue providing a service to families requiring respite provision.
- Reject any alternatives: Direct Payments or Outreach.

Members expressed concern over the delay in bringing this to Council and questioned why an additional meeting had not been arranged for this item. Councillor Sandford raised a point of order before the debate commenced regarding the general position of petitions within the council, expressed concern over the delay in bringing the petition to Full Council and if the business of the council should be affected by Purdah.

Council Sandford requested that petitions should be added to the agenda of the next Constitution and Ethics Committee meeting and this was agreed with Councillor Seaton in his capacity as Chair of that committee.

As the petitioner was not present, Councillor Smith introduced the report and moved the recommendation to note the report and take no further action. Members were assured that she has met with the local ward councillors and the lead petitioner after the petition was presented originally and they have not been left waiting for discussions to take place. The council was committed to supporting children with disabilities and their families and carers.

Members were informed that in March it was agreed to redesign the short break service to meet a wider need for children with disabilities. In March, 13 people were accessing The Manor. Since then, two families have declined alternative support and their services have ceased, one has moved to adult services due to their age, the remaining six are currently attending the centre, four of which are in transition to their new provision, two don't have confirmed provision but each child has a couple of alternatives and these will be confirmed on the 22 October 2018.

The staff consultation had now ended. Staff had been redeployed within the council, there were 2 redundancies one of which had since become a link foster carer to provide short breaks and there were two resignations and service will cease on 15 November. Ofsted had been aware of the request to de-register the provision which could be re-applied for at a later date if the need arose. The building would be retained by the council and managed alongside Cherry Lodge.

Councillor Holdich seconded the recommendation and reserved his right to speak.

Members debated the petition and in summary raised the following points:

- That the petition could have been debated at the meeting which was cancelled in April.
- Debate was meaningless now as the staff had been redeployed and alternative arrangements made for the children.
- Concern was expressed that the council could be losing a potential success story.
- The Manor was a refuge for families and changes could affect their health and well-being.
- Implementation plans were not sent to ward councillors as promised.
- Staff, service users and democracy had been treated in a shoddy way.
- The possibility of the decision being reversed.
- Services like this should not be considered only from a financial viewpoint.
- The Manor only has a 26% usage however this service is vital to the people who use it.
- Foster carers were desperate for respite care, there is a market which could be exploited to provide respite care for other areas and generate an income for the council.
- Closure of The Manor had been proposed as part of the budget process in March however no one had suggested money was invested in The Manor at that time.
- The Joint Scrutiny Committee was not the correct forum to debate amendments to the budget, that was Full Council.
- Councillor Smith had always considered the best interests of the children across the city in all decisions and should be given full support.
- Congratulations were expressed to Councillor Smith for placing the children and staff into new provision and all were happy with their new arrangements.
- The Manor itself was not closing. It was underused in respect of overnight provision and the council was making best use of resources available.
- The proposal was a reasonable course of action.
- The petition had not been notified to councillors at the time it was received.
- Current funding would not justify the council supporting a service which is underused.
- Members were reminded that if they wanted to move an amendment to a motion regarding a petition, the request needed to be submitted 24 hours before the council meeting as per the Petition Scheme.

In her summing up, Councillor Smith confirmed that the building was being retained by the council and managed by Cherry Lodge going forward and would remain available for young people to access. As the new Peterborough Pathways outreach service was developed the building would be used more extensively and members would be updated on the outreach proposal as it progressed. As overnight care will no longer be provided, deregulation with Ofsted was necessary as it attracted a different inspection regime however the facility would be re-registered if the need arose in the future. Overnight respite would continue to be provided in a family home environment by specialised foster carers which was a preferable environment as The Manor is a large building which can be daunting when there is only one child in residence. Councillor Smith advised members she had attended every meeting relevant to the closure of The Manor and the new placings for the children and was confident that all children would have alternative placements by 22 October and she would adhere to her original promise that The Manor would not close until each child had been an alternative provision.

A recorded vote was taken (37 voted in favour, 16 voted against, 1 abstained from voting):

Councillor For: Allen, Ayres, Barkham, Bashir, Bisby, Bond, Brown, Casey, Cereste, Coles, Eley, Farooq, Fitzgerald, John Fox, Fuller, Harper, Hiller, Hogg, Holdich, Azher Iqbal, King, Lane, Lillis, Nadeem, Gul Nawaz, Over, Rush, Saltmarsh, Sandford, Seaton, Serluca, Shaheed, Simons, Smith, Stokes, Walsh, Warren

Councillors Against: Dowson, Ellis, Ferris, Fower, Judy Fox, Hemraj, Howell, Hussain, Amjad Iqbal, Jamil, Jones, Joseph, Martin, Murphy, Shaz Nawaz, Whitby

Councillors Abstaining: Ash

Councillors Not Voting: Nil

It was **RESOLVED** that Council noted the petition 'Stop the close of The Manor, Respite home for children and young people with disabilities' received from Helen Harber and the comments raised, and take no action.

36. Questions on Notice

(a) To the Mayor

(b) To the Leader or Member of the Cabinet

(c) To the Chair of any Committee of Sub-Committee

Questions (a) to (c) were raised and taken as read in respect of the following:

1. The definition of Temporary Accommodation.
2. The extension of St Michael's Gate contract or the purchasing St Michael's Gate.
3. The provision of a pedestrian crossing on Hartwell Way.
4. The provision of Social Housing through Medesham Homes.
5. Improvements to Norwood Lane.
6. Street Light Upgrading in Fulbridge Road, Werrington.
7. Anti-social behaviour.
8. OVO Energy price increases.
9. Bus services to Norwood / Paston Reserve.
10. Homelessness.

11. Shoplifting in Gunthorpe area.
12. Plastics contaminating waterways.
13. Live streaming of Full Council meetings.
14. SATS results.
15. Road Improvements.
16. Travel Lodge accommodation.
17. School places in Hampton.

The questions and responses are attached in **APPENDIX A** to these minutes.

(d) To the Cambridgeshire and Peterborough Combined Authority Representatives

Questions to the Cambridgeshire and Peterborough Combined Authority Representatives were raised and taken as read in respect of the following:

1. Community Land Trusts.
2. Review of bus services.
3. Bayard Place.
4. Housing.

The questions and responses are attached in **APPENDIX A** to these minutes.

RECOMMENDATIONS AND REPORTS

37. Executive and Committee Recommendations to Council

(a) Cabinet Recommendation – Peterborough City Council’s Tree and Woodland Strategy

Cabinet at its meeting on 24 September 2018 considered a report updating the Tree and Woodland Strategy following consideration by the Growth, Environment and Resources Scrutiny Committee on 10 January 2018 with initial consideration by Cabinet on 15 January 2018 and a four week public consultation from 2 March 2018 to 29 March 2018.

Councillor Hiller introduced the report and moved the recommendations. He advised that the report laid out the council’s statutory responsibilities and standards and had been developed to take account of how the city has grown and the current legislation. He acknowledged the beauty and necessity of trees in our city and also that some trees were a growing problem and required maintenance.

Councillor Smith seconded the recommendation and reserved her right to speak.

Members debated the recommendations and in summary the points raised included:

- That the tree resource was maintained and enhanced.
- There were too many of the wrong type of trees rather than too many trees in the city.
- This was the third Tree and Woodland Strategy.
- There were plans to plant 1121 tree to commemorate Armistice Day, one for each person from Peterborough who died in the First World War.
- Concerns were expressed how Amey were currently managing the tree policy.

- There was the odd dwelling where people cannot use their house properly due to a lack of sunlight caused by trees and it was hoped that the policy would be flexible to accommodate these circumstances where the need was genuine.
- The maintenance service would be delivered more effectively and efficiently if the service was bought in house.

Councillor Smith exercised her right to speak and advised that she had first bought the tree modelling strategy to Council in 2012 as Cabinet Member for the Environment and acknowledged the help given by Councillor Sandford. This strategy built on the principles agreed then of the right tree in the right place. She emphasised their benefits in beauty, air quality, sound barriers and preventing flash flooding and the creation of wildlife havens that the trees and woodlands provided.

Councillor Hiller summed up as mover of the recommendation and in so doing confirmed the comments made by Councillor Smith and again acknowledged Councillor Sandford's support.

A vote was taken (unanimous) and it was **RESOLVED** that Council approved the Tree and Woodland Strategy.

(b) Employment Committee Recommendation – Appointment of Director of Law and Governance/Monitoring Officer

The Employment Committee, at its meeting on 19 September 2018, agreed to a shared Director of Governance and Legal and considered an appointment to this position at its meeting on 11 October 2018.

Fiona McMillan, the Interim Director of Law and Governance was asked to leave the room while this item was discussed.

Councillor Holdich introduced the report and moved the recommendation and advised the council it had a legal requirement to have a Director of Law and Governance and a Monitoring Officer and there had been an Interim Director since July 2017. This appointment was a result of the decision to share senior posts across Peterborough and Cambridgeshire. Cambridgeshire had resolved to approve the position at their council meeting on 16 October 2018 subject to approval at the Peterborough council meeting on 17 October 2018.

Councillor Seaton seconded the recommendation and reserved his right to speak.

Members debated the recommendations and in summary the points raised included:

- Members were advised the saving to this council would be approximately £70,000 per annum as a result of this appointment.

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

1. noted the decision by Employment Committee on 19 September 2018 to appoint a shared Monitoring Officer by of secondment arrangements with Cambridgeshire County Council, and
2. formally appointed Fiona McMillan to the shared Monitoring Officer role.

38. Questions on the Executive Decisions Made Since the Last Meeting

Councillor Holdich introduced the report which detailed Executive Decisions taken since the last meeting including:

1. Approval of Future Arrangements for the Existing Enterprise Managed Services Contract.
2. IT Improvement Plan.
3. Permanency Service and Arrangements for Regional Adoption.
4. Budget Control Report May 2018.
5. To Retain the Footbridges on Junction 18.
6. Peterborough City Council's Tree and Woodland Strategy.
7. Outcome of Ofsted Inspection of Peterborough's Children's Services.
8. Cambridgeshire and Peterborough Joint Working Arrangements.
9. Budget Control Report August 2018.
10. Outcome of Petitions.

Questions were asked about the following:

Approval of Future Arrangements for the Existing Enterprise Managed Services Contract.

Councillor Murphy asked if a staff employee representative could be included on the board.

Councillor Cereste advised it would be considered.

Councillor Saltmarsh asked if the £810,000 was in addition to the £500,000 extension already agreed and was the contract to continue indefinitely or would it expire on 1st February 2019.

Councillor Cereste advised it was an additional payment made to extend the contract to 31 January.

Councillor Joseph asked if councillors could have sight of the business case and also copies of the other two options of bringing the service in house and the co-operative model to enable members to make an informed decision.

Councillor Cereste advised the matter was in hand.

Councillor Nawaz asked had other additional services been explored and if not, when would this happen.

Councillor Holdich advised the council need to take over the contract and evaluate it first before extending the service.

Councillor Ellis asked for confirmation that the contract encompassed all the services provided under the old Managed Services from Enterprise contract.

Councillor Cereste confirmed, yes. Councillor Holdich advised that the original contract had been with Enterprise Services who were taken over by Amey, the original contract value was £16.9m and now it is about £9m and more services are being carried out.

IT Improvement Plan

Councillor Sandford asked how much it cost to switch from Microsoft to Google and how much would it cost to switch back.

Councillor Seaton replied he would check and advise. The IT improvement plan included switching back to Microsoft and the target was to establish shared services in the county with a target of £9m pa which will involve moving to one ICT platform with common systems which was why this decision came forward. Moving to Microsoft would give the council a better rate of return than staying with the current system.

Councillor Murphy commented on the costs and mistakes made in the recent IT changes.

Councillor Seaton responded that the decision to change the IT services was made before being aware of the decision to move to shared services with Cambridgeshire which necessitated a change of direction.

Councillor Fower asked why the council was following Cambridgeshire and moving away from Google rather than Cambridgeshire moving to Google and what impact will this decision have on the use of Salesforce. He also asked if Google Chromebooks would still be used after the change, how many had the authority purchased and at what cost,

Councillor Seaton advised Microsoft was considered the best option. Chrome books would continue to be used.

To Retain the Footbridges on Junction 18

Councillor Ferris asked for a clear explanation as to why it remained necessary to install at-grade crossings at this junction:

1. Given the costs involved
2. The safety concerns expressed
3. Given the restriction on providing a suitable shared space for cyclists and pedestrians on the central roundabout.

Councillor Holdich advised the bridge will have to close whilst the work is undertaken and therefore an at-grade crossing was required. The footpaths would not be compliant with disabled legislation as the gradient is 12:1 and to comply the gradient needs to be 20:1 making an alternative necessary. The Combined Authority provided the funds to carry out the survey. The bridge was expected to last 10 years and long term it couldn't be replaced due to the huge amount of room required to comply with the disabled facilities regulations. The money previously allocated to knock the bridge down was included in the money received from the Combined Authority to complete the road around, which added approximately 35% to the traffic flow.

Councillor Murphy asked if the at-grade crossing option could be removed from the plan as it was dangerous and would expose users to pollution.

Councillor Holdich replied there were 66 defects to the bridge. The pre cast part of the bridge is fine but that the element cast on site has concrete cancer, the extent of which was not clearly obvious and therefore the costs not clear however the crossing was not considered to be dangerous. This junction included the only set of traffic lights in Peterborough not connected to the traffic system and the wiring at this junction also required replacing.

Councillor Sandford asked why councillors were advised the bridge could not be repaired but that decision had been revised and whilst the council continued to change direction the council would remain in financial crisis.

Councillor Holdich replied if the condition of council finances were known five years ago, different decisions may have been made and the financial position was constantly changing. The bridge repairs would only last 10 years when further work would be required however this was the decision reached by the public and therefore the course of action adopted which would cost £100,000 pa plus ongoing maintenance.

Budget Control Report May 2018

Councillor Amjad Iqbal asked if the underlying reasons for the SERCO overspend was understood and how this would be mitigated in current and future year budgets.

Councillor Seaton advised that details of the overspend are contained within the budget reports. He reported that the number of children and adults in care was unpredictable and this had partially driven the overspend. Referring to PSSP, Councillor Seaton advised this showed the combination of investment needed to move to shared services as covered in the ICT report. He agreed there were savings not delivered and not delivered on time which included the ongoing negotiation to reduce Business Support. Mitigating actions would be reported in due course.

Outcome of Ofsted Inspection of Peterborough's Children's Services

Councillor Saltmarsh asked why the wording in point 3 stated "agreement in principle" when it should state "agree wholeheartedly".

Councillor Smith advised she was unable to comment on the wording but added that TACT had received a visit from the Chief Social Worker who was impressed and the video report was available on Facebook.

Jack Hunt School expansion - Award of contract for the expansion works

Councillor Murphy asked can the council look at better ways to get work done and did the council regret that Carillion had costs the council £100,000s.

Councillor Ayres confirmed that the council regretted that Carillion had gone into liquidation and caused the delays in the Jack Hunt School expansion and advised that the situation had been monitored for six months prior to their demise during which time the government were still recommending their use. Five schools were affected and R G Carters had now been appointed to continue the work.

Councillor Holdich advised that Carillion locally had provided good value for money and good service and the reason for their bankruptcy was due to poor contracts in Asia and Canada.

Amendment to Loan Facility (Empower Community Management LLP)

Councillor Hogg asked if it was known that the contract would roll over and why was it reviewed every two months rather than over a longer period.

Councillor Seaton advised that money was lent to Empower Community Management LLP to deliver an income stream through the margin to set up solar panel farms and panels on buildings. The scheme was being reviewed but it was taking longer than

anticipated which had meant the facility had been rolled over. The council was fully remunerated as per the terms of the original contract.

Disposal of freehold in Centre of the City

Councillor Jamil asked if the sale was completed at market price and will the results of the sale be spent within Central Ward.

Councillor Holdich replied that the tender process had been implemented and the highest bid was accepted however the results of the sale will go to a central fund rather than just one ward.

Additional Outside Organisation - Live Peterborough Limited

Councillor Hogg asked if the name of the new company could be confirmed.

Councillor Cereste advised the name was Peterborough Ltd.

Approval of funding for the provision of accommodation to reduce homelessness

Councillor Murphy asked if the decision was signed on the 9 October or 8 October as the plan had been to draw down these funds in September. He enquired how much Cross Keys were investing in the plan, where the land was coming from and whether it represented value for money. He asked if the project planning and management could be improved to avoid missing deadlines on critical issues. He asked why the decision had not been bought forward earlier.

Councillor Seaton advised there was an explanation.

Councillor Barkham asked how many social housing properties had been lost due to the right to buy receipts to get this money and is £4.9m good value for 30 properties.

Councillor Holdich advised most of the capital receipts had come from the transfer which took place in 2004. The houses were in poor condition at the time and funds were provided to Cross Keys to return them to a good standard. 50% of the right to buy sale revenue was retained and £16m was from these funds. The remainder from was from Section 106 agreements. He was unable to say how many houses were lost due to the time elapsed.

Councillor Hogg asked if the build price of £163,000 for each property represented good value for money.

Councillor Holdich answered that he could not say as he did not know the housing models. He explained that costs varied across the city due to such elements like the number of bedrooms and different land had different infrastructure costs such as the ground type and cited one area of the city required the use of rafts and piles as an example. Any valuations of the properties were conducted by professional valuers.

Councillor Seaton advised he would write and confirm the actual numbers.

Councillor Martin questioned the value for money and asked if Cross Keys were matching the investment made by the council.

Councillor Seaton advised that a four bedroomed home in Peterborough could not be purchased for £163,000 but nearer £250,000.

Councillor Sandford asked, why the council did not purchase property rather than constructing them, given the current property prices.

Councillor Holdich advised that developers did not want sell to the council. 29 houses had been bought in Midland Road and negotiations were ongoing at other sites.

Councillor Nawaz asked why Medesham Homes were being given £4.9m when it was known they were unable to submit a credible planning application for Bretton Court.

Councillor Hiller declared an interest as he sits on the board. He denied the accusation that Medesham Homes is incompetent and pointed out that the officers recommended the planning approval but the cross party Planning Committee decided not to approve to provide temporary accommodation on a technicality concerning parking spaces. He pointed out that if the additional storey had not been included the process would have been covered under permitted development and the building could be used as office space with no parking facility required.

39. Questions on the Combined Authority Decisions made since the last meeting

A report was received by council that detailed Combined Authority decisions taken since the last meeting including decisions taken at:

- The Combined Authority Audit and Governance Committee met on 20 July 2018 and 28 September 2018
- The Combined Authority Overview and Scrutiny Committee met on 23 July 2018
- The Combined Authority Board met on 25 July 2018 and 26 September 2018
- The Combined Authority Audit and Governance Committee met on 24 September 2018

There were no questions asked relevant to the decisions.

COUNCIL BUSINESS TIME

40. Notices of Motion

(1) Motion from Councillor Ferris

Councillor Ferris withdrew his motion and explained to the members why he had done so. He explained the report had been written by the people of Peterborough and he had their approval to withdraw stating that the amendment was an attempt to close down the full consideration on the fossil fuel industry.

Members were advised the amendment had been sent to Cllr Ferris the previous week for approval and that the council had no direct or indirect investment in fossil fuels.

Discussion took place between members regarding procedures and the Director of Law and Governance advised no debate or comment would be allowed as the motion had been withdrawn.

(2) Motion from Councillor Shaz Nawaz

Councillor Shaz Nawaz moved the motion regarding national government welfare reform policies and in so doing advised members that, according to an NHS England, Peterborough is the 20% most deprived unitary authorities in England with 23% of

children living in low income families. Life expectancy in some parts of the city was 8.5 years lower than the national average and there was a need to improve the outcomes for all. He advised that Universal Credit had not helped and as a result 1972 children in Peterborough would lose free school meals and families were struggling to make ends meet.

Councillor Jones seconded the motion and reserved his right to speak.

Councillor Seaton moved an amendment to the motion and advised members he hoped to clarify the points the motion was seeking to make whilst retaining the sentiment. He confirmed the introduction of the Stand up for Peterborough Campaign which had cross party and MP support. The government had responded with additional school funding although further funding was needed.

Councillor Fitzgerald seconded the Amendment and reserved his right to speak.

Members debated the Amendment and in summary the points raised included that:

- Universal Credit had been introduced to solve serious problems and unfortunately had issues which needed to be addressed. The principle that it should pay to work was correct rather than people being locked into benefit dependency.
- There was a child poverty strategy.
- There was a funding bid to government under the Integrated Community Strategy.
- The Peterborough Community Assistance Scheme supported the most vulnerable including those in financial crisis through food banks, care zone schemes and assistance with advice on welfare benefits.
- Councillors were involved in other schemes in the city.
- The Amendment took the heart from the motion.
- The council needed to look at the way Amendments to Motions were discussed and dealt with and proposed that the Constitution and Ethics Committee should review the procedure.
- The Amendment removed reference to the Universal Credit, Bedroom Tax and added praise for the Welfare Reform Policy.
- Life expectancy had increased in the city over the last few years child poverty had reduced from 25% in certain areas.

Councillor Fitzgerald exercised his right to speak and advised that he regretted an agreement had not been reached on the wording on the Amendment. He advised that a policy was already in place through the Housing Benefit Cap that the council would only pay for the bedrooms the claimant was entitled to and this was in line with the bedroom tax policy. When the housing association cannot relocate residents into smaller accommodation with less bedrooms, the bedroom tax should not be applied however where residents refused to downsize the subsidy should be applied. The implementation of Universal Credit had not been great.

Councillor Nawaz waived his right to reply.

A recorded vote was taken on the amendment from Councillor Seaton (29 voted in favour, 19 voted against, 2 abstained from voting, 1 did not vote):

Councillor For: Allen, Ayres, Bashir, Bisby, Brown, Casey, Cereste, Coles, Eley, Farooq, Fitzgerald, Judy Fox, Fuller, Harper, Hiller, Holdich, King, Lane, Nadeem, Gul Nawaz, Over, Rush, Seaton, Serluca, Simons, Smith, Stokes, Walsh, Warren

Councillors Against: Barkham, Bond, Ferris, Fower, Hemraj, Hogg, Howell, Hussain, Amjad Iqbal, Jamil, Jones, Joseph, Lillis, Martin, Murphy, Shaz Nawaz, Saltmarsh, Sandford, Shaheed

Councillors Abstaining: Ash, John Fox

Councillors Not Voting: Ellis

The amendment was **CARRIED**.

Debate continued on the Amended Motion and points raised included:

- The amended motion still dealt with the issue of fairer funding and there were difficulties in people being transferred to alternative accommodation with less bedrooms.
- The city needed fair funding from the government.

Councillor Fitzgerald summed up as seconder for the Amendment and praised the delivery of the original motion.

Councillor Nawaz summed up as mover of the original motion and advised members he failed to see how Universal Credit supported the weakest and most vulnerable in society. He advised that he had sent the motion to the Leader for discussion however the response was an amended motion. He questioned whether the issues children are suffering are being dealt with however he acknowledged there have been improvements with life expectancy.

A recorded vote was taken on the motion as amended (unanimous) and the motion was **CARRIED AS FOLLOWS**:

“This council notes:

- That issues with the approach and roll-out of welfare reform policies have had a negative impact on certain residents ~~The far-reaching negative impact of national government welfare reform policies and austerity measures on residents of Peterborough.~~
- That increased demand and reduced Government funding is making the sustainability of Council finances challenging.

The council believes:

- That action is vital needs to be taken to support the weakest and most vulnerable in society who have been impacted the most by the austerity measures.
- Welfare reform is a key part of delivering a just and fair society but must be undertaken in an empathetic and clear way to ensure the weakest and most vulnerable are fully support.
- The Council already plays a vital role in supporting such people

- The government should do more through its Fair Funding Review to support its work and the people of Peterborough.

This council resolves to:

- Call upon all city council group leaders to be signatories to a letter to the government raising concerns over the impact of welfare reform and reduced Revenue Support Grant ~~the effects of government austerity~~ on the residents of Peterborough.
- In particular to raise concerns about the increasing levels of homelessness, increased dependency on food banks, the detrimental impact on child poverty and those the suffering inflicted on people living with a disability as a result of the introduction of measures such as Universal Credit, Bedroom tax and Personal Independence Payments.
- Most importantly urge the government to consider the issues outlined above in its Fair Funding Review.”

(3) Motion from Councillor Martin

Councillor Martin moved an altered motion and as all members were in agreement there was no debate.

A vote was taken (unanimous) and the motion was **CARRIED AS FOLLOWS:**

“This council notes:

- There is a housing crisis in our city
- Travelodge and other accommodation is costing the Council millions
- Families in temporary accommodation are suffering in many ways

This council believes:

- More needs to be done to address the housing crisis in the city
- Families need to be kept within Peterborough with longer-term accommodation so that they can live normal lives
- The financial costs are unsustainable and a better solution must be sought

The council resolves that:

- It will commit to delivering at least 100 homes per year via its joint venture company Medesham Homes
- As part of this commitment it will consider the option of using modular homes due to the speed of delivery. We would also welcome other house building initiatives such as co-operatives, community land trusts and schemes funded by the Combined Authority and Homes England.”

(4) Motion from Councillor Sandford

Councillor Sandford moved the motion on Transport Planning and in so doing advised transport contributed to almost 20% of the UK carbon emissions and was therefore one

of key areas that needed addressing in order to stand up to Climate Change. He suggested that emphasis should concentrate on cycling, walking and public transport rather than private cars but the evidence suggested this was not the case. Public transport subsidies had been cut and may be cut again. Park and ride costs little to run as some years it was sponsored by Queensgate and company car parks had been used at weekend. The number of users of the Park and Ride Service varied from 17,000 to 13,000 depending on the number of Saturdays the scheme operated and whether a fare was charged. Previous Local Transport Plans had included a permanent Park and Ride however this had since been removed. There number of cars entering the city was on the increase and air pollution posed a greater issue. He emphasised the motion is to conduct a feasibility study for a Park and Ride Scheme.

Councillor Bond seconded the motion and reserved his right to speak.

Members debated the recommendations and in summary the points raised included:

- The last year the Park and Ride operated it was not successful.
- Queensgate offered free parking which had a negative impact on the Park and Ride Service.
- The cost to provide buses. was approximately £40,000
- The service was not well used.
- The council should be promoting car sharing and public transport.

Councillor Bond exercised his right to speak and advised that traffic and air pollution would increase in the city centre as the city developed and the council needed to investigate other ways to allow access for work and shopping. A Park and Ride Scheme could help however it was too late to introduce the scheme for the current year.

Councillor Sandford summed up as mover of the motion and provided the following statistics:

- In 2005 number of operating days 20 number of cars 5095, number of users 13,960
- In 2007 number of operating days 219 number of cars 6057, number of users 17321

He suggested the council should examine an all year round scheme.

A recorded vote was taken (21 voted in favour, 29 voted against, 1 abstained from voting):

Councillor For: Barkham, Bond, Ellis, Ferris, Fower, Hemraj, Hogg, Howell, Hussain, Amjad Iqbal, Jamil, Jones, Joseph, Lane, Lillis, Martin, Murphy, Shaz Nawaz, Saltmarsh, Sandford, Shaheed

Councillors Against: Allen, Ayres, Bashir, Bisby, Brown, Casey, Cereste, Coles, Elsey, Farooq, Fitzgerald, Judy Fox, John Fox, Fuller, Harper, Hiller, Holdich, King, Nadeem, Gul Nawaz, Over, Rush, Seaton, Serluca, Simons, Smith, Stokes, Walsh, Warren

Councillors Abstaining: Ash

Councillors Not Voting: Nil

The amendment was **DEFEATED**.

(5) Motion from Councillor Fower

Councillor Fower moved the motion to reduce Members Allowances the costs of having a Chief Executive.

Councillor Shaz Nawaz seconded the motion and reserved his right to speak.

Members debated the recommendations and in summary the points raised included:

- Members advised that the Independent Remuneration Panel cannot be advised of the preferred outcome.
- All councillors received an allowance.
- That councillors had voted unanimously earlier in 2018 to have no say in allowances and that the recommendations of the Independent Remuneration Panel should be mandatory.

Councillor Shaz Nawaz exercised his right to speak and advised he had seconded the motion to enable a debate to take place.

Councillor Fower summed up as mover of the motion and advised members the meeting was being streamed on Facebook. He advised that situations could change and he had taken advice from the Monitoring Officer. He felt the public would see the motion as a gesture of support.

A recorded vote was taken (4 voted in favour, 39 voted against, 8 abstained from voting):

Councillor For: Fower, Hemraj, Martin, Murphy

Councillors Against: Allen, Ayres, Barkham, Bashir, Bisby, Bond, Brown, Casey, Cereste, Coles, Elsey, Farooq, Fitzgerald, Judy Fox, John Fox, Fuller, Harper, Hiller, Hogg, Holdich, Howell, Jamil, King, Lane, Lillis, Nadeem, Gul Nawaz, Over, Rush, Saltmarsh, Sandford, Seaton, Serluca, Shaheed, Simons, Smith, Stokes, Walsh, Warren

Councillors Abstaining: Ash, Ellis, Ferris, Hussain, Amjad Iqbal, Jones, Joseph, Shaz Nawaz

Councillors Not Voting: Nil

The motion was **DEFEATED**.

The Mayor asked if anyone wanted to propose a motion to suspend Standing Order 14.2 to extend the meeting to which the response was negative.

(6) Motion from Councillor Fower

Councillor Fower introduced the motion with references to accommodating homeless people out of the area in Travelodge hotels and called for the replacement of the Cabinet Member for Housing, Planning Services, Growth and Economic Development.

The motion was seconded by Councillor Murphy and who reserved his right to speak.

Councillor Hogg moved an amendment to the original motion and agreed the problem of moving people out of area is abhorrent. He suggested a Task & Finish Group across all parties to assist the council in solving the problem.

Councillor Sandford seconded the amendment and reserved his right to speak.

The amendment was debated and the following points were raised:

- Councillor Fitzgerald advised that he would not be supporting either the motion or the amendment. He stated that the council have a duty to house people who present themselves as legally homeless and when homes were not available in Peterborough the search area was extended and no Task & Finish group can change the law. He stated there was currently no alternative.
- A Task & Finish Group would not be appropriate. There were problems within the housing department which needed to be investigated and reference was made to the motion agreed earlier in the evening to look at other options to solving the homeless issue in Peterborough.
- Bayard Place was also assigned for temporary accommodation however Councillor Seaton advised this was not the case.
- Medesham Homes did not make a profit and Councillor Hiller does not get paid for being on the Planning Committee for which Councillor Murphy apologised.
- Bretton Court was assigned for temporary accommodation which would be sold off in the event it was no longer required for that use.
- Members acknowledged the distress caused when people are housed out of the area.
- Bretton Court was a dire planning application, with little housing.
- There was a conflict of interests with the board of Medesham Homes and a cabinet member.

Councillor Holdich advised no homeless people would be housed outside the city by the end of the year and all homeless figures would be published on the internet by the end of November. He stressed that it was not the Council's or Councillor Hiller's fault that there had been an unprecedented increase in homelessness which was due to government policy and he fully supported Councillor Hiller as one of his best Cabinet Members. Temporary accommodation had more than doubled under his direction, Medesham Homes had 275 planned homes across the city, he was progressing with securing 50 homes from private landlords and purchasing private homes on the open market. He reiterated that families were being housed outside the area as there were no other alternatives and to fail to provide accommodation somewhere would be failing in the council's duty under current legislation. At a recently attended LGA meeting all councils were homing people out of area or providing homes for people out of their area.

In accordance with Standing Order 14 there was no further debate and a vote taken on the remaining agenda items without discussion.

A recorded vote was taken on the amendment from Councillor Hogg (7 voted in favour, 42 voted against, 2 abstained from voting):

Councillor For: Barkham, Bond, Hogg, Lillis, Saltmarsh, Sandford, Shaheed

Councillors Against: Allen, Ayres, Bashir, Bisby, Brown, Casey, Cereste, Coles, Ellis, Elsey, Farooq, Ferris, Fitzgerald, Fower, Judy Fox, John Fox, Fuller, Harper, Hemraj, Hiller, Holdich, Howell, Hussain, Amjad Iqbal, Jamil, Jones, Joseph, King, Lane, Martin, Nadeem, Gul Nawaz, Shaz Nawaz, Over, Rush, Seaton, Serluca, Simons, Smith, Stokes, Walsh, Warren

Councillors Abstaining: Ash, Murphy

Councillors Not Voting: Nil

The amendment was **DEFEATED**.

A recorded vote was taken on the original motion (9 voted in favour, 40 voted against, 2 abstained from voting):

Councillor For: Ellis, Ferris, Fower, Hemraj, Hussain, Amjad Iqbal, Jamil, Martin, Murphy

Councillors Against: Allen, Ayres, Barkham, Bashir, Bisby, Bond, Brown, Casey, Cereste, Coles, Elsey, Farooq, Fitzgerald, Judy Fox, John Fox, Fuller, Harper, Hiller, Hogg, Holdich, Howell, Jones, Joseph, King, Lane, Lillis, Nadeem, Gul Nawaz, Over, Rush, Saltmarsh, Sandford, Seaton, Serluca, Shaheed, Simons, Smith, Stokes, Walsh, Warren

Councillors Abstaining: Ash, Shaz Nawaz

Councillors Not Voting: Nil

The motion was **DEFEATED**.

(7) Motion from Councillor Farooq

This motion concerning first time buyers was withdrawn.

41. Reports to Council

(a) Report of the Returning Officer

A vote was taken (unanimous) and it was **RESOLVED** that Council received and noted the results of the local Orton Longueville by-election held on Thursday 2 August 2018.

(b) Political Balance Calculation

A vote was taken (unanimous) and it was **RESOLVED** that Council received and noted the updated allocation of seats on those council committees subject to political balance arrangements.

The Mayor

7.00pm – 11.38pm
17 October 2018

Town Hall
Bridge Street
Peterborough

QUESTIONS AND ANSWERS

Questions were received under the following categories:

<u>PUBLIC PARTICIPATION</u>	
6.	<u>Questions from members of the public</u>
1.	<p>Question from Mr Francis Kisero</p> <p>To Councillor Ayres, Cabinet Member for Education, Skills and University</p> <p>As I currently speak, my profession is a statistician and my dedication is to teach. At the moment I am unemployed and homeless because the Home Office delayed between 4 April and 4 August to respond to my visa renewal and I was dismissed from work by the Regional College where I was teaching and the University of Peterborough where I lecture statistics. I went on the road and lost my house, and I am at St Michael's Gate in Peterborough as I am homeless.</p> <p>With the Home Office now answering me back with on 4 August I have my right to work and I would like to return quickly into work.</p> <p>What support can the council offer me to develop a sustainable and affordable employment service to benefit secondary school pupils in Peterborough who use private practices? I can give Math, Physics and Chemistry tuition at GCSE level and Math at all levels. I am currently teaching in homes to ensure I do not lose out on the capabilities I have.</p> <p>Councillor Ayres responded:</p> <p>The City Council's role in education is to work strategically with secondary schools to ensure effective transitions into employment, education or training. The council does not provide funding for private tuition or quality assure the offer made so we are unable to support directly. Access to this type of offer is for the consideration of parents and guardians of young people. The City Council website holds contact information for secondary schools if Mr Kisero wishes to follow this up with them directly.</p> <p>However in order to assist further I can point out that Opportunity Peterborough, a private not-for-profit business, wholly owned by Peterborough City Council, leads the city's economic development. As an economic development company, Opportunity Peterborough's core responsibilities include engaging with local companies to support growth and development by offering a range of impartial and independent support and guidance. Services include helping local businesses to access grants and funding, providing economic intelligence and supporting the development of the local workforce.</p> <p>Mr Francis Kisero asked a supplementary question:</p> <p>I would like those responses in writing. In order to start up, I am not looking for funding, I am looking for a single location where I can multiply the numbers and tell the students to come to me. My proposal in the detailed question was, locations such as The Barns</p>

	<p>and The Youth Centre in Werrington which the council has direct affiliation to in developing the youth. If I could use them I could look for the clientele to direct them there.</p> <p>Councillor Ayres responded:</p> <p>The Education Department cannot assist in this matter however Opportunity Peterborough should be able to assist and I will get there telephone number to you.</p>
2.	<p>Question from Alan Bridger</p> <p>To Councillor Walsh, Cabinet Member for Communities</p> <p>In peak times Geneva Street, where I am a resident, gets severely congested, causing problems for regular motorists and emergency vehicles often not being able to pass through the street with sirens and lights going. I hope you will agree that this is not acceptable. Minor collisions are a regular occurrence with cars often parked on double yellow lines on a one way street and a cycleway. Only recently a pedestrian was knocked down by a car on the path.</p> <p>The street has double yellow lines and a two way cycle way running parallel to it. This means that no parking is available, or loading or unloading, at any time. Problems, however, do occur in the daytime but more often in the evening. Enforcement officers are not frequently seen in the street, nor do they work at night, except in the last two weeks when they worked until 10pm at weekends.</p> <p>I have previously written to parking services and also the police about the situation, but no improvement has been seen.</p> <p>The parked cars are causing obstructions for cyclists and for pedestrians. In particular, the entrance to the car park of Endurance House has been blocked, causing long queues of traffic for visitors to the residents inside.</p> <p>The matter is getting worse with the increase in the number of business in the areas, and increased traffic.</p> <p>Can I ask that the Council take action to address this problem before someone is seriously injured or killed? I believe that increased enforcement in the area may go a long way into dealing with offenders. Other solutions, however, could be investigated and I would be happy to discuss these with Council officers should they like to meet.</p> <p>Councillor Walsh responded:</p> <p>Inconsiderate parking is a problem throughout the city. The Council's Prevention and Enforcement Service is responsible for enforcing a variety of parking restrictions across the Peterborough area, and, in consultation with them, they have agreed to implement a patrol plan to cover Friday and Saturday evenings in the coming weeks, alongside their scheduled daytime patrol visits.</p> <p>Additionally, officers from both the PES and our Highways Service will undertake a site visit to review Geneva Street, including reviewing the collision data. With your agreement, they will ensure you're notified of the visit so that you may accompany them.</p>

	<p>Alan Bridger asked a supplementary question:</p> <p>The answer is not additional traffic wardens as the problem continues beyond the working hours of the officers until the early hours of the morning and more needs to be done than increasing patrols.</p> <p>Councillor Walsh responded:</p> <p>Different options will be explored and I am sure we can find a way forward.</p>
3.	<p>Question from Matthew Talbut</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>What is the Council's policy towards Airbnb?</p> <p>Matthew Talbut was not present and did not ask his question.</p> <p>Councillor Hiller may have responded:</p> <p>The Council has no policy regarding Airbnb properties. In planning terms, a dwelling used for such short term lets providing accommodation for up to 6 persons or less remains within the legal definition of a dwelling and so planning permission is not required. The decision as to whether a property is in domestic or non-domestic use for taxation purposes is solely a matter for the Valuation Office Agency to consider and the Council has no control over this decision.</p>
4.	<p>Question from Heather Skibsted</p> <p>To Councillor Walsh, Cabinet Member for Communities</p> <p>The Post Office at Herlington, Orton Malborne, was closed on 10 July advertised as a temporary closure. However it remains closed and after speaking to a number of residents</p> <p>This has caused considerable inconvenience to many people, many of whom are elderly. It is now understood that the next nearest Post Office at the Orton centre is due to close in the near future. Many residents are not able to travel the distance to Orton Longueville Post Office or get to the city centre.</p> <p>A petition to oppose the closure reached nearly 200 signatures was presented to the council showing the concern and dismay at the loss of this vital service. I was informed that the closure was due to a large increase in the rent for the premise which is owned by Cross keys and with whom the council have a close working partnership.</p> <p>The council often provides financial incentives to attract business to Peterborough and with that in mind I would like to ask what the council are able to do to assist with the reinstatement of such a vital service for the residents of Orton Malborne?</p> <p>Councillor Walsh responded:</p> <p>We have been fully aware of the seriousness of this matter for a considerable length of time and have huge sympathy for local residents following the loss of</p>

	<p>this vital service due to the unexpected resignation of the Postmaster. Members will appreciate that neither the Council nor Post Office Ltd were able to prevent the resignation of the Postmaster and the subsequent withdrawal of the premises.</p> <p>Orton Longueville Councillors have been engaging with all parties concerned for several months and NWCCA's MP Shailesh Vara, prompted by Councillor Elsey, has also been in touch with the Post Office emphasising the hardship the lack of this amenity would cause.</p> <p>Mr Vara has been informed that a Post Office will be opening in the Orton's area but the exact location and timings cannot yet be made public for commercial reasons. Meanwhile our officers are facilitating a meeting with the Post Office and we hope to learn more at that time.</p> <p>Heather Skibsted asked a supplementary question:</p> <p>When will this meeting with the Post Office take place?</p> <p>Councillor Walsh responded:</p> <p>That meeting is scheduled for 22 October 2018.</p>
5.	<p>Question from Jelana Stevic</p> <p>Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>What actions are Peterborough City Council taking to address the homeless numbers and shortage of housing for them for the foreseeable future?</p> <p>Councillor Hiller responded:</p> <p>The Council continues to take positive and direct action to address the shortage of accommodation available for those who are approaching us for homelessness assistance. This year the Council is on target to secure around 70 properties on lease from the private sector, purchasing around 50 properties from the open market, and securing a number of properties from our Housing Association partners for use as temporary accommodation. The work is ongoing and involves a number of agencies and officer and directorates within Peterborough City Council (PCC). We have achieved a 10% decrease in households in temporary accommodation since August and in addition the Council is investing £35million in Medesham Homes, our joint venture development company, which will start delivering permanent homes for households who are homeless and in temporary accommodation in next month or so.</p> <p>Jelana Stevic asked a supplementary question:</p> <p>What is concerning, is that it will take PCC and their partners three years to build the necessary houses needed in just one year now. 290 in the pipeline whereas the forecast figure predict the homeless figures will increase in the future and these are figures from Shelter.</p> <p>Councillor Hiller responded:</p>

	<p>One homeless family is one too many and you'll be aware I'm sure of the council's keenness to address the apparent issues around St Michael's Gate. To put some perspective on the national issue – the number of Peterborough households in temporary accommodation is currently 350, a downward trend. Nearby Labour controlled Luton has 3,500, twice the amount of homeless households than any other town in the East of England. Ten times the amount we have in Peterborough.</p>
6	<p>Question from Beki Sellick</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>My question is about animal welfare and our food after any Brexit. Multi-national corporations are lobbying for health, environmental and labelling standards to be lowered. Then cheap imports from outside the EU could put British food producers out of business, and would impact on jobs in Peterborough and the health of Peterborians. As an Environment Capital, what lobbying is Peterborough City Council doing and how will you engage Peterborians to support such endeavours?</p> <p>Councillor Hiller responded:</p> <p>I don't imagine there is anyone in this chamber who are able to give a definitive answer about what a post Brexit deal and conditions will look like. I cannot speak with any degree of confidence as it seemingly changes every day. The LGA, (<i>the councils Union</i>) are working on behalf of all councils on what the effects of Brexit may be and I am sure they will publish their findings at the appropriate time.</p> <p>Beki Sellick asked a supplementary question:</p> <p>I have the same question again. I am not asking about the Brexit deal, I am asking about the lobbying being done. There is a lot of lobbying being done by the transnationals to that have the impact of lowering standards and losing jobs in our community, and will have the impact of reducing our health. I am asking in the face of that lobbying, what is Peterborough doing to protect those jobs and protect our health.</p> <p>Councillor Hiller responded:</p> <p>Until we know what we are lobbying about I cannot image what we would lobby. As the chosen Liberal Democrat Parliamentary Candidate for Peterborough constituency and presumably some ne who does not agree that the majority of Peterborough residents were right when they voted to leave the EU I don't imagine many here tonight are surprised at you dire warnings about the health of our city's residents post Brexit. I have heard nothing of the dismissal of the Food Standards Agency, the highly regarded independent body which protects the nation's health in this area, so I do not personal accept your rhetoric in this area.</p>

COUNCIL BUSINESS

8. Questions on notice to:

- a) The Mayor
- b) To the Leader or Member of the Cabinet
- c) To the Chair of any Committee or Sub-committee

1. Question from Councillor Ferris

To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development

What is the working definition and duration of Temporary Accommodation as used by this Authority?

Councillor Hiller responded:

Peterborough's definition of temporary accommodation is the same as everywhere else across the country, that being accommodation that has been provided to a household who has presented to the Council as homeless, has no suitable accommodation available for their occupation and is considered to be in priority need for homelessness assistance. The wait for suitable accommodation could be many months dependant on many different facts.

A supplementary question was asked:

Many of the people living in temporary accommodation have quite a clear idea what the word temporary means. What is the Cabinet's view on the fact that many people are in temporary accommodation over six months with serious impact on their health and well-being.

Councillor Hiller responded:

The situation is dire across the country. Temporary accommodation is made available whilst the council make investigations into the housing application and if this duty is accepted, until this duty is discharged by making an offer of suitable permanent housing. The amount of time a household spends in temporary accommodation will vary dependant upon the household need and availability of the type accommodation required. It is not uncommon for households to be in temporary accommodation for many months. In 2003 the Labour government passed The Homelessness Suitability of Accommodation England Order 2003. This brought in the rule that councils should not leave families with children in none self-contained accommodation for longer than 6 weeks. Nearby Watford run by Labour and LibDem councillors, state officially on their website that for single people or couples the wait can be twelve or more and the average wait for families can be over three years.

2. Question from Councillor Hemraj

	<p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>With the number of people requiring temporary accommodation, is the St Michael's Gate contract likely to be extended? As the council is now having to pay more for temporary accommodation, would it not be better to look at purchasing St Michael's Gate from Stef and Phillips?</p> <p>Councillor Hiller responded:</p> <p>The Council's Lease with Stef & Philips is for two years with an option for a third. Given the continued demand for accommodation from households who are homeless, we will be entering into to a third. Should the opportunity arise to purchase the properties we currently lease at St Michael's Gate, the Council will look seriously at the viability of such an arrangement as part of our normal due diligence approach.</p>
3.	<p>Question from Councillor Murphy</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>What plans are there for a new pedestrian crossing or crossings on Hartwell Way to create safer access from Ravensthorpe and Westwood into the Bretton underpasses and when will a crossing be provided?</p> <p>Councillor Hiller responded:</p> <p>We recognise the importance of pedestrian crossings across the city in order to ensure that people can cross the road safely, I do not recall a request from you to evaluate this particular location. Could you let me know when you did that?</p> <p>A supplementary question was asked:</p> <p>At the time you were spending £250,000m on Greasley Way and myself and Councillor Smith asked for crossings in Hartwell Way, could this be reviewed and reported back to us as soon as possible.</p> <p>Councillor Hiller responded:</p> <p>If there is written evidence of that request then I apologise however we continually review the cities infrastructure and as a result of this we have recently installed, at the request of ward councillors, new crossings on Gresley Way near Ravensthorpe Primary School and on West Lake Avenue near Hampton Vale Primary School.</p>
4.	<p>Question from Councillor Hogg</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>Following a recent application by Medesham Homes to convert commercial property in Bretton to flats, where there was no provision of units designated as social housing, why is this Council led venture looking to minimum legal provision and not looking to set an example by only building units which are designated as social housing?</p>

	<p>Councillor Hiller responded:</p> <p>All the units in Bretton Court were destined initially temporary accommodation units and affordable housing thereafter, as noted in the planning application, when the need for temporary accommodation is reduced.</p> <p>A supplementary question was asked:</p> <p>At the planning committee stage we were advised that the units planned at Bretton Court were initially available for temporary housing but according to the rules, there was no provision for social housing as it wasn't necessary. The reason for the question is that Medesham Homes was sold to the council as a joint venture between the council and Cross Keys to shore up the woeful lack of social housing available to the city and we should be pushing forward to increase.</p> <p>Councillor Hiller responded:</p> <p>The question was why the Medesham application did not include units that were social housing, they were all. You sat as a Liberal Democrat substitute member on the planning committee and you decided that on a parking technicality to propose a vote against providing over 400 desperately needed temporary homes contrary to the planning officer's recommendation to approve the recommendation to approve the recommendation. The existing building could be reoccupied at any time as offices with no allocation of parking provision. This poor decision prevented the provision of temporary accommodation for the most vulnerable members of our society and was supported by Cllrs Nawaz and Iqbal.</p>
5.	<p>Question from Councillor Davidson</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>Please can the relevant Cabinet Member confirm when the 100K for Norwood Lane improvement is to start? Faulty Electrical systems would benefit by having an Electrical system upgrade.</p> <p>Councillor Hiller responded:</p> <p>Councillor Davidson has not been here for a while but s hopefully watching the live stream. The £100,000 capital funding has been provided for improvements to the Lane leading to the gypsy and traveller site. Various site meetings have taken place with residents, officers and other agencies to discuss solutions to reduce the amount of fly tipping on the Lane in order to allow residents and visitors safe passage to and from the site and their caravans.</p> <p>This has been a continual problem here with the residents blaming outside fly tippers and others blaming residents. The issue crosses over to my portfolio and the Communities and Waste briefs in this respect. Following these discussions and with the support of most residents concrete blocks have been installed along the Lane reducing the width of the carriageway to a single lane with a passing place.</p>

	<p>Repairs to the road surface are also scheduled to take place shortly. Since this we have received no reports of access to the site being blocked which means a significant reduction in fly tipping and the number of calls to the fire service has significantly reduced.</p> <p>As Councillor Davidson was not present there was no supplementary question.</p>
6.	<p>Question from Councillor Davidson</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>Please can the relevant Cabinet Member confirm when the Column Replacement and Lantern Upgrade for Fulbridge Road Werrington are going to be scheduled?</p> <p>I was advised in January 2018 by Peterborough Street lighting Growth and Regeneration that the works would be completed in August 2018 and that is not the case.</p> <p>Councillor Hiller responded:</p> <p>The LED upgrade programme started in October 2016 for a three year period and is now nearing completion with the final stages due to be completed in April next year, ahead of the initial August deadline. The year of completion has always been 2019 and not 2018. LED lighting is designed to direct light downwards onto the roads reducing light pollution into properties and also producing less carbon than conventional street lighting. The upgrade project started in October 2016 and is happening in two phases, all street lights with steel columns will have lanterns replaced with an LED version, alongside any lights with concrete or cast iron columns will be removed and replaced in full. PHS technicians will fitting digital control units known as Central Management Systems within every lamp post to enable engineers to monitor each light and detect and fix faults quickly.</p> <p>As Councillor Davidson was not present there was no supplementary question.</p>
7.	<p>Question from Councillor Coles</p> <p>Councillor Walsh, Cabinet Member for Communities</p> <p>The state of private land on the riverside in Fletton and Woodston ward between the Asda footbridge up to Wharf Road and on derelict land south of Oundle Road is very poor; private landowners are not adequately maintaining their properties, cleaning graffiti or picking up litter.</p> <p>The result of this lack of action is to have made the area a focus for drug dealing and misuse and local residents are increasingly reporting concerns about drug abuse, rough sleeping and drunkenness in this area.</p> <p>Could the Cabinet Member please give an update on actions that are being taken to ensure private landowners deal with nuisances on their land and what additional actions are being taken to deal with anti-social behaviour in the area?</p> <p>Councillor Walsh responded:</p>

	<p>Following earlier calls for action, the Councillor, Leader and senior officers took part in a walkabout of this area to understand the extent of the issues. This led to the formation of a multi-agency working group tasked with addressing drug use and specifically dealing with an abandoned needle issue in this area. This included a particular focus on privately-owned land. Subsequent targeted activity has now begun, including:</p> <ul style="list-style-type: none"> • Scheduled litter picks of this area • Working with drugs agencies and pharmacies to track needles issued, and encourage a return scheme for used needles • The allocation of monies to allow for the collection of discarded needles from private land, supported by the Prevention and Enforcement Service, who are following up enforcement activity with private landowners where appropriate • Placement of needle bins in hot-spot areas • Increased police and council officer patrols <p>It is acknowledged that whilst this activity is focused on drug use, the concerns of wider anti-social behaviour also need to be addressed. A new Public Space Protection Order to cover this area has therefore been approved. This gives council officers increased powers to deal with persons committing issues such as street drinking and littering, and will be accompanied by consultation and discussion with owners of private land to obtain agreement that enforcement can take place on their land.</p> <p>Councillor Coles asked a supplementary question:</p> <p>Do you have the date for the consultation to go live onto the council website and is it possible to have a briefing from officers on how the boundary to this PSPO area was decided as there have been questions from residents about how it was drawn up?</p> <p>Councillor Walsh responded that she would supply the relevant information.</p>
8.	<p>Question from Councillor Ferris</p> <p>Councillor Seaton, Cabinet Member for Resources</p> <p>PCC signed up to an energy agreement with OVO Energy which was touted as being the best deal available to local residents, so can the leader now explain why these residents are faced with a 35% price hike, which has led to a significant reduction in the number of accounts, from around 9,000 to 5,000?</p> <p>Councillor Seaton responded:</p> <p>With regard to the comment that this was touted as being the best deal for local residents – this has never sad this since the first press release in 2015 to the latest. It was hoped at launch date to be the cheapest for pre-payment meters but was made clear that tariffs vary over time.</p> <p>The tariff, 'Peterborough Energy' was created to encourage those households who had never switched, or rarely switched from their existing supplier to do so. Those households typically in this bracket are on variable tariffs, are of 60 years plus in age and are the most at risk of falling into fuel poverty. It was felt this particular age generation would have more confidence in doing so if the tariff</p>

	<p>was 'white labelled' by the Council. It was publicised as an alternative competitive deal but was for residents to decide. It was part of a range of measures the council was undertaking to end fuel poverty using informal action and powers under the Housing Act, providing Repairs Assistance Grant Funding delivered by the Care and Repair Home Improvement Agency, Access to Energy Efficiency Improvements via the Green deal Community Fund and free solar PV generation on roofs.</p> <p>Since 2015, the energy market has seen a significant hike in prices across the industry. All suppliers of gas and electricity have put their prices up. Initiatives such as ours and the work of OFGEN has secured a more competitive market with less people left on high tariffs and we are looking at other opportunities.</p> <p>Councillor Ferris asked a supplementary question:</p> <p>Given that vulnerable residents feel let down, what can the Cabinet say to those residents looking for a new energy provider who can offer a 100% green or renewable tariff with a contract ensuring a price freeze for at least three years? Will he know look at offering this, yes or no?</p> <p>Councillor Seaton responded:</p> <p>We are looking at other options are available. It is positive that people are moving away as it illustrates people are looking at different tariffs and switching what was what we wanted to encourage. Councillor Seaton confirmed yes, he would be happy to look at that.</p>
9.	<p>Question from Councillor Fower</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>According to a recent FOI request (CRN1809545256) £545,000 has been allocated for a bus service in relation to the Norwood/Paston Reserve development. Could the relevant Cabinet member please let me know when this money was received, how much has been spent to date and on what?</p> <p>Councillor Hiller responded:</p> <p>The question also alludes to £545,000 of s106 contributions in respect to 3 planning applications.</p> <p>£83,626 has been received with regard to 2 outline planning applications and no further contributions are due. This contribution is to be spent only towards the provision of a bus service between the site and the City Centre or such other improvement or subsidisation of public transport links to the area.</p> <p>A further £154,079 has been received with regard to a third planning application. Another £154,079 will be due at the occupation of the 300th dwelling and another £154,079 at the occupation of the 450th dwelling. Again these contributions are to be used for the provision of a bus service between the area and the City Centre or such other improvement or subsidisation of Public Transport links to the area approved by the applicants. To date the amount received to date is £237,705 and this is being held within the s106 fund as is normal.</p>

	<p>Councillor Fower asked a supplementary question:</p> <p>This is not a new issue, how much longer the residents of the area of Manor Drive are going to have to continue to put up with this Administration taking the mick out of them when it comes to the basic provision of a bus service which is very much needed by a number of vulnerable people in that area?</p> <p>Councillor Hiller responded:</p> <p>I do not agree with the premise of the supplementary question, this Administration does not take the mick out of anybody and I am not prepared to answer that question.</p>
10.	<p>Question from Councillor Murphy</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>The cost of homelessness is currently over £200,000 per month and new social homes for rent will mitigate these costs. How much expenditure so far has been defrayed in providing new homes and/or acquiring homes for homeless families and how many new homes for rent have been built?</p> <p>Councillor Hiller responded:</p> <p>The council disposed of its housing stock by transferring them to Cross Keys Homes in 2004 to free up rental properties in order to build new affordable housing leaving the Council's primary role in housing that of planning authority and ensuring an adequate 5 year land supply. Most councillors will be aware the five year land supply is critical to this local authority and at this stage we have ample supply with buffers if required.</p> <p>However in light of the number of seeking accommodation the Council is in a joint venture with Cross Keys and also with Medesham Homes, which has a pipeline of 277 homes with 29 built to date (Midland Road).</p> <p>The Council is also leasing homes through the private rented sector. 46 have been acquired to date.</p> <p>In addition there are plans to purchase a minimum of 50 Homes through a £10m investment from Invest to Save. The first offers have been accepted and the 50 homes will come on stream over the course of the next 6 months.</p> <p>In addition the Council has acquired 7 properties in Cromwell Road as part of the North Westgate regeneration programme. These will be used as Temporary Accommodation for homeless households pending regeneration of that area. There is an outline application for phase one of the North Westgate Improvement Works currently with our planning department. The number in temporary accommodation has already reduced from 385 in August to 350 at present and there has been a corresponding reduction in households in bed and breakfast accommodation.</p> <p>Councillor Murphy asked how much so far had been defrayed?</p> <p>Councillor Hiller responded he would get this figure.</p>

11.	<p>Question from Councillor Fower</p> <p>Councillor Walsh, Cabinet Member for Communities</p> <p>Shopkeepers in and around the Gunthorpe Ward are fed up with the levels of shoplifting occurring in their stores.</p> <p>One of them told me "I do not bother calling the police now. They just give you a crime number and that's the end of it. I never hear back."</p> <p>Could the relevant Cabinet Member let me know whether the same level of tenacious tactics used by the Council's Prevention and Enforcement Service regarding cycling along Bridge Street, could be emulated to support these local businesses? Either way, will the Cabinet Member agree to visit the local stores with me, in order to offer them some advice as to what help can be offered to them from Peterborough City Council?</p> <p>Councillor Walsh responded:</p> <p>I am very sympathetic to the plight of retailers whose businesses are being harmed by the criminal activity of a minority of people. However, shoplifting is a criminal offence, and not an area of public service that council officers have enforcement powers.</p> <p>I would like to stress that shopkeepers should continue to report instances of shoplifting to the police, who are in a position to take the necessary action.</p> <p>Together with other local Ward Councillors, Cllr Fower may wish to recommend that shopkeepers write to the Chief Constable, setting out the problem and urging him to review the situation and deploy more resources to the area.</p> <p>I would also like to suggest that Cllr Fower recommends that shopkeepers explore the use of measures such as cameras and mirrors (if they are not already doing so), as well as advice which is obtainable on-line or through a security organisation.</p> <p>Councillor Fower asked a supplementary question:</p> <p>I have written to the Police and Crime Commissioner. The police have a responsibility for shop lifting however the local authority does provide CCTV in other parts of the city and what can the council do to alleviate the problem?</p> <p>Councillor Walsh responded:</p> <p>CCTV cameras are working outside properties. Shoplifting occurs within the shops and the advice would be to install cameras inside shops. If you would like to discuss further please get in touch with me.</p>
12.	<p>Question from Councillor Sandford</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>Much concern has been expressed recently about accumulations of plastic in rivers and oceans around the World and the threat which they pose to wildlife and to ecosystems. In its recently published 25 Year Environment Plan, the Government</p>

	<p>stated its intention of eliminating single use plastic materials during the lifetime of the plan. This will only be achieved through a concerted effort by Government, private industry, local authorities and individual citizens. Could the relevant Cabinet Member tell us what Peterborough City Council is doing and what it intends to do in response to this urgent environmental problem?</p> <p>Councillor Hiller responded:</p> <p>The Council is creating a policy with regards the use of single use plastics within Council and Partners facilities. The aim of this policy is to work towards eliminating avoidable plastic waste and will involve educating employees and residents on avoiding unnecessary single use plastic items and using alternative reusable options.</p> <p>The Government has confirmed it will introduce a Deposit Return Scheme (DRS) in England for single use drinks containers which will aim to capture the millions of plastic bottles a day that go unrecycled or escape into the environment. The Council support the government's initiatives and await the consultation results.</p> <p>In addition to this the Council are also at the forefront of the Circular Economy agenda which involves seeking opportunities to move away from the traditional linear approach to waste by encouraging and supporting more "circular" activities such as reuse, repair and re-manufacture. I am willing take any member through what we are doing in that area.</p> <p>Councillor Sandford asked a supplementary question: The issue is not just accumulation of plastic in the seas it is also a massive carbon emissions and recently the ICC report said that we have 12 years to avoid irreversible climate change. I welcome the fact that there is a policy developing, can you tell us when we can expect to see some action. There were 1000s and 1000s of plastic disposal bottles recently and plastic disposable cakes being handed out at the Great Eastern Run and at the election counts at the Town Hall there are 100s of plastic bottles handed out to counters. When will we see some action on this issue?</p> <p>Councillor Hiller responded: I agree but hope they were collected at source as there is no evidence of them in the city tonight. I welcome any initiative from any member on the waste issue and disposable waste. We await the official government outcome and will keep the chamber fully informed.</p>
	<p>NO FURTHER QUESTIONS WERE ASKED DUE TO THE TIME LIMIT BEING REACHED</p>
13.	<p>Question from Councillor Sandford</p> <p>To Councillor Seaton, Cabinet Member for Resources</p> <p>The live streaming of Full Council meetings has now been operating in Peterborough for just over a year. Could the cabinet member for Resources give us a short report on how many people have been tuning in to the broadcasts and any feedback which has been received from users?</p> <p>Councillor Seaton may have responded:</p>

The live streaming of Full Council meetings on the council's Facebook page has been very popular, attracting a high number of views and comments. There have been seven meetings streamed to date, eight including tonight's meeting, with a total of 54,925 views.

Many of the comments from viewers on Facebook about the live streaming have been very positive. There has also been many comments during and after each meeting about the issues being discussed. All of the comments are publicly available to view on the council's Facebook page.

We recognise that residents might not be able to attend our public gallery for many reasons and this is a way of delivering democracy into their front rooms.

A large proportion of the views have been after the meetings have ended, the live stream remains available on the Facebook page enabling people to watch the meeting when it's convenient for them.

Live streaming viewing figures:-

Date of meeting	Number of views
25/07/18	11,840
21/05/18	8,472
07/03/18	11,661
24/01/18	6,128
13/12/17	4,950
11/10/17	6,360
29/08/17	5,514

14. Question from Councillor Shaz Nawaz

To Councillor Ayres, Cabinet Member for Education, Skills and University

What plans has the cabinet member put in place to address the recent SATS results which place us at 149 out of 149 in the league tables?

Councillor Ayres may have responded:

Thank you Cllr Nawaz for your helpful question. I must say that I do appreciate the incisive questioning and support given by the Chair and all members of the Children and Education Scrutiny Committee in the need for everyone to work together to support the journey of improvement needed in Peterborough, not

	<p>merely criticising the hard work of leaders and teachers in our schools who give everything to educate our children.</p> <p>Our primary schools have almost universally seen large increases in their pupil numbers. 90% of our schools are graded as good or better by Ofsted which is better than the national average (89%) but the challenge we face is how we translate the good performance that is observed in schools into better outcomes in assessments. Officers have met with primary heads and academy trusts and there is a combined acceptance that change is needed and a focus is needed on leadership. Plans will evolve across the academic year – we need some immediate impact but the focus must be on longer term sustainable improvement.</p> <p>In the short term, we have developed a relationship with the London Borough of Newham to share their excellent practice around Phonics. We are also working with the Cambridge Maths Hub to support the improvement we need in Maths in primary schools. Ofsted have partnered with us in running two workshops in November for school leaders. We have refreshed our recruitment and retention strategy and our website ‘Teach Peterborough’ is being updated to encourage more teachers to come to the area. It will also show the strength of training opportunities we offer and will have a new focus on recruiting new governors, who are crucial in strong leadership. As a local authority, we will be using our statutory powers to intervene where schools are under performing.</p> <p>In the longer term we need a focus on developing our leaders and on assuring the curriculum in our schools to help children to achieve. Nobody is standing still in the drive to improve.</p> <p>Education is a complex area with many partners – the Local Authority, Academy Trusts, Dioceses, Regional School Commissioner and others. We all have a role to bring everyone together for Peterborough’s children.</p>
15.	<p>Question from Councillor Coles</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>It is great to see that the significant roadworks on Bourges Boulevard have now been completed after complex series of roadworks and that traffic now appears to have returned to normal. Residents in Fletton and Woodston have been concerned about the impact of the roadworks on journeys into town and on public transport bus times.</p> <p>Can the Cabinet Member confirm that the substantial investment in road improvements and the work done by other agencies on the route will mean that we will not face similar disruption to journey times into the centre of Peterborough in the future?</p> <p>Councillor Hiller may have responded:</p> <p>I think you'll agree that the works around Bourges Boulevard have been a real success and will help us to ensure that our city centre remains economically prosperous by regenerating areas like Lower Bridge Street and increasing road capacity to allow future development like we have done at the rail station car park.</p>

	<p>Whilst the works along Bourges Boulevard were being undertaken, we used the opportunity to do additional works including surfacing and barrier improvements to significantly reduce the need for major works in the future.</p> <p>We will be upgrading the street lights on Rivergate and small improvements will be made to the crossing on Bridge Street but we have no further substantial works planned on Bourges Boulevard. However, with continuing development and growth as well as on-going planning consents we cannot rule out some works in the future.</p> <p>As you will know the Council is currently investing money to regenerate Westgate and looking further ahead we have major plans to transform the city centre area with North Westgate and the University which will be fantastic additions to our city.</p>
16.	<p>Question from Councillor Hemraj</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>Back in 2016 the relevant Cabinet Member stated that Peterborough City Council will not be using Travelodge. Now it has come to light that Peterborough residents are being housed in Travelodge as far away as Sheffield and Doncaster. Can you please advise how many families from Peterborough are being placed in temporary accommodation away from Peterborough?</p> <p>Councillor Hiller may have responded:</p> <p>It was never the Council's intention to use Travelodge accommodation and in particular have to use Travelodge accommodation outside of the Peterborough area, however continued increases in demand from homeless households have left us with no alternative. We are not alone in this and a number of local authorities across the country are in a similar position. I am pleased though to report that we continue to make great strides in reducing these numbers and now have just 18 households in Travelodge accommodation, 17 of which are outside Peterborough in nearby town and cities.</p>
17	<p>Question from Councillor Farooq</p> <p>To Councillor Ayres, Cabinet Member for Education, Skills and University</p> <p>We are all aware that Hampton is growing at a very rapid pace. The developers are attracting young families to Hampton for it's convenience, modern properties and education.</p> <p>As young families are moving to Hampton throughout the year, they are facing difficulty in finding school places for their children in Hampton and are having to drive them to surrounding areas.</p> <p>All of the Hampton primary schools have waiting lists in each year group.</p> <p>May I ask the cabinet member for education to allocate additional resources to create school places for the parents in Hampton throughout the year?</p> <p>Councillor Ayres may have responded:</p>

Thank you, Councillor Farooq, for your question. The growth of Hampton and the need for sufficient school places is of the utmost importance to The Council.

Unfortunately there is little scope for the expansion of the existing 3 primary school sites which comprise of 240 places every year of reception aged children. As we did last academic year, we are undertaking a thorough review of the current school waiting lists to see if they can be reduced. We do not anticipate though that this will create any additional availability but it may reduce the waiting lists.

The admissions criteria are statutory and have to conform with the Schools Admissions Code which local authorities and own admission authority schools are required to use by Government. The over subscription criteria for all schools must be compliant with the Code.

The Council has invested approximately £13m in the past 7 years to fund expansion of the existing schools and the building of Hampton College to create additional places not foreseen when O&H Hampton originally built Hampton Hargate and Hampton Vale. We also expanded Hampton College Secondary School in 2011. Despite this all 3 primary schools are full. We are now working hard to secure the 2 new primary schools on the new Hampton East Estate, having already delivered the new Hampton Gardens Secondary School.

8.	<p><u>Questions on notice to:</u></p> <p>d) The Combined Authority Representatives</p>
1.	<p>Question from Councillor Shaz Nawaz</p> <p>To Councillor Holdich, Cambridgeshire and Peterborough Combined Authority Deputy Mayor</p> <p>Mayor James Palmer has backed Community Land Trusts to address the housing crisis. Could you explain what this will mean for Peterborough specifically addressing how it will benefit the city?</p> <p>Councillor Holdich responded:</p> <p>Until such time as the Local Development Plan has been approved, it is difficult to identify land that can be purchased through land capture.</p> <p>I am however talking to the appropriate Ward Councillors to see what plans we may be able to put forward when the Local Development Plan has been adopted.</p> <p>Councillor Nawaz asked a supplementary question:</p> <p>So far what have you done to lobby the mayor to ensure we get maximum funding for CLTs?</p> <p>Councillor Holdich responded:</p> <p>You can't get a single meeting without the mayor suggesting you go for Land Capture, it is one thing on his mind. Most of the land available in this town has planning permission. Therefore if it has planning permission it has a value and to get land capture you are only going to pay about £100,000 per acre so therefore you have to work outside the planning system. And until you have done the Local development Plan as it is still under review. If I was to approach a land owner at this time someone would go to the inspector. It has to be done when the time is right. It is easier to do in a village setting where sometimes land can be made available at a cheaper rate. But it is not easy in an urban setting but I do push every opportunity and we are looking to put some schemes forward.</p>
2.	<p>Question from Councillor Sandford</p> <p>To Councillor Holdich, Cambridgeshire and Peterborough Combined Authority Deputy Mayor</p> <p>Could our representative tell us what progress has been made on the mayors review of bus services across Peterborough and Cambridgeshire and when will we, as Peterborough Councillors, be consulted about this important piece of work</p> <p>Councillor Holdich responded:</p> <p>Initial draft reports are expected on the 21st October although we now understand they may not come in until the first week in November. It is</p>

	<p>anticipated that the working groups will review and comment on draft report, it's findings and recommendations. Following this review a round of Councillor engagement sessions will be established to present the findings, this is anticipated in November 2018. However it may now be December. I will send Councillor Sandford the details of the Transport Plan findings and the details on the consultations due to take place.</p> <p>Councillor Sandford asked a supplementary question:</p> <p>Why have these consultants been working on this review for a considerable amount of time and not consulted the residents and councillors of Peterborough before the report is produced. Why are we embarking on a series of public transports cuts which could result in the loss of 25% on evening and Sunday bus services in Peterborough.</p> <p>Councillor Holdich responded:</p> <p>We have a duty to tax payers not to support routes that are not being used and are costing a considerable amount of money. By the time the review takes place there will be considerable differences but they won't be delivered by the first of April as it is quite a big piece of work. I do not know the time scales given.</p>
3.	<p>Question from Councillor Amjad Iqbal</p> <p>To Councillor Seaton, Cambridgeshire and Peterborough Audit and Governance Committee Member</p> <p>Looking at the allocated budget and amounts of the defrayed expenditure for projects in the Peterborough area, can you tell me if there was there an amount allocated for Bayard place and was this then removed? Please let us have any dates when decisions were made, revoked or expenditure defrayed?</p> <p>Councillor Seaton responded:</p> <p>I can confirm the Combined Authority has never allocated a budget to Bayard Place.</p>
4.	<p>Question from Councillor Murphy</p> <p>To Councillor Holdich, Cambridgeshire and Peterborough Combined Authority Deputy Mayor</p> <p>£100 million was provided for the Combined Authority for housing. How much of this has been allocated for Peterborough, how much has been spent so far and how many new social housing tenancies created to date using these funds?</p> <p>Councillor Holdich responded:</p> <p>At the present time of the £100m, £9.075m of funding has been approved by the CA Board and £6.5m in loans. Schemes in Peterborough total £4.075m of the sum approved for grant. This is funding a total of 126 affordable homes in schemes at various stages of development and construction. We are also in the process of submitting other claims for funding.</p> <p>Councillor Murphy asked a supplementary question:</p>

Of the £100m we were told we were going to get about £28m. You have £4m, and you can't say, with £4m, you have created one social tenancy and also there was £3m for the university – where did that go to? The university at Bayard Place?

Councillor Holdich responded:

In the deal it is 24% of the £100m that should come to Peterborough and we have half of the money dished out so far. It takes time to get the schemes in and approved but it takes time. The money for Bayard Place – if no money was granted to Bayard Place, there was money, I think £3m that was granted to the PRC to look at intermediate accommodation to increase capacity from 1000 to 3000 students before we moved onto the embankment. One of buildings considered and costed, as well as the Town Hall and other buildings in the town, was Bayard Place. The money was not specifically given to Bayard Place.

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COUNCIL	AGENDA ITEM No. 9(a)
12 DECEMBER 2018	PUBLIC REPORT

EXECUTIVE AND COMMITTEE RECOMMENDATIONS TO COUNCIL

(a) LICENSING ACT 2003 – CUMULATIVE IMPACT – REVIEW, CONSULTATION AND RESPONSES

The Licensing Committee at its meeting on 18 October 2018, received a report on the Cumulative Impact Policy – Review, Consultation and Responses.

The Licensing Committee considered the report and recommendations contained within the report to Full Council.

IT IS RECOMMENDED that Council approve retention of the status quo for the Cumulative Impact Policy.

The original Licensing Committee report follows, as well as the final amended policy and the CIA statement signed by the Licensing Committee Chairman.

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LICENSING COMMITTEE	AGENDA ITEM No.
18 OCTOBER 2018	PUBLIC REPORT

Report of:	Annette Joyce, Service Director	
Cabinet Member(s) responsible:	Councillor Walsh, Cabinet member for Communities	
Contact Officer(s):	Terri Martin - Regulatory Officer - Licensing Kerry Leishman - Licensing and Business Manager Peter Gell - Head of Regulatory Services	Tel. 453561 Tel. 453502 Tel. 453419

LICENSING ACT 2003 - CUMULATIVE IMPACT - REVIEW, CONSULTATION AND RESPONSES

R E C O M M E N D A T I O N S	
FROM: Peter Gell, Head of Regulatory Services	Deadline date: 18 October 2018
<p>Members are asked to:</p> <ol style="list-style-type: none"> 1. Note the contents of the report and responses received to the consultation on the Cumulative Impact Policy (CIP). 2. Determine the future of the current CIP considering the following options available: <ol style="list-style-type: none"> (i) Retain the status quo (ii) Modify current CIP (ie. types of premises and/or area) (iii) Resolve that the CIP no longer applies 	

1. ORIGIN OF REPORT

- 1.1 This report is as a result of the consultation carried out between 6 August 2018 to 23 September 2018, on the council's Cumulative Impact Policy (CIP) which forms Section 11 of the council's Statement of Licensing Policy.

2. PURPOSE AND REASON FOR REPORT

- 2.1 To consider and note the contents of the report including due consideration of the responses and evidence received following the public consultation of the councils Cumulative Impact Policy (CIP).
- 2.2 To also note changes in legislation which have the effect of putting Cumulative Impact Assessments (CIA) on a statutory footing under Section 5A of the Licensing Act 2003.
- 2.3 This report is for the Licensing Committee to consider under its Terms of Reference No. 2.5.2.7, whereby the licensing committee recommend it's decision to full council for formal adoption under its terms of reference 1.1.4(e).

3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	YES	If yes, date for Cabinet meeting	N/A
Date for Full Council meeting	12 December 2018	Date for submission to Government Dept (<i>please specify which Government Dept</i>)	N/A

4. **BACKGROUND AND KEY ISSUES**

- 4.1 Under Section 5 of the Licensing Act 2003 (The Act), it is a requirement for each council to produce, adopt and publish a statement of licensing policy. The policy governs the way decisions are made by the council and how it will administer its duties under the Act. The Cumulative Impact policy (CIP) forms Section 11 of the overarching statement of licensing policy.
- 4.2 The CIP was adopted by Full Council on 17 April 2013. It was introduced in the Millfield New England area (known as Can-Do) following a consultation and consideration of evidence submitted, as it was considered that the saturation of licensed premises in this area, was having a negative impact on the licensing objectives.
- 4.3 The statement of licensing policy was subject to review and consultation in 2015. The evidence and responses were re-evaluated and the committee remained of the opinion that the CIP was still required following consideration and evaluation of the evidence and responses received, as it perceived that the saturation of licensed premises was still negatively impacting the licensing objectives.
- 4.4 Cumulative impact was only ever described in section 182 guidance, however, with effect from 6 April 2018, cumulative impact is now incorporated within section 5A of the Licensing Act 2003, following commencement of Section 141 of the Policing and Crime Act 2017 which amended the Licensing Act 2003. This puts Cumulative Impact Assessments (CIA) on a statutory footing and requires authorities to set out the evidence as to why the authority is of the opinion that a CIP is required for those types of premises and that defined boundary area.
- 4.5 Section 5A of the Licensing Act 2003, requires CIPs to be reviewed and re-evaluated every three years, in order to establish if the CIA is still relevant to current problems in the CI area. As the last review was in 2015, the policy was due for review and consultation.

Licensed Premises information 2015 and 2018

2015 licensed premises data

- 4.6 In 2015, (the time of the last review) the following data was made available: Peterborough overall had approximately 615 premises licensed under the Licensing Act 2003, of these 615, there were approximately:
- 97 premises licensed for the consumption of alcohol on the premises
 - 183 premises licensed for off sales of alcohol
 - 199 premises licensed for on and off sales of alcohol
 - 136 premises licensed with no alcohol provision

Within the Can-Do area in 2015, there were approximately 73 premises licensed under the Licensing Act 2003, of these 73 there were approximately:

- 12 premises licensed for consumption of alcohol on the premises
- 29 premises licensed for off sales of alcohol

- 16 premises licensed for on and off sales of alcohol
- 16 premises licensed with no alcohol provision

2018 licensed premises data

4.7 There are currently approximately 571 premises licensed under the Licensing Act 2003, in Peterborough overall. Of these 571 there are approximately:

- 83 premises licensed for the consumption of alcohol on the premises
- 195 premises licensed for off sales of alcohol
- 194 premises licensed for on and off sales of alcohol
- 99 premises licensed with no alcohol provision

Within the Can-Do area there are currently approximately 100 premises licensed under the Licensing Act 2003, of these 100 there are approximately:

- 14 premises licensed for consumption of alcohol on the premises
- 35 premises licensed for off sales of alcohol
- 24 premises licensed for on and off sales of alcohol
- 27 premises licensed with no alcohol provision

Applications received in the CI area since the last review in 2015

4.8 There have been 17 (seventeen) applications for premises licences in the Can-Do area since the last review in 2015. Of these:

- 14 were granted
- 1 refused by licensing sub committee
- 1 granted by licensing sub committee
- 1 was withdrawn by the applicant

Of those 17 applications:

- 3 were for consumption of alcohol on the premises
- 6 were for off sales of alcohol
- 2 were for on and off sales
- 6 were for licenses with no alcohol provision

5. CONSULTATION

5.1 A consultation was carried out between 6 August 2018 to 23 September 2018, with those identified under Section 5(3) of the Act. Those being:

- the chief officer of the police for the area
- the fire authority for the area
- the Director of Public Health
- representatives of holders of premises licences
- representatives of holders of club premises certificates
- representatives of holders of personal licenses
- representatives of businesses and residents

5.2 For information purposes a list of consultees is attached at **Appendix A**
For information purposes the consultation document is attached at **Appendix B**

5.3 The consultation document was also made available on the council's website, main council buildings, central library and was also advertised in the local newspaper on 9 August 2018 and is attached at **Appendix C**

Responses to the Consultation

5.4 A total of four responses were received during the consultation period, as well as a Cumulative Impact Assessment Review September 2018 document, produced by a Public Health analyst which contains public health data and also includes some limited data provided by Cambridgeshire Constabulary.

The four responses were from the following:

- Dr Liz Robin Director of Public Health - in support of continuation of the current CIP
- MANERP and Community First, representing businesses and residents in the CIP area - in support of continuation of the current CIP
- Cllr Ferris (and on behalf of Cllr Nawaz, Cllr Joseph, Cllr Jamil, Cllr Iqbal, Cllr Hussain and Cllr Ali) - in support of continuation of the current CIP
- British Beer and Pub Association (BBPA) - expressing concerns about the evidential basis for the CIP and if there is none, objecting to the renewal of the CIP.

5.5 A further four responses were received after the end of the consultation period, but have been included as they are in the public interest.

The three responses were from the following:

- Jawaid Khan Head of Community Resilience and Integration - in support of continuation of the current CIP
- Peterborough Enforcement Services (PES) - in support of continuation of the current CIP
- Cate Harding Capacity Manager and Programme Lead for the CAN Do Regeneration Programme - in support of the continuation of the current CIP
- Cambridgeshire Constabulary - Neutral

5.6 The Peterborough Cumulative Impact Assessment Review September 2018, document produced by a Public Health Analyst containing public health data and limited alcohol related crime and incident data from Cambridgeshire Constabulary, can be found at **Appendix D**

5.7 All of the eight responses have been attached in full and can be found at **Appendix E**

Matters for consideration

5.9 It is for members of the committee to determine if there is sufficient evidence available which is suitably robust to withstand scrutiny and relevant to the current problems in the CIP area, as described in the current CIP.

If members are no longer of the opinion that the CIP is relevant then the authority must publish a statement to that effect.

If members remain of the opinion that the CIP is relevant and have sufficient evidence to withstand robust scrutiny, then it must revise the CIP so that it includes a statement to that effect and set out the evidence (CIA) as to why the authority remains of that opinion.

In both cases, the authority is required to publish its decision and any revision.

5.10 Members attention is drawn to paragraph 14.29 of section 182 guidance which states:

'As noted above, there must be an evidential basis for the decision to publish a CIA. Local Community Safety Partnerships and responsible authorities, such as the police and the environmental health authority, may hold relevant information which would inform licensing authorities when establishing the evidence base for publishing a CIA. Evidence of cumulative impact on the promotion of the licensing objectives needs to relate to the relevant problems identified in the specific area to be covered by the CIA. Information which licensing authorities may be able to draw on includes;

- *local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;*
- *statistics on local anti-social behaviour offences;*
- *health-related statistics such as alcohol-related emergency attendances and hospital admissions;*
- *environmental health complaints, particularly in relation to litter and noise;*

- *complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations:*
- *residents' questionnaires:*
- *evidence from local and parish councillors: and*
- *evidence obtained through local consultation*

5.11 In respect of Cambridgeshire Constabulary, analytical resources were not available to produce the detailed statistical alcohol crime and incident data which was previously provided to the committee to assist its determination. Cambridgeshire Constabulary have been part of a CIA working group and have provided limited data available which has been included in the Cumulative Impact Assessment Review September 2018 document. The data is limited due to resources and a change in computer software.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 Members will review the Cumulative Impact Assessment Review document, attached as **Appendix D** and all responses received, attached as **Appendix E** and determine the outcome of the current CIP, and set out its reasons and evidence for that opinion, then make their recommendation to Full Council, when it meets on 12 December 2018.

7. REASON FOR THE RECOMMENDATION

7.1 To comply with statutory requirements of the Licensing Act 2003 as amended by the Policing and Crime Act 2017

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 Retain the existing policy and be in breach of statutory requirements. Any decisions based on the existing Cumulative impact policy could be easily challenged if the policy is not reviewed.

9. IMPLICATIONS

Financial Implications

9.1 None foreseen.

In accordance with Cabinet policy, information provided below is the overall financial position for the Licensing budget is shown below, however, as stated above is not directly relevant to the subject of the report:

£'000	2017/18	2018/19	2019/20
Budget	(35)	(38)	(40) (2) additional budget via fees & charges increase
Actual / forecast	(35)	(32)	

Legal Implications

9.2 Legal Services will be required to provide legal representation in the event of any appeals to the Magistrates Court against decisions of the council, prosecutions being instigated or enforcement action being undertaken by the authority.

Equalities Implications

- 9.3 None foreseen.

Community Implications

- 9.5 The Licensing Act 2003 and the Guidance issued under s.182 have a significant impact on the community both in terms of its protection and the furtherance of the provisions of entertainment and economic growth.

10. BACKGROUND DOCUMENTS

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

- 10.1 Licensing Act 2003
Revised Guidance issued under Section 182 - April 2018

11. APPENDICES

- 11.1 Appendix A - List of consultees
Appendix B - The consultation document
Appendix C - Public Notice in local newspaper
Appendix D - Peterborough Cumulative Impact Assessment Review, September 2018
Appendix E - All of the responses to the CIP consultation in full

List of persons/bodies consulted

All responsible Authorities
Ward and Parish Councillors
Police and Crime Commissioner
Community Associations
Residents Associations
Portman Group
Institute of Licensing
Both local MP's
ACRE (Action with communities in Rural England)
Association of Licensed Multiple Retailers
British Beer and Pub Association
Drink Aware
Drink Sense
Peterborough Prevention & Enforcement Services
Peterborough Chamber of Commerce

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Consultation on the Licensing Cumulative Impact Policy

Peterborough City Council are consulting on the current Cumulative Impact Policy in place for Millfield New England area known as 'Op Can Do' and invite your comments.

The consultation will run from 6 August 2018 to 23 September 2018. Should you wish to respond and make comment, please ensure that you do so prior to the end of the consultation period, to ensure your comments can be properly considered, prior to determination.

Any person who wishes to respond to the consultation may do so in the following manner:

In writing to: Peterborough City Council, Licensing Team Consultation Officer, Sand Martin House, Bittern Way, Fletton Quays, Peterborough, PE2 8TY

Or by email to: lpc@peterborough.gov.uk

Please note: We are unable to accept verbal responses, however, should any person require any further information or clarification on the Cumulative Impact policy or the consultation process, please call 01733 747474.

Your comments will assist the council in determining if the current cumulative impact policy is still relevant to the present day situation in the Op Can Do area. A cumulative impact policy must be evidence based, therefore if the evidence no longer supports the policy, the policy must be removed from the overarching Statement of Licensing Policy, or amended in line with the evidence provided to address the current situation and problems identified.

Comments must relate to the effect that licensed premises are having, positive and/or negative and must relate to at least one of the four licensing objectives, which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Please be aware that comments which just state '*we do not need any more licensed premises in this area*' are not considered valid under the Licensing Act 2003. 'Need' concerns commercial demand and is a matter for the planning authority and market to determine.

The current cumulative impact policy including plan and named streets affected, can be found within section 11 of the overarching Statement of Licensing policy at the end of the link below.

<https://www.peterborough.gov.uk/business/licences-and-permits/licensing-act/>

The council determined to introduce the Cumulative Impact policy in the Op Can Do area in 2013, (following a consultation and review of the evidence received), as it could no longer be satisfied that the granting of further licenses in this area, would be consistent with the authority's duty to promote the licensing objectives. (See link below for further information)

<http://democracy.peterborough.gov.uk/ieListDocuments.aspx?CId=142&MId=2936&Ver=4>

A Cumulative Impact policy helps to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area, is having a cumulative impact and leading to problems which are undermining the licensing objectives. It creates a rebuttable presumption, meaning that applications which receive valid objection(s) are unlikely to be granted, unless the applicant can demonstrate that the granting of the application will not further add to the issues identified.

A review of the Statement of Licensing Policy, including the Cumulative Impact policy took place in 2015. Sufficient evidence existed at that time to indicate that the cumulative impact policy was still required and the policy remained in place. (See link below for further information)

<http://democracy.peterborough.gov.uk/ieListDocuments.aspx?CId=142&MId=3528&Ver=4>

Following the introduction of the Policing and Crime Act 2017, the council is required to review the cumulative impact policy every three years, to ensure it remains relevant to the current situation in the identified area.

(Continued over)

Your views and comments are invited, to enable the council to determine if the current cumulative impact policy is still relevant to the present day situation in the Millfield New England area known as Op Can Do. This is your opportunity to inform the council about how you are affected positively or negatively, by licensed premises in this area.

You may be of the opinion that the policy should remain in place as you continue to experience problems relevant to the accumulation of licensed premises in this area. If so, it would be helpful if you could include details of what you experienced, including if and who you reported the problem to, including any reference number you were given.

Or, you may have the opinion that licensed premises have a beneficial effect on the area and in general. That the issues previously raised to implement the policy no longer exist, therefore, the cumulative impact policy should no longer apply. This would mean that applications in the Op Can Do area would be subject to the same determination process as applications elsewhere in Peterborough.

You may have the opinion that a cumulative impact policy is still required, but is currently too wide and should not apply to a type of premises. For example, premises which provide licensable activities on the premises, as they can promote community cohesion and are under the control of the licence holder. So the policy should be amended and targeted to only apply to applications which provide off sales of alcohol and late night refreshment off the premises, or that it should only apply to new applications which include the sale of alcohol, etc. as they will exacerbate existing issues.

All responses will be properly considered along with any supporting statistical and evidential data, prior to determination of the policy.

Please note:

- Cumulative Impact policies relate to new and variation applications and cannot be used to revoke existing authorisations.
- Each application is determined on its own merits.
- Section 14.39 of Section 182 guidance states:
'When publishing a CIA a licensing authority is required to set out evidence of problems that are being caused or exacerbated by the cumulative impact of licensed premises in the area described. The evidence is used to justify the statement in the CIA that it is likely that granting further premises licences and/or club premises certificates in that area (limited to a kind described in the assessment), would be inconsistent with the authority's duty to promote the licensing objectives.'

Please read the consultation document and respond prior to 23 September 2018 with your comments.

11. CUMULATIVE IMPACT

- 11.1 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter which the Council can consider within its licensing policy statement. This should not, however, be confused with 'need' which concerns the commercial demand for a particular type of premises, e.g. a pub, restaurant or hotel. The issue of 'need' is therefore primarily a matter for the market to decide and does not form part of this licensing policy statement.
- 11.2 The licensing authority can only adopt a special policy on cumulative impact if there is evidence that a significant number of licensed premises concentrated in one area is causing a cumulative impact on one or more of the licensing objectives.
- 11.3 Following concerns as to the perceived saturation of licensed premises in the area known as Op Can Do attached as Appendix 1 with a list of streets attached as Appendix 2, the licensing committee approved the consultation of a review of the Statement of Licensing Policy to include a special policy in that area.
- 11.4 The following steps were undertaken by the licensing authority in considering whether to adopt a special policy on cumulative impact for the Op Can Do area:
- Identified concern about the negative impact on the licensing objectives
 - Considered whether there is evidence to support the concerns identified that crime and disorder and nuisance is occurring and is associated with licensed premises
 - Consulted with those specified in section 5(3) of the Licensing Act 2003, on the proposal for a special policy in relation to new applications and variations to existing premises licences and club premises certificates and considered the outcome of the consultation
 - Having considered the available evidence and undertaken consultation, the licensing authority determined that it is appropriate to control cumulative impact.

Special Policy on Cumulative Effect

- 11.5 The Licensing Authority has adopted (following a meeting of the full council on 17 April 2013) a special policy relating to cumulative impact in respect to all licensed premises for the Op Can Do area. The special policy took effect on 18 April 2013.
- 11.6 This special policy creates a rebuttable presumption that applications within the Op Can Do area for new premises or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused, if relevant representations are received about the cumulative impact on the licensing objectives, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced.
- 11.7 Applicants will need to address the special policy issues in their operating schedules in order to rebut such a presumption.
- 11.8 Despite the presumption against grant, responsible authorities and/or other persons will still need to make a relevant representation before the licensing authority may lawfully consider giving effect to its special policy i.e. if no representation is received, the application must be granted (subject to such conditions as are consistent with the Licensing Act 2003). Responsible authorities and other persons can make a written representation referring to information, which had been before the licensing authority when it developed its statement of licensing policy.
- 11.9 This licensing authority recognises that a special policy should never be absolute. The circumstances of each application will be considered properly and applications for licences and certificates that are unlikely to add to the cumulative impact on the licensing objectives may be granted. After receiving representations in relation to a new application or for a variation of a licence or certificate, the licensing authority will consider whether it would be justified in departing from its special policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.
- 11.10 A special policy will not be used as a ground for revoking an existing licence or certificate when representations are received about problems with those premises.

- 11.11 The “cumulative impact” on the promotion of the licensing objectives of a concentration of multiple licensed premises should only give rise to a relevant representation when an application for the grant or variation of a licence or certificate is being considered.
- 11.12 A review must relate specifically to individual premises, and by its nature, “cumulative impact” relates to the effect of a concentration of many premises. Identifying individual premises in the context of a review would inevitably be arbitrary.
- 11.13 A special policy relating to cumulative impact cannot justify, and will not include provisions for a terminal hour in a particular area or impose quotas - based on either the number of premises or the capacity of those premises.
- 11.14 This special policy will be reviewed regularly in line with the statutory requirements to review the Statement of Licensing Policy unless the licensing authority deems it appropriate to review in the interim period. Consultation will take place with those identified in 5.2 of the policy, responses can be based on intelligence such as;
- Health data including wider public health and local alcohol profiles for England (LAPE) data www.lape.org.uk
 - Data on alcohol related and alcohol specific hospital admissions, alcohol related deaths in the local area and the number of people in a structured alcohol treatment service.
 - Data about crime and disorder or nuisance occurring, or whether activities are a threat to public safety or children from harm.
 - If problems are occurring, to identify whether these problems are being caused by customers of licensed premises, or that the risk of cumulative impact is imminent.
 - Complaints and calls for service from residents or businesses
- 11.15 The absence of a special policy however, does not prevent any responsible authority or other persons making representations on a new application for the grant of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.
- 11.16 Once away from licensed premises, a minority of consumers will behave badly and unlawfully. The licensing policy is part of a much wider strategy for addressing these problems. Other mechanisms both within and outside the licensing regime are available for addressing such issues. For example:
- Planning controls
 - Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority
 - The provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols.
 - Powers of local authorities to designate parts of the local authority area as Public Spaces Protection Orders. Confiscation of alcohol from adults and children in designated areas.
 - Police enforcement of the general law concerning disorder and antisocial behaviour, including the issuing of fixed penalty notices.
 - Prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale).
 - Powers to close down instantly premises or temporary events to prevent a nuisance or disorder from continuing, recurring or occurring.
 - The power for responsible authorities and other persons to seek a review of a premises licence or club premises certificate.
- 11.17 The above may be supplemented by other local initiatives that seek to address these problems, for example through Safer Peterborough Partnership, in line with the strategic objectives for crime and disorder reduction in the city.

Map Showing Current CI Policy Area in Green

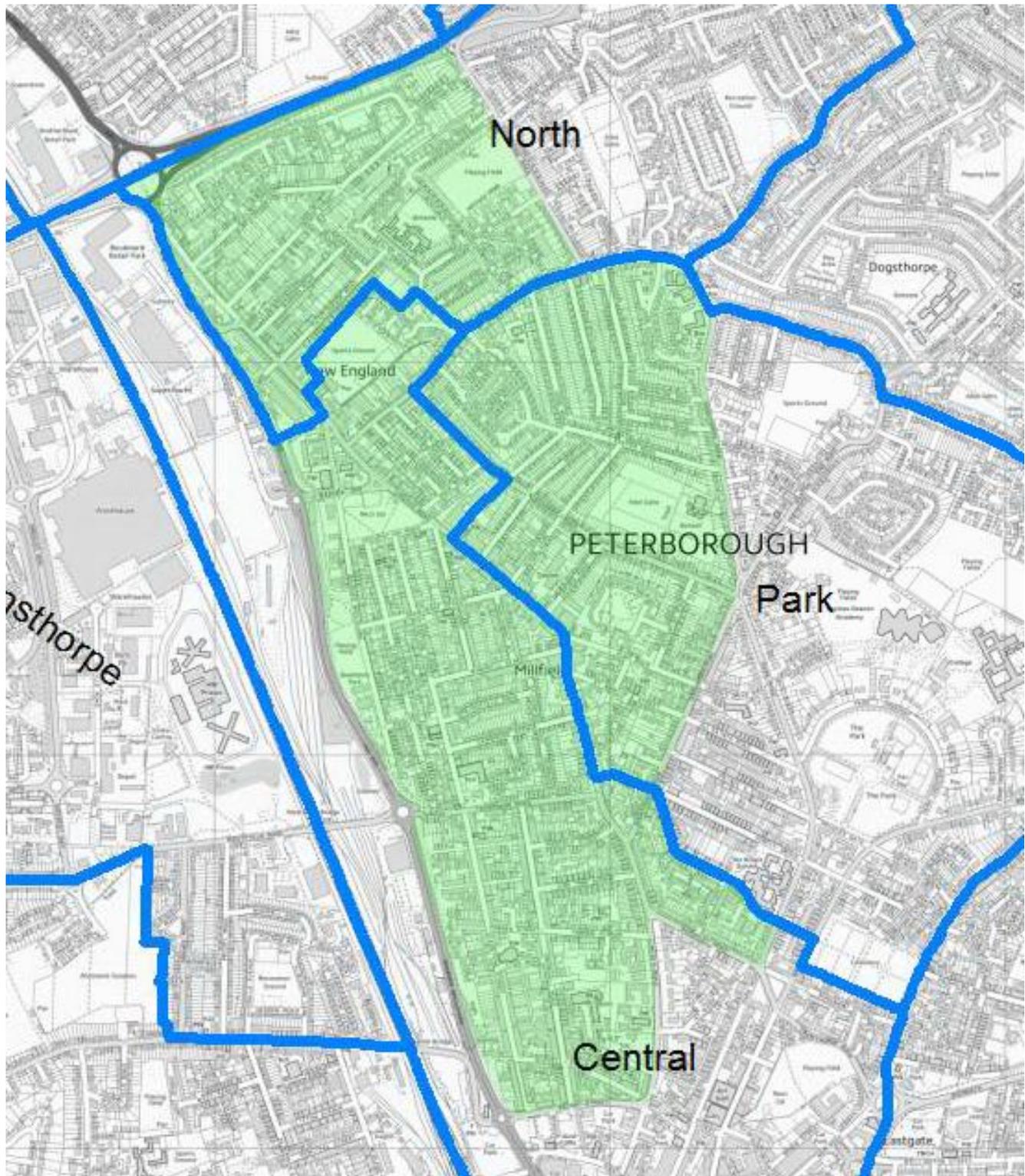


Table of Street Names Within the Current CI Area

Streets in the Op Can Do area		
Alexandra Road	Keats Way	1-359 Dogsthorpe Road
Allen Road	Keeton Road	40 - 50 Bright Street
Alma Road	Kipling Court	Beckets Close
Bamber Street	Lammas Road	Berry Court
Beech Avenue	Lawn Avenue	Boswell Close
Belham Road	Lime Tree Avenue	Burghley Mansions
Bourges Boulevard	Lincoln Road	Burns Close
Brassey Close	Link Road	Burrows Court
Brownlow Road	Lister Road	Carl Hall Court
Burghley Road	Lynton Road	Caroline Court
Burmer Road	Maskew Avenue	Cecil Pacey Court
Cambridge Avenue	Norfolk Street	Century Square
Cecil Road	North Street	Claridge Court
Chantry Close	Northfield Road	Coleridge Place
Chaucer Road	Norton Road	Connaught Mews
Church Walk	Nursery Close	Cromwell Court
Clare Road	Occupation Road	Dogsthorpe Grove
Clarence Road	Park Road	Dyson Close
Cobden Avenue	Parliament Street	Gillwell Mews
Cobden Street	Peveril Road	Gray Court
Cowper Road	Pope Way	Hamilton Court
Craig Street	Portland Avenue	Ingleborough
Cromwell Road	Russell Street	Johnson Walk
Crown Street	Scotney Street	Kimbolton Court
Dryden Road	Searjeant Street	Lincoln Gate
Eaglesthorpe	Shakespeare Avenue	Loire Court
English Street	Sheridan Road	Manor House Street
Exeter Road	Silverwood Road	Old Court Mews
Fitzwilliam Street	Springfield Road	Oxford Road
Foxdale	St James' Avenue	Parkodi Court
Fulbridge Road	St Mark's Street	Popley Court
Geneva Street	St Martins Street	'Raedwald Court
Gilpin Street	St Paul's Road	Rock Road
Gladstone Street	Stone Lane	Rosehall Court
Granville Street	Summerfield Road	Russell Mews
Green Lane	Taverners Road	Salaam Court
Hankey Street	Tennyson Road	Shelley Close
Harris Street	Thistle Moor Road	St Marks Apartments
Henry Court	Towler Street	St Marks Court
Henry Street	Vere Road	St Martins Mews
Herrick Close	Victoria street	The New Haven
Highbury Street	Warbon Avenue	Tom Lock Court
Windmill Street	Waterloo Road	up to 135 Park Road
Bamber Court	Wilberforce Road	Victoria Place
Walpole Court	York Road	

NOTICES

Peterborough City Council

Notice is given that the Council of the City of Peterborough has made Orders pursuant to section 14 of the Road Traffic Regulations Act 1984:

The City of Peterborough Through Traffic Order 2018
Temporary Prohibition of Through Traffic Order 2018
The effect of which is to stop any vehicle from proceeding along the road known as Peterborough Road as between The Green and Manor Farm Lane.
The Council is satisfied that traffic should be prohibited on proposed works being executed on the above road, the alternative route for vehicles affected by this order is via Peterborough Road, Love's Hill, Castor Road, Stamford Road, Helpston Road, Main Street, Peterborough Road and Viasa.
The proposed Order will come into force on the 13 August 2018 and will continue until the reinstatement works have been completed or until the 12 August 2019, whichever is the earlier. Closure dates will be confirmed locally on site.
It is anticipated that the works will take place between the 13 August 2018 and the 14 August 2018.
For further information please contact Auna Carr on 01522 341598.

The City of Peterborough School Road Order 2018
Temporary Prohibition of Through Traffic Order 2018
The effect of which is to stop any vehicle from proceeding along the road known as School Road as between the road known as School Road as between Stamford Road and Millstone Lane.
The Council is satisfied that traffic should be prohibited on proposed works being executed on the above road, the alternative route for vehicles affected by this order is via Stamford Road, Bainton Road, Jack Haws Lane and Viasa.
The proposed Order will come into force on the 13 August 2018 and will continue until the Stop Tap Repair works have been completed or until the 12 August 2019, whichever is the earlier. Closure dates will be confirmed locally on site.
It is anticipated that the works will take place between the 13 August 2018 and the 15 August 2018.
For further information please contact Karen Thompson on 01522 341600.

The City of Peterborough School Lane Order 2018
Temporary Prohibition of Through Traffic Order 2018
The effect of which is to stop any vehicle from proceeding along the road known as School Lane as between West End Road and High Street.
The Council is satisfied that traffic should be prohibited on proposed works being executed on the above road, the alternative route for vehicles affected by this order is via West End Road, Castle End Road, High Street and Viasa.
The proposed Order will come into force on the 13 August 2018 and will continue until the Patching works works have been completed or until the 12 August 2019, whichever is the earlier. Closure dates will be confirmed locally on site.
It is anticipated that the works will take place between the 13 August 2018 and the 14 August 2018.
For further information please contact Martin Benn on 01733 453531.

The City of Peterborough West End Lane Order 2018
Temporary Prohibition of Through Traffic Order 2018
The effect of which is to stop any vehicle from proceeding along the road known as West End Lane as between Tuckers Hook and Castle End Road.
The Council is satisfied that traffic should be prohibited on proposed works being executed on the above road, the alternative route for vehicles affected by this order is via Tuckers Hook, High Street, Castle End Road and Viasa.
The proposed Order will come into force on the 15 August 2018 and will continue until the Patching works works have been completed or until the 14 August 2019, whichever is the earlier. Closure dates will be confirmed locally on site.
It is anticipated that the works will take place between the 15 August 2018 and the 17 August 2018.
For further information please contact Martin Benn on 01733 453531.

A copy of the Orders can be inspected at the following locations:
Town Hall, Bridge Street, during normal office hours.
Destination Centre, Bridge Street or Central Library, Broadway, during normal opening times.
Simon Machen Director of Growth and Regeneration, 9 August 2018
RC2

highways england

ROAD TRAFFIC REGULATION ACT 1984 - SECTION 14(1)(b) THE A1 TRUNK ROAD (CARPENTER'S LODGE JUNCTION, CITY OF PETERBOROUGH) TEMPORARY PROHIBITION OF TRAFFIC ORDER 201

NOTICE IS HEREBY GIVEN that Highways England Company Limited (a) intends to make an Order on the A1 Trunk Road near Wothorpe to allow for traffic to travel in safety during the Burghley Horse Trials.

The traffic safety measures would require slip road closures which would be implemented any time between the hours of 7am and 12 midday, and from 1pm to 8.30pm between Thursday 30 August and Sunday 2 September 2018.
The effect of the Order would be to close the A1 northbound and southbound exit slip roads leading to the B1081 Lordon Road, at Carpenter's Lodge Junction during the times specified above.
The slip road closures would only be implemented to relieve traffic flow on the A1 and would be monitored and removed as soon as traffic flows reach an acceptable level. Northbound traffic wishing to use the slip road would continue north to exit the A1 at its junction with the A6121, then continue their journey using the A6121. Southbound traffic would be diverted via Barknack Drift and the B1443.

When traffic volumes are high, nearside lane closures would be in operation to allow the unrestricted access for traffic wishing to join the A1, except for at its junction with Withering Ford Road, Barknack where access to the southbound carriageway of the A1 would be prohibited.
Any vehicle being used for police, fire and rescue authority, ambulance purposes and for traffic officer purposes would be exempt from the closures.
The slip road closures and diversion routes would be clearly signposted throughout the event.
The Order would come into force on 28 August 2018 and may continue in force for a maximum duration of eighteen months or until the event detailed above has ended, whichever is the earlier.

Mrs V Tomkins, Highways England Company Limited
(a) Registered in England and Wales under company no. 9346363. Registered office Bridge House, Walnut Tree Close, Guildford, Surrey, GU1 4LZ.
General enquires relating to this notice may be made in writing to Antony Rogers at Highways England Company Limited, Woodlands, Manton Lane, Bedford, MK41 7LW, by email to antony.rogers@highwaysengland.co.uk or by telephoning 0300 470 4690.

NETWORK RAIL INFRASTRUCTURE LIMITED TRANSPORT AND WORKS ACT 1992

Notice is hereby given under section 14(4) of the Transport and Works Act 1992 (the 'Act') that the Secretary of State for Transport has determined under section 13(1) of the Act to make with modifications the Network Rail (Werrington, Grade Separation) Order (the Order). The Order was applied for by Network Rail Infrastructure Limited ('Network Rail') of 1 Eversholt Street, London, NW1 2DN.

The Order will authorise Network Rail to construct, maintain and operate a grade separated junction in the form of a "dive under" beneath the East Coast Main Line at Werrington Junction. The scheme would allow trains to transfer between the Stamford Lines and the Great Northern Great Eastern Line without crossing the East Coast Main Line on the level. The scheme is required to increase capacity on the East Coast Main Line. The Order will also authorise the compulsory acquisition and temporary use of land for the purposes of the scheme. Copies of the Order, once made, may be obtained from the Stationery Office or through booksellers.

The Secretary of State has, pursuant to section 14(1)(a) of the Act, given notice of this determination by way of a decision letter dated 24 July 2018, copies of which may be obtained from the TWA Orders Unit, Department for Transport, General Counsel's Office, Zone 1/18, Great Minster House, 33 Horseley Road, London SW1P 4DR. That letter gives the reasons for the determination and the considerations upon which it is based; information about the public participation process; and information regarding the right to challenge the validity of the determination and the procedures for doing so. It also describes the main adverse environmental effects possible, remedy any major adverse environmental effects.

Winckworth Sherwood LLP
Solicitors and Parliamentary Agents,
Minerva House, 5 Montague Close, London SE1 9BB,
on behalf of Network Rail Infrastructure Limited.
9 August 2018

Goods Vehicle Operator's Licence

ANDREW WALKER trading as HARRY YEARSLEY LTD of YEARSLEY GOLD STORE, UNIT 7, FARADAY AVENUE, HAMS HALL, BIRMINGHAM, B46 1AL is applying for a licence to use HARRY YEARSLEY LTD, FELTON PARKWAY, PETERBOROUGH, PE7 3AG as an operating centre for 10 goods vehicles and 20 trailers. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF, stating their reasons, within 21 days of this notice. Representatives must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

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The City of Peterborough Through Traffic Order 2018
Notice is given that the Council of the City of Peterborough intends in not less than seven days to make an Order pursuant to section 14 of the Road Traffic Regulations Act 1984, the effect of which is to stop any vehicle from proceeding along the roads as outlined in the Frank Perkins Parkway (LED) schedule below.
The Council is satisfied that traffic should be prohibited due to proposed works being executed on the above road, the alternative routes for vehicles affected by this order are outlined in the schedule below.

Scheme Location	Diversion Route	Working Hours	Expected Works duration
A1139 Frank Perkins Parkway Junction 7 Off slip	Parwell Way, Oney Road and Eastfield Road	2000 -0600	From 20/8/18 for 70 nights
A1139 Frank Perkins Parkway Junction 7 On slip and Beongale	Oney Road, Eastfield Road and Beongale	2000 -0600	From 20/8/18 for 70 nights
A1139 Frank Perkins Parkway from J5 to J8 northbound	A1260 Nene Parkway, A47 Soke Parkway and A15 Paston Parkway	2000 -0600	From 20/8/18 for 70 nights
A1139 Frank Perkins Parkway from J8 to J5 Southbound	A15 Paston Parkway, A47 Soke Parkway, A1260 Nene Parkway	2000 -0600	From 20/8/18 for 70 nights

The proposed Order will come into force on the 20 August 2018 and will continue until the works have been completed or until the 19 August 2019, whichever is the earlier. Closure dates will be confirmed locally on site. It is anticipated that the works will take place between the 20 August 2018 and the 26 October 2018.
A copy of the Order can be inspected at the following locations:
Town Hall, Bridge Street, during normal office hours.
Destination Centre, Bridge Street or Central Library, Broadway, during normal opening times.
For further information please contact Martin Brooker on 01733 452691
Simon Machen Director of Growth and Regeneration 19-077 RC1

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Peterborough Cumulative Impact Assessment Review, September 2018

1. Introduction & Purpose

The Licensing Act 2003 and associated revised guidance issued under section 182¹ provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken in relation to licensable activities, which are defined by the Act as:

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the other of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment

The statutory objectives, each of which are of equal importance, are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The Act allows for licensing authorities to undertake a Cumulative Impact Assessment (CIA) to help it to limit the number or types of license applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates in a specified area. It is noted within the Act that, in some areas, the type or density of premises licensed to sell alcohol can lead to problems of nuisance and/or disorder, anti-social behaviour and higher rates of crime. Licensing authorities may therefore undertake a CIA in order to adopt a Cumulative Impact Policy (CIP) for a given area, creating a rebuttable presumption that applications for new premises licenses or major variations of existing licenses will be refused if representations are made about the likely impact of the proposals on the licensing objectives. This effectively requires the applicant to demonstrate that the operation of the premises will not add to the cumulative impact already prevalent within the area.

With reference to the aforementioned legislation, Peterborough City Council adopted on 18/04/2013 a CIP to cover the geographical area of 'Op CanDo', an area within the centre of Peterborough known to have a number of socio-economic issues including relatively high rates of relative deprivation and high rates of crime. The 'Op CanDo' project commenced in 2011, with an aim to facilitate work between a number of agencies and voluntary bodies to improve living conditions within the area.

The first CIA relating to the CanDo area was in 2013 and an update was produced in 2015. This report constitutes a third CIA relating to this area, in response to the aforementioned revised guidance to the Licensing Act 2003 published in April 2018.

¹ Home Office 'Revised Guidance issued under section 182 of the Licensing Act 2003, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003__April_2018_.pdf

This report contains data in relation to:

- Relative socio-economic deprivation
- Types and locations of licensed premises
- Alcohol-related police incidents and crime statistics
- Alcohol-related hospital admissions
- Additional health-related alcohol indicators

It should be noted within this report that data in relation to the consumption of alcohol and alcohol related incidents/crimes are known to be imperfect for a number of reasons. For example, reported alcohol consumption typically accounts for only 40-60% of total alcohol sales², suggesting substantial under-reporting of true levels of alcohol consumption.

Accurate data relating to alcohol-related crime is also dependent on consistency of reporting and documenting across areas; evidence suggests that some groups are reticent to report alcohol related crime³ and that reporting of incidents/crimes and accurate documentation pertaining to the involvement of alcohol where appropriate is not consistent⁴.

Alcohol misuse is the biggest risk factor for death, ill-health and disability among 15-49 year olds in the UK and the fifth biggest risk factor across ages⁵. Alcohol is a causal factor in more than 60 medical conditions including mouth, throat, stomach, liver and breast cancers, high blood pressure, cirrhosis of the liver and depression and accounts for over 1 million hospital admissions per year. In total, it is estimated that alcohol harms are estimated to cost the NHS approximately £3.5 billion per year⁵.

With regards to crime, victims believe the offender to be under the influence of alcohol in approximately 53% of all violent incidents, with alcohol related crime in the UK estimated to cost between £8 billion and £13 billion per year⁵.

² <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4320509/>

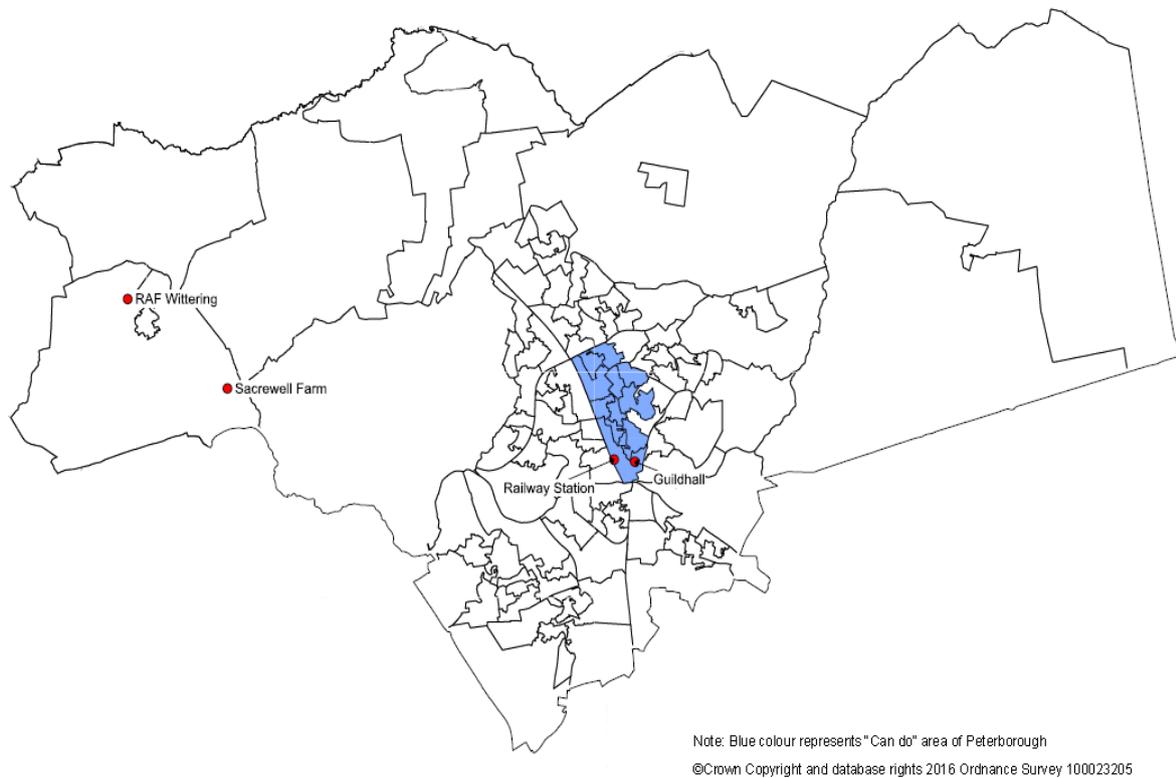
³ <http://library.college.police.uk/docs/hoprbrf/brf701.pdf>

⁴ <http://www.ias.org.uk/Alcohol-knowledge-centre/Crime-and-social-impacts/Factsheets/Alcohol-related-crime-in-the-UK-what-do-we-know.aspx>

⁵ <https://www.alcoholconcern.org.uk/alcohol-statistics>

2. CanDo Area – Overview & Relative Deprivation

Figure 1: Peterborough Lower Super Output Areas & CanDo Area



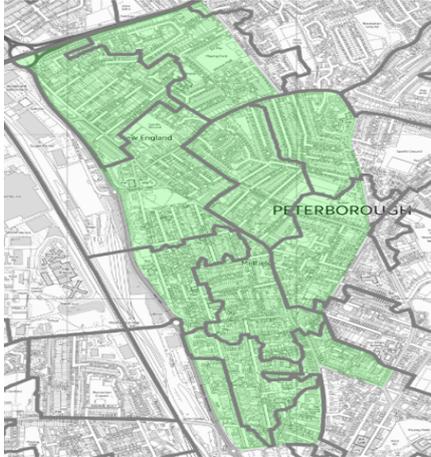
Source: Peterborough City Council Public Health Intelligence

Lower Super Output Areas (LSOAs) are geographical areas with approximately 1,500 residents⁶ that do not change over time and therefore allow for consistency of comparison across differing time periods. The majority of Peterborough's 112 LSOAs are within the urban, densely populated and relatively deprived centre of the city and of these, 11 overlap with the CanDo area, which encompasses elements of the Central, North and Park electoral wards. These 11 LSOAs are noted within the map above with blue shading and are mapped with a greater level of granularity in figure 2 below.

6

https://www.datadictionary.nhs.uk/data_dictionary/nhs_business_definitions/l/lower_layer_super_output_area_de.asp?shownav=1

Figure 2: Peterborough CanDo Area LSOAs – Greater Granularity



Source: Peterborough City Council Public Health Intelligence

Figure 3: CanDo Area LSOAs – Index of Multiple Deprivation Rankings, 2015 - Overall

LSOA code (2011)	Electoral Ward	IMD Score (Lower Score = Less Deprivation)	IMD Rank
E01015651	Park	17.6	40
E01015652	Park	31.0	67
E01015654	Park	39.7	82
E01015601	Central	41.1	85
E01015634	North	41.5	87
E01015599	Central	41.6	88
E01015632	North	43.4	92
E01015603	Central	47.8	99
E01015604	Central	47.9	100
E01015602	Central	47.9	101
E01015600	Central	48.1	102
Peterborough Average		27.7	-

Key: Peterborough LSOA Quintile Rankings

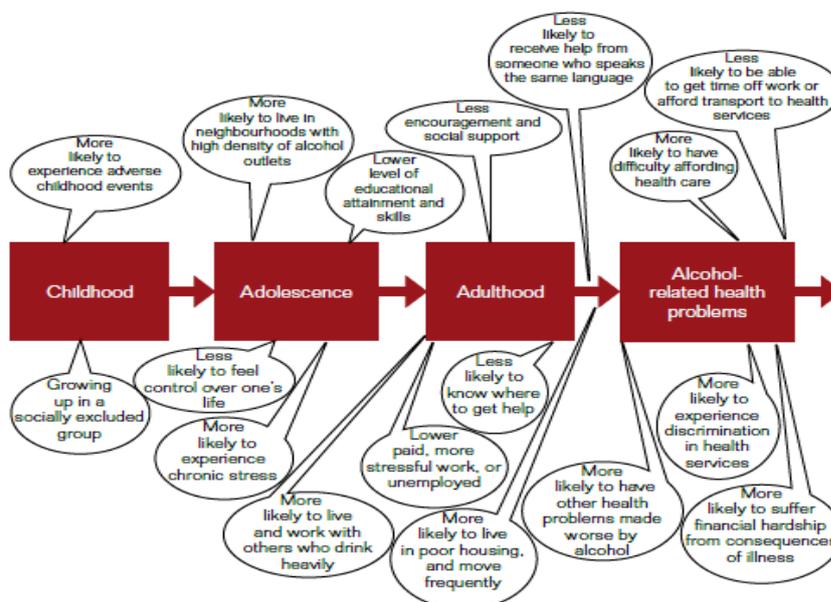
1-23 (In Least Deprived Quintile)	24-45	46-68	69-90	91-112 (In Most Deprived Quintile)
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Source: Index of Multiple Deprivation 2015

The Index of Multiple Deprivation (IMD), produced by the Department for Communities & Local Government in 2015⁷ measure relative deprivation between small areas. Lower IMD scores indicate lower levels of relative deprivation whereas higher scores are indicative of higher levels of relative deprivation. As shown within figure 3, above, the CanDo area contains some of the most relatively deprived LSOAs in Peterborough, with 9 of 11 within the most deprived 40% of areas within the city.

The Institute of Alcohol Studies notes that the use of alcohol ‘can be seen as a contributing factor for almost 50% of the indicators within the Public Health Outcomes Framework for England. As such addressing alcohol-related harm could be a key route to improving public health and reducing general health inequalities’ and also that ‘lower socioeconomic status is associated with higher mortality for alcohol-attributable causes, despite lower socioeconomic groups often reporting lower levels of consumption’⁸. The figure below illustrates how inequities (differences in outcomes that are amenable through policy intervention and therefore deemed ‘unfair’) can compound over the course of a lifetime.

Figure 4: The Compounding Effects of Inequities in Alcohol-related Harm over the Life Course



Source: Alcohol and inequities, World Health Organization, http://www.euro.who.int/__data/assets/pdf_file/0003/247629/Alcohol-and-Inequities.pdf

De Vocht et al (2016)⁹ tested the impact of local alcohol licencing policies on reported crime rates in England and concluded that ‘local areas in England with more intense alcohol licencing policies and enforcement had a stronger decline in rates of violent crimes, sexual crimes and public order offences, at least in the period up to 2013, of the order of 4-6% greater compared with areas where these policies were not in place’ and also that ‘the intensity of local licencing policies and enforcement, defined as willingness to implement cumulative impact policies and refusal of licence applications, [is] associated with a stronger reduction in alcohol-related hospital admissions over time’.

⁷ <https://www.gov.uk/government/statistics/english-indices-of-deprivation-2015>

⁸

<http://www.ias.org.uk/uploads/pdf/IAS%20reports/IAS%20report%20Alcohol%20and%20health%20inequalities%20FULL.pdf>

⁹ <https://jech.bmj.com/content/jech/71/2/137.full.pdf>

Figure 5: CanDo Area LSOAs – Index of Multiple Deprivation Rankings, 2015 – Individual Sub-Domains

LSOA code (2011)	LSOA name (2011)	Electoral Ward	Average of Ranks	Number of Ranks (of 16) in Worst	IMD	IDACI	IDAOP1	Income	Employment	Education, Skills & Training	Health Deprivation & Disability	Crime	Barriers to Housing & Services	Living Environment	Adult Skills Domain	CYP Sub-Domain	Geographical Barriers Sub-Domain	Wider Barriers Sub-Domain	Indoors Barriers Sub-Domain	Outdoors Barriers Sub-Domain
E01015651	Peterborough 012B	Park	48	1	40	33	39	39	44	50	19	64	11	86	69	27	20	59	79	95
E01015652	Peterborough 012C	Park	72	6	67	50	81	57	54	100	42	91	24	104	106	74	9	79	100	106
E01015654	Peterborough 012E	Park	78	5	82	78	86	76	74	66	101	110	34	107	70	58	7	90	108	104
E01015634	Peterborough 008E	North	80	7	87	93	98	91	84	101	76	105	55	59	102	90	27	91	56	68
E01015599	Peterborough 014A	Central	85	7	88	69	104	79	73	86	80	109	78	99	101	75	12	109	98	99
E01015632	Peterborough 010C	North	85	9	92	86	88	82	81	107	50	107	46	102	104	109	14	97	99	103
E01015601	Peterborough 012A	Central	86	8	85	67	111	84	67	102	75	97	74	106	109	73	2	110	103	105
E01015602	Peterborough 014C	Central	86	8	101	86	62	77	91	89	77	112	54	112	75	104	15	100	111	112
E01015604	Peterborough 010B	Central	91	9	100	76	112	95	83	112	79	88	82	95	112	111	3	112	89	102
E01015600	Peterborough 014B	Central	91	10	102	79	106	91	88	110	84	85	79	101	111	106	1	111	95	107
E01015603	Peterborough 010A	Central	93	10	99	89	102	90	77	108	78	103	75	110	107	107	18	107	110	108

Key: Peterborough LSOA Quintile Rankings

1-23 (In Least Deprived Quintile)	24-45	46-68	69-90	91-112 (In Most Deprived Quintile)
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Source: Index of Multiple Deprivation 2015

Overall IMD values are comprised of a number of sub-domains, which are listed within the figure above. Of note with reference to the licensing objectives within the Licensing Act 2003 is that all 11 LSOAs within this analysis are within the 40% of Peterborough LSOAs with worst outcomes for the 'Crime' IMD sub-domain, and 8 of 11 (72.7%) are within the worst 20% of Peterborough LSOAs for this sub-domain.

The figure above illustrates a wide level of relative deprivation within the CanDo area across a number of areas, the exception being the 'geographical barriers' sub-domain which measures proximity to local services such as GPs, schools, supermarkets and post offices, which are prevalent in large numbers within this area.

3. Overview of Licensed Premises

The four figures below show the locations of licensed premises in Peterborough (for sale for on-site consumption, off-site consumption, on-site and –offsite consumption and late night entertainment/refreshment license but no authorisation to sell alcohol).

Figure 6: Premises in Peterborough with a license to sell alcohol for on-site consumption

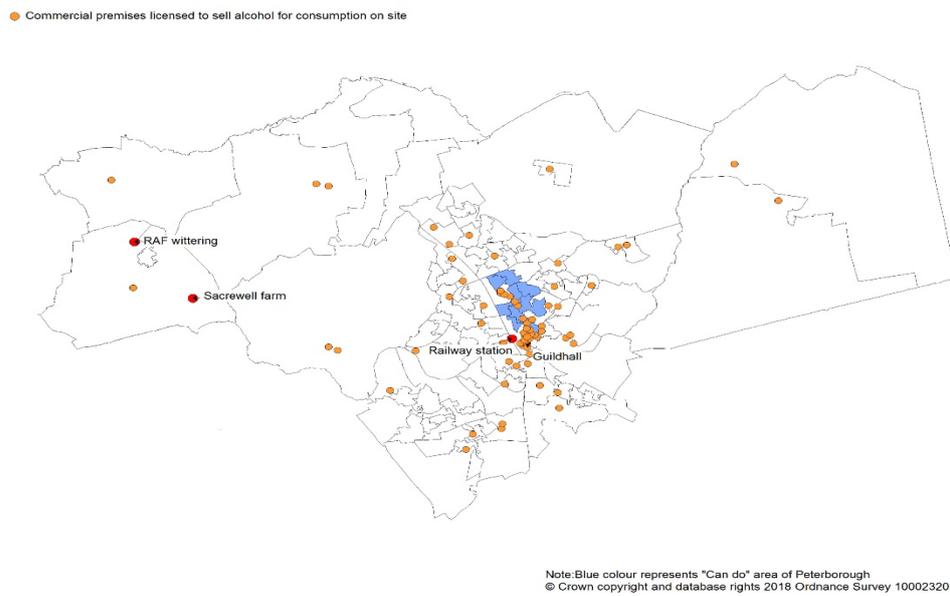


Figure 7: Premises in Peterborough with a license to sell alcohol for off-site consumption

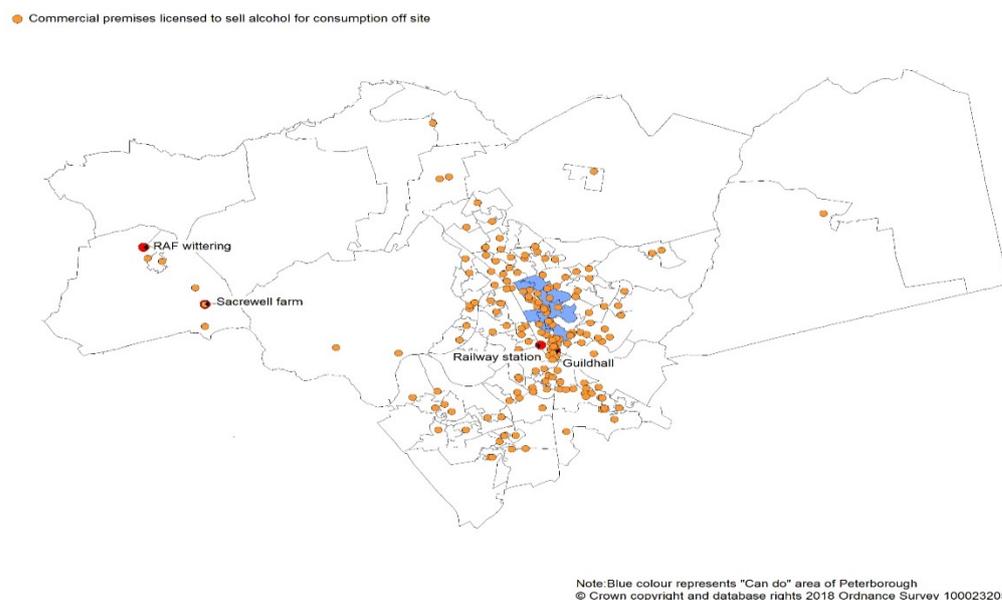


Figure 8: Premises in Peterborough with a license to sell alcohol for both on-site and off-site consumption

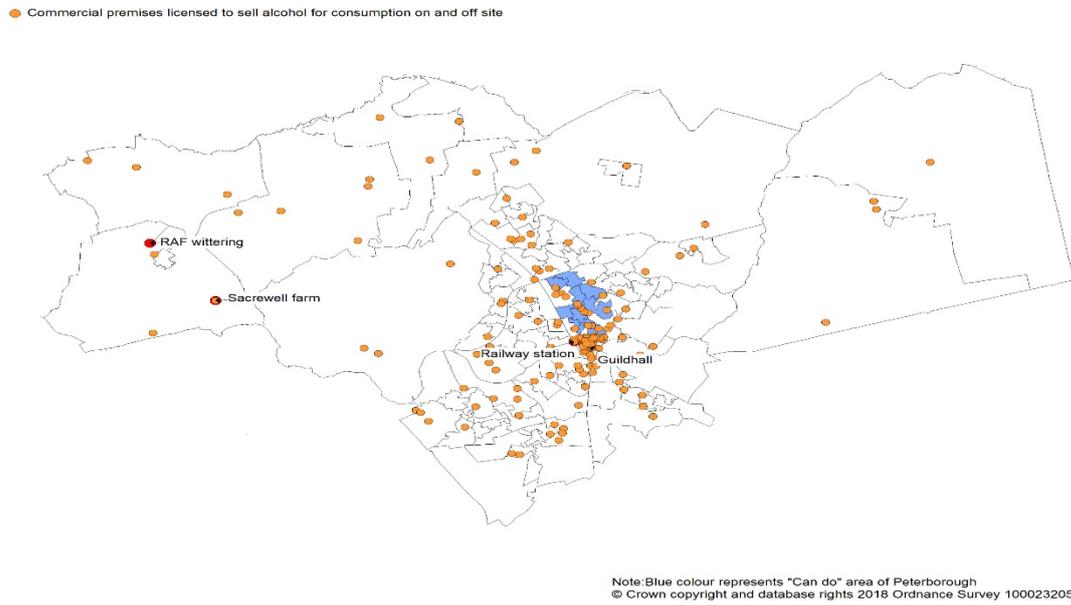


Figure 9: Premises in Peterborough with a late night entertainment/refreshment license but no authorisation to sell alcohol

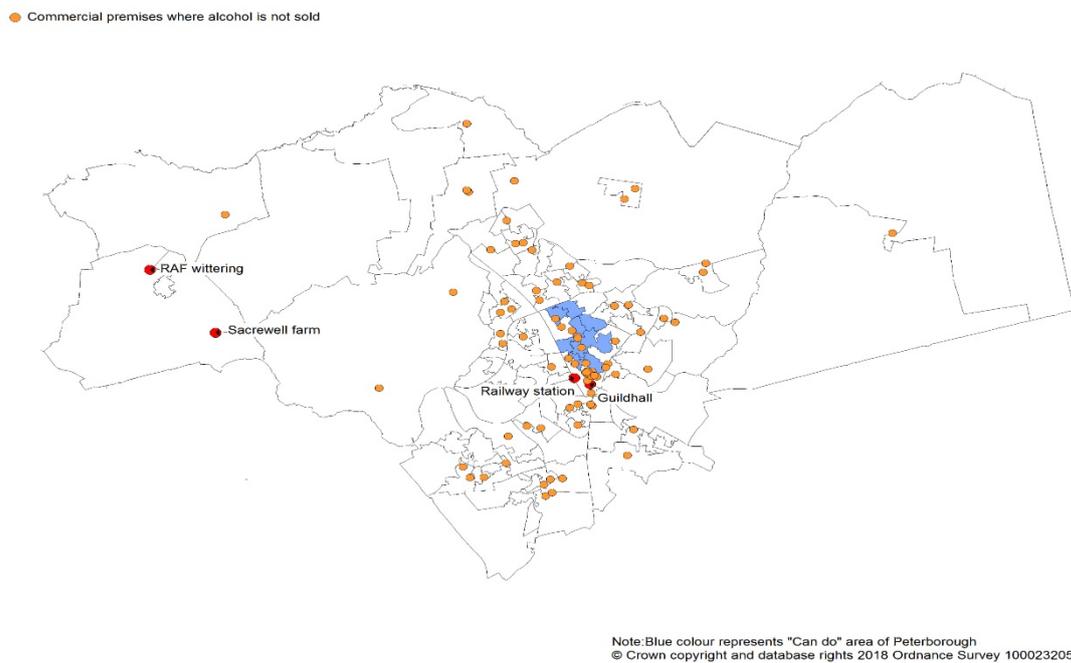


Figure 10: CanDo Area Licensed Premises Data – 2015 – 2018 Comparison

Type Of Premises	2015	2018	+/- Since CIA Renewal 2015 (Number)	+/- Since CIA Renewal 2015 (Percentage)
On License	12	14	2	16.7%
Off License	29	35	6	15.4%
On and Off Sales	16	24	8	25.8%
No Alcohol Sold	16	27	11	42.3%
Total	73	100	27	22.7%

Source: Peterborough City Council internal licensing data

Since the renewal of the last CIA in 2015, the number of premises licensed to sell alcohol in the CanDo area has increased from 73 to 100, an increase of 27 premises (22.7%). All types of license (license to sell alcohol for consumption on the premises, license to sell alcohol for consumption off the premises, license to sell alcohol both on and off the premises and no alcohol sold) have shown increases.

Figure 11: CanDo Area LSOA Alcohol Licensing Data & Premises Selling Alcohol per Square Kilometre

LSOA	LSOA Size (km/2)	License Type						All Premises Selling Alcohol per sq/km	Rank of All Premises Selling Alcohol per sq/km (1 = lowest, 112 = highest)
		On	Off	On and Off	Alcohol not sold	All Licences Held	All Premises Selling Alcohol		
E01015634	0.33	0	0	0	0	0	0	0	1=
E01015604	0.25	0	0	0	0	0	0	0	1=
E01015651	0.36	0	1	1	0	2	2	5.6	68
E01015654	0.59	1	2	4	0	7	7	11.9	98
E01015600	0.16	0	2	0	0	2	2	12.5	100
E01015632	0.29	0	2	2	1	5	4	13.8	102
E01015603	0.63	4	7	4	4	19	15	23.8	107
E01015652	0.26	1	5	2	3	11	8	30.8	108
E01015601	0.21	0	5	2	6	13	7	33.3	109
E01015599	0.9	13	11	33	9	66	57	63.3	111
E01015602	0.41	10	10	22	12	54	42	102.4	112
Total	4.39	29	45	70	35	179	144	32.8	-

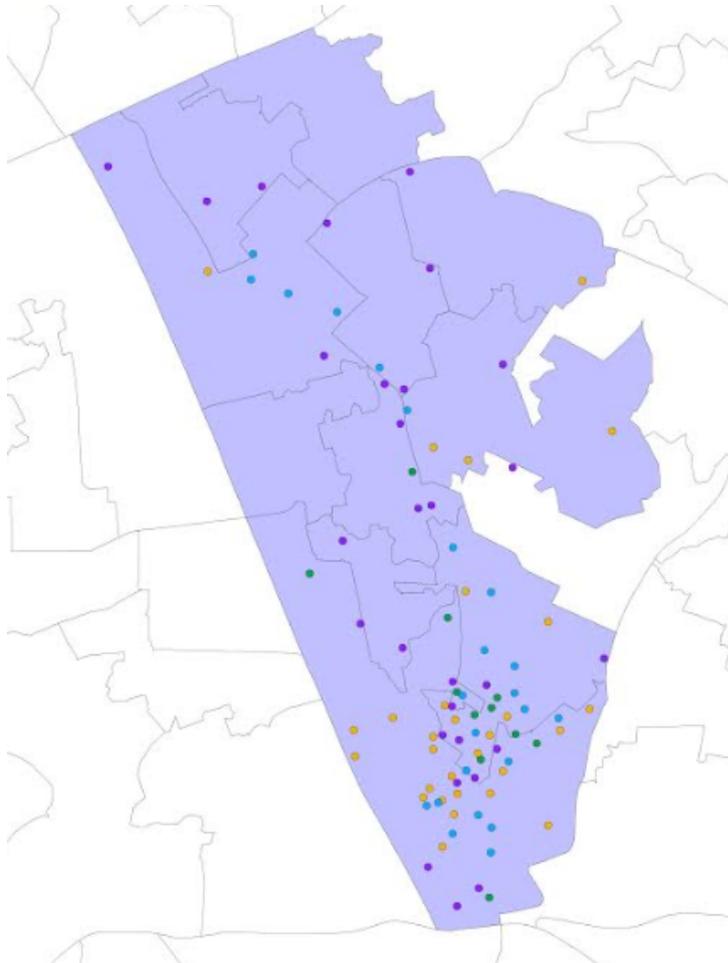
Source: Peterborough City Council internal licensing data

It should be noted that total licensing numbers within the figure above incorporate all licenses held within LSOAs that overlap with the CanDo area and therefore differ from values provided in figure 10, which refer specifically to the CanDo area.

Data show that five of the six LSOAs in Peterborough with the highest number of premises licensed to sell alcohol per square kilometre all overlap with the Cando area, as noted within the table above (LSOAs with ranks of 107, 108, 109, 111 & 112). LSOA E01015602 has 42 premises licensed to sell alcohol and a total area size of 0.41 sq/km, which equates to 102.4 premises licensed to sell alcohol per square kilometre.

There is clear evidence that levels of public violence and disorder are correlated with the density of licensed premises¹⁰, therefore the very high density of existing licensed premises in the CanDo area is directly relevant to the licensing objectives.

Figure 12: CanDo Area LSOAs – Licensed Premises by Type



Source: Peterborough Public Health Intelligence/Peterborough City Council Internal Licensing Data

The map above shows the location of all licensed premises within the CanDo area, illustrating the density of licensed premises within the area, particularly towards the south of the locality boundary.

In total, there are 179 licensed premises within the CanDo area, comprised of:

29 premises licensed to sell alcohol for consumption on the premises (blue dots)

45 premises licensed to sell alcohol for consumption off the premises (purple dots)

70 premises licensed to sell alcohol for consumption both on and off the premises (yellow dots)

35 premises with a late night entertainment/refreshment license but no authorisation to sell alcohol (green dots)

¹⁰

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733108/alcohol_public_health_burden_evidence_review_update_2018.pdf

4. Alcohol-related Incidents & Crime

Caution is advised when interpreting alcohol-related crime data as analysis relies upon the robust and consistent application of ‘alcohol markers’ across differing areas. An alcohol marker is a flag applied to an incident where alcohol is noted to be involved. Consideration should also be given with regards to related offences which may show a duplicate alcohol presence - for example, if an offender is arrested for an offence and then found to be in possession of cannabis, this report would include two individual offences with an alcohol marker applied.

It should be noted that within the below data, ‘CanDo Area’ is used to denote the sum total of three areas used in Cambridgeshire Constabulary police reporting: ‘North’, ‘Park’ and ‘East Central North’. These three areas include the CanDo area but are not exactly coterminous to the CanDo area and therefore the true number of incidents/crimes noted as being within CanDo will be smaller than presented within this dataset.

Alcohol-related incidents refer to a request for police services where alcohol is noted to be a related cause, whereas alcohol-related crime refers to incidents where sufficient evidence is obtained to proceed with prosecution.

Figure 13: Alcohol-related incidents reported in CanDo & Peterborough, 2013/14 – 2017/18

Area						% Change 13/14 - 17/18
	13/14	14/15	15/16	16/17	17/18	
CanDo Area	788	702	753	742	625	-20.7%
Other Areas of Peterborough	2,978	2,587	2,755	3,237	3,017	1.3%
Total	3,766	3,289	3,508	3,979	3,642	-3.3%

Source: Cambridgeshire Constabulary internal data

The number of alcohol-related incidents in the CanDo area of Peterborough has reduced between 2013/14 and 2017/18 from 788 to 625, a reduction of 20.7%. Over the same time period, there was an increase in alcohol-related incidents reported in all other areas of Peterborough of 1.3% (from 2,978 to 3,017). The overall number of alcohol-related incidents in Peterborough has fallen over this period by 3.3% (from 3,766 to 3,642). In 2013/14, the CanDo area accounted for 20.9% of all alcohol-related incidents in Peterborough (788/3,766), whereas in 2017/18 this percentage has reduced to 17.2% of all alcohol-related incidents (625/3,642). This is due to the substantial decrease in incidents within the CanDo area whereas the number of incidents within other areas of Peterborough has remained relatively stable over this period.

Figure 14: Alcohol-related crime reported in CanDo & Peterborough, 2013/14 – 2017/18

Area						% Change 13/14 - 17/18
	13/14	14/15	15/16	16/17	17/18	
CanDo Area	71	246	301	324	270	280.3%
Other Areas of Peterborough	387	1,211	1,720	1,869	1,821	370.5%
Total	458	1,457	2,021	2,193	2,091	356.6%

Source: Cambridgeshire Constabulary internal data

Alcohol-related crime in Peterborough has increased between 2013/14 and 2017/18, both within the CanDo area and within other areas of Peterborough. Within the CanDo area, the observed increase is 280.3% (From 71 to 270 crimes), whereas in all other areas of Peterborough, the increase is larger (370.5%, from 387 to 1,821 crimes). The overall increase for Peterborough is therefore

356.6% (from 458 to 2,091 crimes). Although alcohol-related crime has increased in the CanDo area, the increase has been greater in other areas of Peterborough.

The centre of Peterborough, including the CanDo area, is the subject of a Public Space Protection Order (PSPO) as a result of observed high levels of anti-social behaviour within the area. The PSPO application made by Peterborough City Council specifically references a number of issues prevalent within the area that effect quality of life, health and wellbeing, including anti-social behaviour specifically caused by the use of alcohol, anti-social behaviour caused by groups, begging, urination/defecation in open spaces, unauthorised and unsafe cycling, littering and spitting.

It was noted within this PSPO application that between the dates of 01/01/2014 and 26/07/2016, there were 946 reported anti-social behaviour incidents reported to the police in relation to the city centre of Peterborough, of which 268 (28.3%) were related to alcohol.

5. Alcohol-related Hospital Admissions

Figure 15: Alcohol-related hospital admissions, Greater Peterborough General Practices, 2016/17 – 2017/18

General Practice	Ward - Geographically Located Within	Ward - Majority Population Registered Within	2016/17				2017/18			
			Number of admissions	Directly age-standardised rate per 100,000	Lower 95% Confidence Interval	Upper 95% Confidence Interval	Number of admissions	Directly age-standardised rate per 100,000	Lower 95% Confidence Interval	Upper 95% Confidence Interval
Ailsworth Medical Centre	Glington & Wittering	Glington & Wittering	14	332.9	180.9	560.1	9	198.0	89.9	376.6
Boroughbury Medical Centre	Central	Data not held	143	578.9	487.6	682.2	162	668.2	569.1	779.6
Botolph Bridge Community Health	Fletton	Fletton	14	251.5	129.7	433.5	17	271.0	141.6	457.1
Bretton Medical Practice	Bretton North	Bretton North	74	674.6	527.2	849.9	59	539.2	408.5	697.9
Central Medical Centre	Park	Data not held	47	536.7	366.1	748.9	47	656.5	444.3	920.3
Dogsthorpe Medical Centre	Welland	Welland	11	270.6	106.4	529.2	19	652.3	342.0	1,090.0
Hampton Health	Orton & Hampton	Orton & Hampton	37	913.0	583.8	1,333.7	19	302.7	160.3	503.4
Hodgson Medical Centre	Werrington North	Werrington North	<5	60.6	12.0	177.5	6	137.5	45.3	308.3
Huntly Grove Practice	Park	Park	8	407.0	173.2	805.6	8	371.2	150.7	747.1
Jenner Health Centre	N/A (Outside Peterborough UA)	N/A (Outside Peterborough UA)	23	300.9	189.4	453.2	19	245.2	147.2	383.6
Minster Practice	Park	Data not held	14	361.9	196.7	608.5	14	332.2	180.6	558.7
Nene Valley Medical Practice	Orton Longueville	Orton Longueville	42	349.7	250.6	474.6	43	371.1	267.0	501.9
Old Fletton Surgery	Fletton	Fletton	58	497.1	376.5	643.8	74	624.1	488.9	784.9

General Practice	Ward - Geographically Located Within	Ward - Majority Population Registered Within	2016/17				2017/18			
			Number of admissions	Directly age-standardised rate per 100,000	Lower 95% Confidence Interval	Upper 95% Confidence Interval	Number of admissions	Directly age-standardised rate per 100,000	Lower 95% Confidence Interval	Upper 95% Confidence Interval
Orton Bushfield Medical Practice	Orton Waterville	Orton Waterville	30	576.4	385.8	827.0	31	592.2	397.2	847.3
Oundle	N/A (Outside Peterborough UA)	N/A (Outside Peterborough UA)	33	302.9	203.7	431.6	35	305.4	208.7	430.0
Parnwell Medical Centre	East	East	43	483.0	348.5	651.9	41	506.5	361.5	689.6
Paston Health Centre	Paston	Paston	85	651.7	518.5	808.2	78	594.3	467.2	744.7
New Queen Street Surgery	N/A (Outside Peterborough UA)	N/A (Outside Peterborough UA)	75	424.5	333.5	532.5	79	437.8	346.3	545.9
The Grange Medical Centre	West	West	12	513.0	242.2	931.0	11	572.8	271.8	1,046.6
Thistlemoor Medical Centre	North	North	86	476.7	364.6	608.4	76	444.9	342.8	566.1
Thomas Walker	Park	Park	45	651.9	474.5	873.4	34	476.4	328.8	667.2
Thorney	Eye & Thorney	Eye & Thorney	22	260.7	162.9	395.2	25	315.7	203.7	466.7
Thorpe Road Surgery	West	West	19	350.3	208.0	551.1	22	346.5	214.2	528.6
Wansford Surgery	N/A (Outside Peterborough UA)	N/A (Outside Peterborough UA)	25	303.1	194.9	449.0	10	124.7	57.6	232.8
Welland Medical Practice	Dogsthorpe	Dogsthorpe	13	330.2	165.9	579.4	22	730.3	438.1	1,132.5
Westgate	Central	Central	31	276.0	181.4	399.9	54	477.2	351.2	631.4
Westwood Clinic	Ravensthorpe	Ravensthorpe	50	1,079.8	792.9	1,434.0	44	950.0	683.3	1,284.1
Yaxley Group Practice	N/A (Outside Peterborough UA)	N/A (Outside Peterborough UA)	57	364.6	275.8	472.7	40	257.4	183.7	350.9
Greater Peterborough	-	-	1,114	455.0	428.3	482.9	1,098	442.7	416.6	470.1

Source: Hospital Episode Statistics

Key:

Ward contains parts of CanDo Area
Statistically significantly lower (better) than Greater Peterborough average
Statistically similar to Greater Peterborough average
Statistically significantly higher (worse) than Greater Peterborough average

The figure above shows directly age-standardised alcohol-related hospital admission rates for patients registered with Greater Peterborough GPs for 2016/17 and 2017/18. Direct age-standardisation is a statistical process whereby the potentially confounding effects of age differences between populations are eradicated via reference to a standard population (in this case,

the European Standard Population¹¹.) Green shading refers to a directly age-standardised rate that is statistically significantly lower (better) than the Greater Peterborough average, whereas conversely, red shading illustrates a directly age-standardised rate that is statistically significantly higher (worse) than the Greater Peterborough average.

An alcohol-specific admission is defined as an admission to hospital where the primary diagnosis or any of the secondary diagnoses are an alcohol-attributable code.

Orange shading illustrates that a GP is either geographically located within or has a majority population registered within a 'CanDo area' electoral ward (Central, Park or North).

Seven GPs are geographically located within either Central, Park or North: Boroughbury Medical Centre, Central Medical Centre, Huntly Grove Practice, Minster Practice, Thistlemoor Medical Centre, Thomas Walker and Westgate. Of these practices, we also hold data that indicate that four practices have a majority of their registered population living within either Central, Park or North: Huntly Grove, Thistlemoor, Thomas Walker and Westgate.

Of these practices, Westgate has a statistically significantly low directly age-standardised rate of admissions for 2016/17 and is statistically similar to the Greater Peterborough average for 2017/18. Boroughbury Medical Centre is statistically significantly higher than the Greater Peterborough average for both 2016/17 and 2017/18. Boroughbury Medical Centre also has the highest observed number of admissions of any practice within Greater Peterborough for each year, with 143 admissions in 2016/17 and 162 in 2017/18. The Institute for Economic Affairs estimated the average cost of an alcohol-related hospital admission in 2015 to be £2,525 in 2015¹². Applying bank of England inflation rates of 1.7% between 2015 and 2016 and 5.4% between 2015 and 2017, this equates to a 2016/17 average cost of £2,567.93 and a 2017/18 average cost of £2,661.35.

Alcohol-related hospital admissions for Boroughbury Medical Centre therefore accounted for a cost of (£2,567.93 x 143) £367,213.99 in 2016/17 and (£2,661.35 x 162) £431,138.70 in 2017/18, an overall total of £798,352.69, illustrating the cost to the local economy of high levels of alcohol consumption in and around areas of Peterborough including the CanDo area.

It should be noted that caution should be exercised in drawing correlation between alcohol-related hospital admissions and issues relevant to the licensing objectives, as perpetrators of alcohol-related incidents/crimes, irrespective of location, may be registered with any GP within the area.

¹¹ <https://www.causesofdeath.org/docs/standard.pdf>

¹²

http://www.iea.org.uk/sites/default/files/publications/files/DP_Alcohol%20and%20the%20public%20purse_63_amended2_web.pdf

6. Additional Public Health Data – Alcohol-related Health Outcomes in Peterborough

Figure 16: Key Alcohol Indicators from Local Alcohol Profile, Peterborough

Indicator	Time Period	Peterborough	England	Peterborough Status
10.06 - Hospital admission episodes for alcohol-related conditions (Narrow) - Under 40s, Persons, directly age-standardised rate per 100,000	2016/17	350	301	Statistically significantly higher (worse) than England
10.06 - Hospital admission episodes for alcohol-related conditions (Narrow) - Under 40s, Males, directly age-standardised rate per 100,000	2016/17	419	353	Statistically significantly higher (worse) than England
10.05 - Hospital admission episodes for intentional self-poisoning by and exposure to alcohol conditions (Narrow) - Persons, directly age-standardised rate per 100,000	2016/17	71	47	Statistically significantly higher (worse) than England
10.05 - Hospital admission episodes for intentional self-poisoning by and exposure to alcohol conditions (Narrow) - Males, directly age-standardised rate per 100,000	2016/17	55	40	Statistically significantly higher (worse) than England
10.05 - Hospital admission episodes for intentional self-poisoning by and exposure to alcohol conditions (Narrow) - Females, directly age-standardised rate per 100,000	2016/17	88	54	Statistically significantly higher (worse) than England
9.03 Hospital admission episodes for alcohol-related cardiovascular disease conditions (Broad) - Persons, directly age-standardised rate per 100,000	2016/17	1,211	1,127	Statistically significantly higher (worse) than England
9.03 Hospital admission episodes for alcohol-related cardiovascular disease conditions (Broad) - Males, directly age-standardised rate per 100,000	2016/17	1,747	1,633	Statistically significantly higher (worse) than England
9.03 Hospital admission episodes for alcohol-related cardiovascular disease conditions (Broad) - Females, directly age-standardised rate per 100,000	2016/17	778	718	Statistically significantly higher (worse) than England
12.01 - Alcohol related road traffic accidents, crude rate per 1,000	2014-16	46	27	Statistically significantly higher (worse) than England
17.01 - Volume of pure alcohol sold through the off-trade, crude rate (litres per adult)	2014	7.2	5.5	Statistically significantly higher (worse) than England

Source: Local Alcohol Profiles for England, Public Health England, <https://fingertips.phe.org.uk/profile/local-alcohol-profiles>

The table above outlines 10 indicators within Public Health England’s ‘Local Alcohol Profiles for England’ where Peterborough’s outcome is statistically significantly higher (therefore worse) than the England average. These data demonstrate that Peterborough currently has statistically significantly high rates of:

- Hospital admissions for alcohol-related conditions in under 40s (all persons and males only)
- Hospital admissions as a result of intentional self-poisoning by and exposure to alcohol conditions (all persons, males only and females only)
- Hospital admissions for alcohol-related cardiovascular disease conditions (all persons, males only and females only)
- Alcohol related road traffic accidents
- The volume of pure alcohol sold through ‘the off-trade’ (e.g. supermarkets, independent retailers rather than bars/restaurants) is statistically significantly higher in Peterborough than England

As noted within the two figures below, Peterborough is the only area within the East of England region to have a statistically significantly high directly age-standardised rate of hospital admission episodes for alcohol-related conditions (narrow) in under 40s for all persons and for males.

Figure 17: Admission Episodes for Alcohol-related Conditions (Narrow) – Under 40 (Persons), 2016/17, East of England Local Authorities

10.06 - Admission episodes for alcohol-related conditions (Narrow) - Under 40s (Persons) 2016/17

Directly standardised rate - per 100,000

Area	Recent Trend	Count	Value	95% Lower CI	95% Upper CI
England	–	81,162	301	299	303
East of England region	–	7,358	263	257	269
Thurrock	–	162	191	162	222
Hertfordshire	–	1,216	218	205	230
Central Bedfordshire	–	300	233	208	261
Southend-on-Sea	–	203	247	214	284
Essex	–	1,686	264	252	277
Cambridgeshire	–	873	275	257	294
Norfolk	–	1,053	281	264	299
Suffolk	–	886	289	270	308
Bedford	–	235	298	261	338
Luton	–	383	306	276	338
Peterborough	–	360	350	314	388

Source: Calculated by Public Health England: Risk Factors Intelligence (RFI) team using data from NHS Digital - Hospital Episode Statistics (HES) and Office for National Statistics (ONS) - Mid Year Population Estimates.

Source: Local Alcohol Profiles for England, Public Health England, <https://fingertips.phe.org.uk/profile/local-alcohol-profiles>

Figure 18: Admission Episodes for Alcohol-related Conditions (Narrow) – Under 40 (Male), 2016/17, East of England Local Authorities

10.06 - Admission episodes for alcohol-related conditions (Narrow) - Under 40s (Male) 2016/17 Directly standardised rate - per 100,000

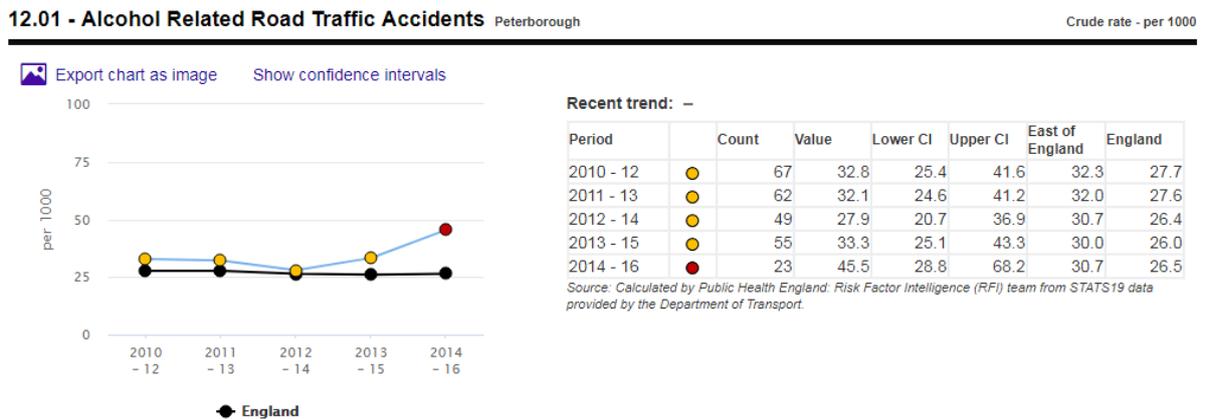
Area	Recent Trend	Count	Value	95% Lower CI	95% Upper CI
England	–	47,957	353	350	356
East of England region	–	4,227	300	291	309
Thurrock	–	104	254	207	308
Hertfordshire	–	738	268	249	288
Central Bedfordshire	–	169	263	224	306
Southend-on-Sea	–	108	266	218	322
Essex	–	926	291	272	310
Cambridgeshire	–	497	306	279	334
Norfolk	–	610	322	297	349
Suffolk	–	479	304	277	333
Bedford	–	148	381	322	447
Luton	–	227	352	307	401
Peterborough	–	221	419	365	478

Source: Calculated by Public Health England: Risk Factors Intelligence (RFI) team using data from NHS Digital - Hospital Episode Statistics (HES) and Office for National Statistics (ONS) - Mid Year Population Estimates.

Source: Local Alcohol Profiles for England, Public Health England, <https://fingertips.phe.org.uk/profile/local-alcohol-profiles>

The table below illustrates that, for the 2014-16 pooled period, the crude rate per 1,000 accidents of alcohol-related road traffic accidents in Peterborough (defined as an accident in which at least one driver failed a breathalyser test) rose to be statistically significantly higher than the national average for the first time. The observed number of such instances fell between 2013-15 and 2014-16 from 55 to 23, but as a proportion of all accidents, the number defined as alcohol-related has risen in Peterborough.

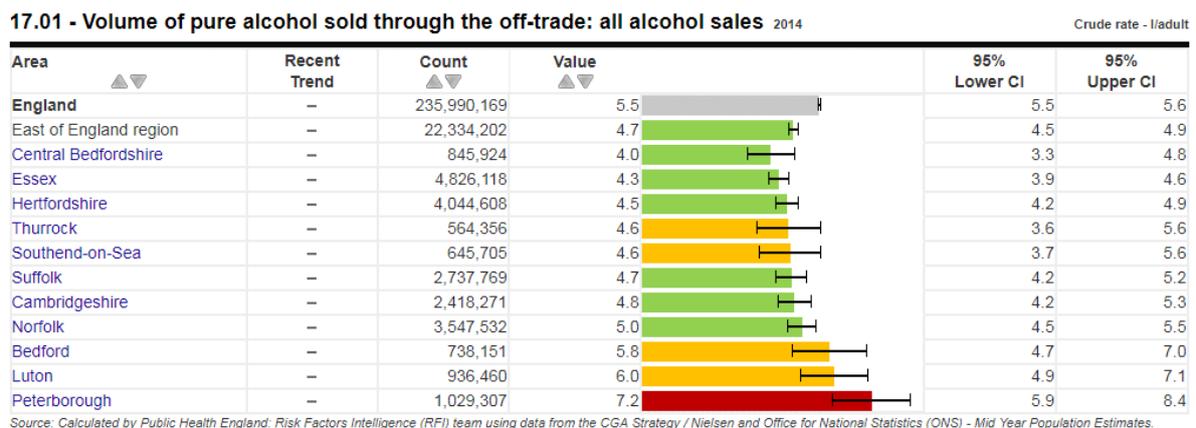
Figure 19: Alcohol Related Road Traffic Accidents, Peterborough Trend, 2010-12 – 2014-16



Source: Local Alcohol Profiles for England, Public Health England, <https://fingertips.phe.org.uk/profile/local-alcohol-profiles>

Peterborough is also the only area within the East of England region with a statistically significantly high volume of pure alcohol sold through the off-trade relative to England. In Peterborough, the crude rate of such sales is 7.2 litres per adult, compared to the national average of 5.5 litres.

Figure 20: Volume of Pure Alcohol Sold through the Off-Trade: 2014, East of England Local Authorities



Source: Local Alcohol Profiles for England, Public Health England, <https://fingertips.phe.org.uk/profile/local-alcohol-profiles>

Report prepared by:
Public Health Intelligence
Peterborough City Council
September 2018

APPENDIX E

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Peterborough

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Peterborough City Council
Licensing Team Consultation Officer
Sand Martin House
Bittern Way
Fletton Quays
Peterborough
PE2 8TY

17th September 2018

Dear Sir/Madam

As one of the Ward councillors for the Op Can Do Area (Park Ward), and on behalf of the Labour Councillors in Park, Central, and North Wards; I am writing to you to express my great concern about any relaxation of the Cumulative Impact Policy for this area.

I receive frequent complaints from local residents about the negative impact of the sale and consumption of cheap alcohol on the quality of life in the surrounding area, and how this contributes to anti-social behaviour and crime. Unfortunately, many of the incidents referred to have not been reported to the Police or have not been responded to by them. However, they are very real and are having a negative impact on the lives of local residents.

Of particular concern are off-sales of cheap alcohol, canned and bottled beers and spirits. The ease of availability means that people are able to buy large quantities of alcohol and consume these in the streets and local greenspaces. It is my understanding that there are 35 off licences and a further 24 on & off sales outlets. This is way in excess of what could be considered an appropriate density.

The presence of drunk individuals can be intimidating for people, particularly when their behaviour is aggressive and unpredictable. It is having a negative impact on the use of public spaces such as Victoria Gardens and Central Park, where groups of drinkers are now a common sight.

I have received a number of reports from local residents of street drinkers urinating in public (both in local streets in the Millfield area and in Central Park), and my own experience bears this out as being a growing problem.

In some cases those buying and/or drinking this alcohol are also drug users, and this is exacerbating the problem.

The associated littering is now a problem of epidemic proportions. Throughout the Ward, streets are full of discarded cans and bottles. Despite the best efforts of the Amey street cleansing team and litterpicks coordinated by Park Ward Labour Councillors and community associations including Community First; we are losing the battle.

I consider it essential that the Cumulative Impact Policy remains in place. Clearly, the bulk of the problems outlined above are associated with “off sales and late night refreshment”, as opposed to “licensable activities on the premises”, and so retaining controls over the former would be my red line. Local residents expect nothing less of their local councillor than to stand up for them on this issue.

Yours faithfully,

Cllr Richard Ferris

Park Ward Labour Team

On behalf of the Labour councillors listed:

Councillor Shaz Nawaz, Park Ward

Councillor Aasiyah Joseph, Park Ward

Councillor Mohammed Jamil, Central Ward

Councillor Amjad Iqbal, Central Ward

Councillor Mahboob Hussain, Central Ward

Councillor Ansar Ali, North Ward

A Cumulative Impact Policy (CIP) is defined within Section 182 Guidance to the Licensing Act 2003; Section 14 – Statement of Licensing Policy; Paragraphs 14.20 to 14.46.

A CIP has been adopted by the Local Authority since 2013 and covers the CAN-DO area. This is the second review of this Policy. The Constabulary has been consulted on this Policy and has worked with partners in formulating this review document.

Local Authority Licensing & Police Licensing along with other partners such as Trading Standards, UKBA and HMRC have worked together to improve standards within the CAN-DO area specifically around alcohol licensing, and enforced against the sale of counterfeit and illicit alcohol & cigarettes, forced labour or employing illegal immigrants and subsequent tax evasion.

Following the introduction of the CIP in 2013 Local Authority Licensing & Police Licensing carried out comprehensive compliance inspections of all licensed premises within the CAN-DO area offering advice and guidance, and taking action where necessary to deal with licensees not complying with the licensing objectives. This early intervention sent out a clear message that any sales of alcohol in contravention of the licensing objectives or condition set on the Premises License would be dealt with pro-actively in accordance with the Licensing Act 2003.

Progressively over the years a new standard was set within alcohol licensing within the CAN-DO area, which has been maintained by the partnership between responsible authorities and licensees. Mediation with prospective applicants has led to significant improvements in the standard of license applications such that conditions are being set that would suggest that the premises would not impact or contribute towards the cumulative impact in the area. Where applicants weren't so informed or co-operative, representations have been made and sent to the Licensing Sub-Committee for them to make the final determination.

It is clear from the introduction of the CIP that application submissions and operating standards have significantly improved. We now see that applicants are routinely adding a condition where beer, lager or cider above 6.5% Abv would not be sold at the premises, a reduction in operating hours and significant CCTV conditions.

The Police Licensing, Local Authority Licensing and partners continue to monitor and regulate licensing within the CAN-DO area amongst other areas. I believe this course of action, supported by the CIP has allowed us to define a set standard and maintain it, and as such we have seen a positive uptake from Licensees and their contracted representatives.

The CIP sets a rebuttable presumption that applications for the grant or variation of premises licenses or club premises certificates which are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations (following valid representation), unless the applicant can demonstrate within the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. A valid representation must be made before a Sub-Committee with adequate information or evidence so that they can make an informed decision around refusing or accepting the application.

Routinely Police Licensing will mediate with applicants, in partnership with other responsible authorities, and where the desired standards are met, such that it is believed that the applicant will not impact on the cumulative problems, will not make any representation.

Crime data submitted by the Police Licensing Officer is limited and may not reflect a true and accurate picture of how alcohol is impacting the area that is CAN-DO. CAN-DO fits within 3

larger Police sectors namely North, Park and Central North. The data provided is a percentage data picture for the combined sectors rather than CAN-DO alone. We can see that alcohol related incidents have significantly reduced, whereas alcohol related crime has increased, more so in other areas of Peterborough compared to CAN-DO.

This increase may be due in part to the Police Licensing drive internally to ensure crimes and incidents are accurately tagged with alcohol markers, and the improvement in Police Crime / Incident reporting standards.

Police Licensing has seen a marked decline in information and intelligence, incidents and crimes directly attributed to licensed premises. Whilst residents may be anecdotally informing other partners, this information is not being relayed back to the Licensing Authority and as such providing the valuable information / intelligence needed to proactively deal with problem premises. This may be because it is not being flagged in a specific way that would make it easier to find or that the general public are not routinely reporting problems directly to the Police. For example 'Street Drinking' reported to the Police between 01/04/2016 and 04/10/2018 amounts to 16 reports within Central North. We know that this is not an accurate figure. Similarly when we look at alcohol related violent crime the majority come back to residential or street addresses and do not directly correlate to a specific licensed premises.

Cambridgeshire Constabulary have been part of a CIP working group in relation to this review and have provided available data which has been included in the Cumulative Impact Assessment Review September 2018 document.

Peterborough City Council Consultation on the Licensing Cumulative Impact Policy – August 2018



Introduction

The British Beer & Pub Association is the UK's leading organisation representing the brewing and pub sector. Our members account for 90% of the beer sold in the UK and own around 20,000 of Britain's pubs.

The pub plays a vital role in community cohesion and social life in Britain. They remain one of the few places where communities can come together to socialise. The British pub has been part of people's lives for hundreds of years. First and foremost, they are businesses which serve their local communities and contribute much to the social life of each and every community. The pub sector has enormous potential to generate economic growth and create jobs. It can also play an important part in local regeneration projects and has been at the heart of the regeneration of many of our key towns and cities over the last fifteen years. A major study undertaken by Oxford Economics in 2018 clearly identifies the significant local impact of brewing and pubs. Currently over £1.5 billion is invested in the pub sector per annum. Indeed, pubs are labour-intensive businesses so this investment directly correlates to jobs. Pubs employ 600,000 people across the UK, often providing vital work in small towns and villages. Indeed, 45% of those employed in the sector are aged 16-24 providing a vital route to work and first career-step for many young people.

Across Britain, 30 million people visit Britain's pubs each month, with over 15 million people drinking beer.

BBPA's Concerns and Objections to the Proposed Renewal of the Cumulative Impact Policy (CIP)

We are concerned that the proposal to renew the policy in place for the Millfield New England area without a proper examination of the statistical evidence for its continued existence and the impact of it on the late-night economy and, by direct link, the retail economy generally.

A licensing authority can only adopt, or continue to apply, a special policy on cumulative impact if there is evidence that a significant number of licensed premises concentrated in one area is causing a cumulative impact on one or more of the licensing objectives.

The consultation document recognises that any decision to continue the CIP must be evidence-based, and that if the evidence no longer supports the CIP, it should be removed from the Statement of Licensing Policy. However, the consultation does not set out any evidence for the continuation, neither in terms of its impact to date nor any need for it to remain in place.

Instead the consultation invites opinion as to the effectiveness or otherwise of the CIP. Subjective, personal opinion in itself does not constitute evidence for the purposes of considering the renewal the CIP. If the purpose of the consultation is actually a call for evidence, that purpose has not been made clear. We note that the Council's intention is to present any evidence collected via this consultation to the Licensing Committee, but failure to present that evidence to a wider audience removes the opportunity for interested parties to comment upon or challenge that evidence.

In offering an opinion, the BBPA would confirm that as noted in the Introduction above, pubs have many beneficial effects, both societal and economic, for the communities in which they are located. Un-evidenced renewal of the CIP would limit these benefits and particularly investment potential and the associated job creation.

The consultation (paragraph 11.16) sets out a number of other mechanisms for ensuring that the Council's licensing policy objectives can be achieved. Again, in the absence of evidence that supports the renewal of the CIP, we would consider that the existing mechanisms are adequate without the need for the CIP.

In the absence of evidence and a case supported by that evidence, we feel that the Council can have no other option than to remove the CIP. On that basis the BBPA objects to the renewal of the CIP.

BBPA contact re this response:

Andrew Green, Policy Manager – Pub Operations

agreen@beerandpub.com / 0207 627 9144

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The area of Millfield and New England which is also known as the CanDo area has been an area prone to suffer from the effects of alcohol-related anti social behaviour for many years, with Designated Public Places Orders (DPPO) implemented initially in 2007 and then added to/extended up to 2011.

DPPOs were orders that were applied for by Local Authorities but enforced by the Police. Officers were authorised to instruct individuals to surrender or dispose of their alcohol or disperse from an area if they were consuming alcohol and their behaviour was having or was likely to cause harassment, alarm and distress. However in 2014 the ASB, Crime & Policing Act introduced Public Spaces Protection Orders which replaced DPPOs. This new tool has enabled local authorities to implement orders with restrictions that can be used to tackle a number of quality of life issues (alcohol still included) and also enables LAs to authorise council officers to enforce breaches of the orders. In early 2017 Peterborough City Council's Prevention & Enforcement Service consulted on proposals to implement a PSPO for the Millfield, New England, Eastfield and Embankment area of the city.

Research found that during 1/1/2014-26/7/16, there were 2,546 reported ASB incidents to the Police in relation to the proposed Millfield, New England, Eastfield and Embankment PSPO area, 537 of which were alcohol related incidents. Alcohol related anti-social behaviour can include (but is not limited to):

- Causing harassment, alarm and distress
- Urination and defecation
- Littering
- Noise
- Excessive consumption of alcohol can also be contributing factors to criminal damage, begging and public order offences.

Further research identified that Millfield and New England (Central and Park wards) were within the top 15 LSOA areas in Peterborough for anti-social behaviour in 2016 (the Special Policy on Cumulative Effect for Millfield and New England was implemented in April 2013).

In January 2017 a public consultation was launched to see if there was support to replace the previous DPPOs within the Millfield and New England areas with a PSPO that could tackle a wider range of quality of life issues including alcohol-related ASB. There were a total of 51 respondents to the PSPO consultation survey who were asked questions in relation to each specific proposed condition. Responses were received with the vast majority in favour of each of the proposed conditions. 96% of respondents were in favour of a PSPO to be used to deter people urinating and defecating in a public place and 92% were in favour of the proposal to allow officers to disperse groups causing harassment, alarm or distress. 90% of respondents were supportive of the proposed condition to tackle littering and spitting. 88% were in favour of the use of a PSPO to control anti-social behaviour from people who have been consuming alcohol. Following consultation the PSPO for Millfield, New England, Eastfield and Embankment was implemented in June 2017.

Since the implementation of the CIA in 2013, our service has responded to the following alcohol related ASB issues:

1. The historical Clock Tower near the Triangle was boarded up following complaints to ward councillors, Police and the Council concerning people congregating and drinking, urinating, defecating within the recesses of the clock tower.
2. Complaints have been received by the Salvation Army charity shop on Lincoln Road in relation to staff and customers being accosted by drunks congregating in the bus shelter outside the store, as well as entering the store being abusive and inappropriate in their behaviour towards female staff.
3. Residents and ward councillors regularly report that Gladstone Park is being misused by drinkers and drug users.
4. The impact of street drinking, drugs and prostitution is regularly experienced by residents in the Burghley Rd area.

Other factors to consider:

1. From anecdotal information we are aware that issues concerning alcohol-related ASB are still occurring within the Millfield and New England area, but there is significant under reporting.
2. The frequency of cleansing for streets and open spaces in the CIA area is significantly higher in comparison to other areas of the city. This is partly attributable to the amount of alcohol related litter (bottles, cans) which pose a safety risk and degrade the area.
3. There is the concern that if the CIA is not continued in this area, there will not be the Police resources to tackle any increase in anti-social behaviour or crime in this area. Policing in the CanDo area has reduced from a dedicated team comprising a Sgt, 4 PCs and a team of PCSOs to a team which now comprises a Sgt, 2 PCs and a team of PCSOs which are tasked to Police the City Centre and whole of the PE1 area. Policing priorities and tasking has also changed considerably since the implementation of the CIA.

It is the recommendation of the Prevention & Enforcement Services that the existing CIA continues in the Millfield and New England area.

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Our Ref:
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By Email

21st September 2018

Dear Licensing Team,

Thank you for your recent communication regarding the consultation on the Licensing Cumulative Impact Policy. As you will be aware, since April 2013, Directors of Public Health (DPH) have been included as Responsible Authorities under the Licensing Act 2003. Although the protection of public health is not a discrete licensing objective, it can be pertinent to each of the licensing objectives. The role of the DPH is to help promote the health and wellbeing of the local populations they serve. Promotion of the licencing objectives, which collectively seek to protect the quality of life for those who live and work in the vicinity of licensed premises and those who socialise in licensed premises is an important contribution to this.

I am writing in support of the continuation of the Cumulative Impact Policy (CIP) in place for the 'Op Can-Do' area of Peterborough. These comments have been formulated using relevant data and evidence, and guidance from Public Health England.

The impact of alcohol on health and wellbeing of Peterborough residents:

Public Health England's evidence of review of the impact of alcohol and the effectiveness of alcohol control policies¹ states that alcohol is now the leading risk factor for ill-health, premature death and disability in people aged between 15 and 49, the fifth leading risk factor for ill-health across all age groups. Alcohol is known to be a cause of over 200 health conditions and has a number of social negative impacts, including loss of earnings or unemployment, family or relationship problems and problems with the law. Many of these harms affect both the drinker and those around them, including families, friends and strangers.

These harmful effects place considerable economic burden on the government and health system, and individuals affected; the Cabinet Office estimate placed the economic costs of alcohol in England at around £21 billion in 2012.

¹ Public Health England, 2016. The Public Health Burden of Alcohol and the Effectiveness and Cost-Effectiveness of Alcohol Control Policies – an evidence review.

There are inequalities associated with alcohol-related harm, with children and young people with lower socioeconomic status all experiencing higher levels of alcohol-related harm. In the English population, rates of alcohol-specific and related mortality increase as levels of deprivation increase and alcohol-related liver disease is strongly related to socioeconomic gradient. This is particularly important in Peterborough which is one of the 20% most deprived districts/unitary authorities in England and where approximately 19% (8,500) of children live in low income families². Inequalities also exist within Peterborough, with men living on average 8.4 years longer in the least deprived areas than those in the most deprived areas, including those within the current CIP area.

The link between alcohol outlet density and alcohol-related harms:

A considerable body of research examines the relationship between alcohol outlet density (AOD) and alcohol-related harms. This shows that areas with more deprivation tend to have greater AOD which means that regulating the local availability of alcohol has the potential to reduce health inequalities¹, which supports the use of the CIP in the 'Op Can-Do' area which has high levels of deprivation.

There is strong evidence for a relationship between AOD and problems associated with social disorder¹. Although the relationship between AOD and alcohol consumption and alcohol-related harm is more complex and largely obtained from other countries, a number of systematic reviews have identified that higher levels of AOD are associated with greater alcohol consumption, alcohol related violence, injuries, alcohol-related road traffic crashes, sexually transmitted infections, child abuse and neglect and suicide. This evidence supports the use of policies, such as cumulative impact policies, to limit AOD within areas, particularly those of high deprivation, such as the 'Op Can-Do' area.

In addition, the National Institute for Health and Care Excellence (NICE) public health guideline on the prevention of alcohol-use disorders³, concludes that reducing the number of outlets selling it in a given area and the days and hours when it can be sold, is an effective way of reducing alcohol-related harm. The guidelines recommend that a cumulative impact policy should be used where an area is saturated with licensed premises and the evidence suggests that additional premises may affect the licensing objectives.

The need for a cumulative impact policy in the 'Op Can-Do' area:

I support the need for a CIP in the 'Op Can-Do' area in line with the following licensing objectives:

(i) *The prevention of crime and disorder:*

There is a high density of premises selling alcohol in the 'Op Can-Do' area with five of the six LSOAs in Peterborough with the highest alcohol outlet density overlapping with the 'Op Can-Do' area. There is strong evidence for a relationship between AOD and problems associated with social disorder¹ which affects the

² Public Health England, 2018. Local Authority Health Profile – Peterborough.

³ National Institute for Health and Care Excellence, 2010. Public Health Guideline (PH24) – Alcohol-use disorders: prevention & National Institute for Health and Care Excellence, 2014. Evidence update 54 – a summary of selected new evidence relevant to NICE public health guidance 24.

health and wellbeing of a local population. The Index of Multiple Deprivation (2015) (IMD) shows that 8 out of the 11 LSOAs of the 'Op Can-Do' area are within the 20% worst in Peterborough for the crime sub-domain. In addition, the 'Op Can-Do' area is within an area subject to a Public Space Protection Order as a result of high levels of anti-social behaviour within the area. Minimising growth of AOD in this area is therefore important in preventing crime and disorder, and protecting the health and wellbeing of the local population.

(ii) Public safety:

Alcohol-related hospital admissions are a significant issue in Peterborough with many of the associated public health indicators being worse in Peterborough than the England average. This demonstrates that alcohol is affecting the health and safety of Peterborough residents. Alcohol related-road traffic accidents are statistically significantly worse than the England average indicating a clear public safety issue associated with alcohol in Peterborough. Minimising the availability of alcohol, especially in areas of high AOD such as the 'Op Can-Do' area, is therefore important to protect the health and safety of Peterborough residents and visitors.

(iii) The protection of children from harm:

Children and young people are more vulnerable to alcohol related harm. Families may be affected by alcohol in a variety of ways including violence, financial problems, absenteeism from school and disrupted relationships, and there is a strong relationship between alcohol misuse and child maltreatment¹. A number of studies have identified that higher levels of AOD are associated with greater alcohol related consumption and alcohol-related harm, including those that affect children, such as violence. Minimising the growth of AOD in the 'Op Can-Do' area, an area of high deprivation in Peterborough, is therefore important to protect children from harm.

Summary:

Alcohol can have significant negative health, social and economic impacts on communities, many of which are heightened in areas of high alcohol outlet density, such as the 'Op Can-Do' area. In addition, there are inequalities associated with alcohol-related harm, with more deprived communities, such as those in the 'Op Can-Do' area experiencing greater levels of harms. In line with the licensing objectives outline above, I therefore support the continuation of the cumulative impact policy in this area and would urge the licensing authority to consider the use of cumulative impact policies in other areas where a need is identified, including areas with high alcohol outlet density and high levels of deprivation.



**Dr Liz Robin MBBS FFPH
Director of Public Health
Peterborough City Council**



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28th September 2018

Dear Licensing Committee/Team

My post is Head of Community Resilience and Integration, Cambridgeshire County Council and Peterborough City Council. I lead a team of Community Connectors whose main task is to keep close link with community groups with a view to improve community cohesion and prevent community tensions, where practicable.

I am making this submission as part of Cumulative Impact Policy review in Op Can-Do area.

The area has probably highest ratio of licensed premises selling alcohol in proximity of residential area in Peterborough. I understand the density is very high and in some context equates to 102.4 premises licensed to sell alcohol per square km (LSOA E1015602).

Bulk of Cohesion Team time which I lead is spent in engagement with community groups in Can-Do area as this area has disproportionate level of social challenges including fly tipping, drugs, substance abuse, alcohol abuse, overcrowdedness, domestic violence, hate crime and consequential community tensions. -

It is important to note that we work very closely with community and it is very clear that bulk of these issues go unreported for a variety of reasons including English language skills, lack of confidence in police or council capability to deal with the issues, frustrated acceptance of the undesirable situation etc. Some of these issues are directly linked to lack of available resources to deal or respond to the public complaints or given lower priority of response in comparison with other more serious issues.

I have attended resident meetings where residents openly commented about people urinating in their front gardens at night.

People in the area are fed up with the situation and those who can leave opt to move from the neighbourhood. Census figures are supportive of high level of 'White flight' which is referred to number of White British leaving certain areas.

The situation over the past years have relatively stabilised with the implementation of cumulative impact policy and the local residents are undoubtedly concerned that any relaxation will escalate the deterioration in their neighbourhood. Hence to my understanding, it is not surprising that 8 out of 9 Councillors in Can Do area have sent in their submission objecting to any such relaxation. Two of the most active resident groups in the area including Millfield and New England Regeneration Partnership (which works closely with Victoria Park Residents Association) and Community First have also raised objection to such relaxation.

Data can never tell the full story as it depends upon what is captured or what can be captured.

Qualitative evidence is crucial in making any decision in such matters and local councillors would be best in place to reflect such community concerns.

Should the Licensing Committee wish to have direct understanding of the residents' concerns, Cohesion Team would be happy to arrange a tour or community based event in Can-Do area.

One key factor which must be borne in mind is the impact of any such relaxation on the limited resources available to tackle social issues including policing, environment and road safety issues.

I am happy to attend Licensing Committee and share my views further.

Kind regards,

Jawaid Khan

The Licensing Team
Peterborough City Council
Bayard Place
Peterborough

21st September 2018

Dear Sir/Madam

COMMULATIVE IMPACT CONSULTATION

REPRESENTATION FROM MANERP AND COMMUNITY FIRST

We represent the Millfield & New England Regeneration Partnership (MANERP) and also Community First on licensing matters. MANERP and Community First represents residents and businesses in the Millfield and New England areas of Peterborough.

The Millfield and New England area of Peterborough has had for several years a history of anti-social behaviour fuelled by alcohol and drug abuse. This has been exacerbated by the rapid growth of a number of outlets retailing alcohol by means of “off-sales.”

The area is also within the boundary of the “Can-Do” initiative which has brought together the city council, police, NHS, Resident Associations and other partner agencies to jointly combat the serious issues being faced in this area. The whole area is very sensitive and volatile because of the ease of access to the purchase of alcohol often sold at a low price in order to attract customers or to be competitive.

As the Millfield and New England area has a phenomenal number of outlets selling alcohol “off-sales” which has contributed significantly to anti-social behaviour in the area which impact on all the Licensing Objectives in one way or another. The current joint partnership between Peterborough City Council, Cambridgeshire Police and other partner agencies through the “Can-Do” initiative has highlighted the need to actually reduce the number of outlets and hours that alcohol can be freely purchased, if it is to make any headway towards the goals that it is striving to achieve. If the C.I. Policy is terminated, it is our view that this would have a seriously detrimental impact on everything that has been achieved over the past few years that the policy has been in force in the area.

The area has the highest density in terms of number of alcohol selling outlets in proximity of residential areas in Peterborough and the negative implications of street drinking and consequentially the area was designated a Public Spaces Protection Order.

The extent of frustration of long-time residents in the area is high as they have been deeply affected by alcohol related behaviour including dumped alcohol cans and bottles, people urinating in streets or in resident's front gardens, noise created by shouting and irrational behaviour and more. Children cannot play safely in front

gardens and the level of alcohol related noise impacts on children's sleeping patterns which has an impact on their studies in many cases.

These factors have had its impact resulting in a significant level of 'White flight' from this area as proven by the Census results. The remaining numbers of long term residents are deeply concerned but unable to seek help especially with drastically reduced policing resources. Hence there is very low confidence to report such matters to police, that is if they are able to wait for long time prior to someone answering calls on 101.

All these factors mean that there is a high level of fear of crime in the area and unless people have choice, they would avoid the vicinity of Lincoln Road at late night hour due to rowdy behaviour of drunk people in the street. Many local residents would avoid the area at any time unless they have to come or pass through.

With this and the current Cumulative Impact Policy in mind, we also make this representation under all of the Licensing Objectives set out in the Licensing Act 2003, namely;

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance
- d) Protection of children from harm

The MANERP's and Community Firsts' primary aim is to try to regenerate an area that has been sadly neglected for many years. The largest single problem of all revolves around the ease, low cost but above all, availability at which alcohol can be purchased and subsequently abused. The impact on the area is huge and is a cause of concern for all the statutory agencies and bodies.

Since its' introduction the Cumulative Impact Policy there has been a small but nonetheless noticeable improvement in the Millfield and New England area. However, if the policy is terminated there is every probability that the problems that were responsible for the C.I. Policy's' introduction in the first will return. This will place a higher burden on the police, the council and the NHS as well as the associated strain that residents and businesses will have to suffer.

We therefore ask that the Cumulative Impact Policy be renewed.

Yours Sincerely

BRIAN W J GASCOYNE BEM
On behalf of the Millfield and New England Regeneration Partnership

MOHAMMED SAEED
On behalf of Community First

To: Licensing Team, Peterborough City Council

Representation from: Cate Harding, PCC Community Capacity Manager & Programme Lead for the CAN Do Regeneration Programme

Re: Cumulative Impact - Policy Consultation

Context - Extract from CAN Do Programme Strategy (2011)

“Peterborough is a city with incredible potential – it has a rich diversity of communities and some fantastic open spaces and public realm. In addition, it has an effective transport network (it is just 50 minutes from the capital), and a rich heritage and history. All of this combines to create the city’s unique identity.

Peterborough also has some incredible partnerships across the public, private and not for profit sectors as well as with many of our communities. There is tangible evidence that these partnerships really do deliver positive results for the city’s communities and local residents.

However much there is to celebrate and build upon, Peterborough is also facing some significant challenges. Community tensions remain high in some parts of the city and health inequalities are higher than the national average with some stark contrasts across city wards. In addition, educational attainment is below average and the overall level of community cohesion, pride and aspiration is lower than desirable.

One of the communities facing most challenge is that based in and around the Gladstone, Millfield and New England community. These three adjacent neighbourhoods span the Central, North and Park Wards and are made up of largely Victorian homes. The area was once regarded as a good place to live and work, where people took pride in their neighbourhood and where neighbours looked out for one another. The area was served by a vibrant high street of local shops, pubs and community venues. Traffic flowed freely and safely alongside pedestrians using the wide pavements. What little open space there was in this predominantly urban area was treasured, valued and looked after by communities that made extensive use of it.

Today, the area paints a very different picture. The population has increased significantly and the area is typically the focal point for many of the city’s new arrival residents who have come to Peterborough from overseas in search of work. Inward migration into the area has been significant over recent years. Alongside this, the population churn has been equally significant and the combination of these two factors has resulted in residential overcrowding and a community that is becoming increasingly fragmented with inherent tensions. The high street, Lincoln Road, is choked with traffic visiting the many retail and other businesses that have grown up over the past few years. Whilst on the face of it this retail and business growth appears positive, the area has become saturated with licensed premises offering access to cheap alcohol. This, in turn, is leading to high levels of alcohol related crime and anti-social behaviour and has a negative impact on health and family life. Alcohol is also a contributory factor to environmental crime such as littering and graffiti. The cumulative effect results in a real feeling from many residents that the area is no longer safe.”

Background

The above challenges faced by residents across this relatively compact area generated the launch of the **Operation CAN Do Programme** in September 2011, jointly led by Peterborough City Council and Cambs Police.

The programme was designed to be highly ambitious and to take a holistic view of all activities and resources invested by partners across the area. This would provide a framework to ensure services are co-ordinated effectively, and appropriately delivered, to meet the needs of the community.

This multi agency approach launched with partners (primarily Peterborough City Council, Police and Public Health) committing to transform the area over a generation. The programme has a phased 10 year vision to tackle the many challenges faced in the area and bring about transformational change to improve the quality of life, outlook and aspirations of local people.

Phase 1: Years 1-2 High vis zero tolerance enforcement and regulation activities

Phase 2: Years 3-6 Mainstreaming service provision to tackle root causes of challenges in the area to enable sustainable solutions

Phase 3: Years 7-10 Physical Regeneration of public realm, community facilities and public open spaces

To date activity has been focused on enforcement and regulation, bringing the communities and statutory authorities together to tackle 'here and now' issues such as the following priorities identified by the community, which has proved highly successful.

- Heightened community tension
- Crime and Anti Social Behaviour
- Poor quality housing stock & high levels of HMOs
- **Alcohol & Licensing issues**
- Parking
- Growth level of dissatisfaction from communities

Partners and communities lobbied for the introduction of a Cumulative Impact policy which was adopted by full council on 17/4/13. The Cumulative Impact policy was introduced in recognition of the saturation of licensed premises (in particular off-sales) in this area, the consequence of which was having a negative impact on all of the licensing objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- Protection of children from harm

To compliment the monitoring opportunities the policy provided, partners also undertake outreach projects to engage with the general public including people drinking on the streets of the area. Key learning points identified by partners following this activity include:

- drinking in public places is a social norm for many young Eastern Europeans
- mistrust of statutory services among some recent arrivals

- the levels of street alcohol use in Millfield appears to have decreased most likely as a consequence of the PSPO (formerly DPPO)
- displacement of street drinkers from the Op CAN do area to other areas
- Cumulative Impact Policy (CIP) significantly strengthens the ability to limit the number of licensed premises in the neighbourhood.
- national licensing legislation puts enabling economic activity above interests of local communities

Current Position

A SWOT analysis undertaken with local people in phase 2 of the programme highlights that people who live and work in the area wish to turn the weaknesses in the area into strengths by harnessing the power and diversity of the local community. They wish to see new businesses spring into life alongside more established local companies providing new, secure and worthwhile employment. The resultant renewed vibrancy is considered an essential grounding for reducing community tensions and lowering the levels of crime.

It is encouraging to see that locally there is an ever growing network of community groups and social activists who, whilst sometimes cynical, nervous or frustrated by promises in the past that have failed to deliver, continue to be up for the challenge on working together to bring about positive change for the area.

We need to restore and nurture the community's confidence and trust as the area does continue to present a number of complex, multi-layered challenges - the saturation of alcohol off sales remaining one of them. However, there remains the massive potential for these challenges to be converted into innovative, new approaches to delivering a focused, bottom-up portfolio of solutions. The imminent introduction of the Peterborough Integration Strategy, of which the CAN Do Programme is integral, that the Peterborough Together Partnership is developing will bring many new opportunities to achieve this.

Securing £7.5m of capital investment for the area 2017-2020 has enabled the phase 3 objectives for the CAN Do programme to be fulfilled. The community are urging partners to deliver something radically different and impactful for the area. The community wants to celebrate the area's uniqueness and turn the challenges of a diverse community into a significant opportunity to transform it into a destination point where people want to live, work and visit.

Concluding statement

Despite the introduction of the CIP in 2013, alcohol remains very accessible in the CAN Do area. It is accepted that the CIP is limited in its ability to fully tackle the issues presented in the area and it is for this reason that all partners need to remain vigilant to ensure that high standards are maintained by licensees already present in the area.

The current crime statistics show a reduction in alcohol related crime but we are aware via public feedback, community groups and from what is visible on the street, that it is an under-reported issue that continues to affect the quality of life for people living in the area.

But this only emphasises further that we need to embrace every means and tool available to us if we are to have any control or impact in our efforts to bring about the improvements needed and not weaken our ability to do so. It is important that partners not renege on their commitment to see the programme through to its conclusion as it is only with continued shared resources, will and initiatives that a successful outcome can be achieved.

The community-based drive and will to bring about positive change in the area is what made the CAN Do programme become a reality. The foundations are in place to fulfil the original ambition and enable the residents of the CAN-do area to attain a greater quality of life through improved health and well-being, increased economic opportunity and an enhanced physical environment.

For this reason and to retain the trust in the community we urge the the Cumulative Impact policy is continued.

PETERBOROUGH CITY COUNCIL

LICENSING ACT 2003

**STATEMENT
OF
LICENSING POLICY**

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DEFINITIONS

Note: In this Policy, the following definitions are included to provide an explanation of certain terms included in the Act and therefore in the Policy. In some cases they are an abbreviation of what is stated in the Licensing Act 2003 or an interpretation of those terms. For a full definition of the terms used, the reader must refer to the Licensing Act 2003.

‘the Act’ means the Licensing Act 2003 (c.17)

‘Licensable Activities’ means: -

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of Regulated Entertainment
- The provision of Late Night Refreshment

‘The Guidance’ means the guidance issued by the Secretary of State for the Department of Culture, Media and Sport under s.182 of the Act.

‘Licensed Premises’ includes club premises and events unless the context otherwise requires.

‘Designated Premises Supervisor (DPS)’ means the person (who must be a Personal Licence Holder), in the case of premises selling alcohol, who will normally have been given the day to day responsibility for running the premises by the holder of the Premises Licence or will be the Premises Licence holder.

‘Regulated Entertainment’ is defined as;

- A performance of a play;
- An exhibition of a film;
- An indoor sporting event;
- Boxing or wrestling entertainment;
- A performance of live music;
- Any playing of recorded music;
- A performance of dance;
- Entertainment of a similar description to that falling within the performance of live music; the playing of recorded music and the performance of dance.

In some circumstances, the provision of regulated entertainment is not licensable, for further information please go to www.gov.uk (and search for entertainment licensing)

‘Late Night Refreshment’ means the supply of hot food or hot drink to members of the public (whether for consumption on or off the premises) between the hours of 11.00 pm and 5.00 am.

‘Operating Schedule’ means a document containing a statement of the following matters (and any others that may be prescribed): -

- The relevant Licensable Activities
- The times at which the Licensable Activities are to take place and any other times when premises are open to the public
- Information regarding the person who will be specified in the Premises Licence as the Premises Supervisor
- Where the Licensable Activities involve the supply of alcohol, whether it is for the supply on and/or off the premises
- The steps being taken to promote the Licensing Objectives

‘Other Persons’ means

Persons who live, or are involved in a business, in the relevant licensing Authorities area and who are likely to be affected by the application and are not a Responsible Authority.

'Responsible Authority' means any of the following: -

- The Chief Officer of Police
- The Fire Authority
- The enforcing authority for Health and Safety at Work
- The local planning authority
- The local weights and measures authority (Trading Standards)
- The Council responsible for minimising or preventing the risk of pollution of the environment or of harm to human health
- The body representing matters relating to the protection of children from harm
- In relation to a vessel, a navigation authority, the Environment Agency, or the British Waterways Board
- The relevant Licensing Authority
- The Director of Public Health

'Relevant Representations' are representations which can be either in support of an application or against the application, (also called an objection) and must be:

- About the effect of the Premise Licence on the promotion of the licensing objectives;
- Are made by a responsible authority or any other person, have not been withdrawn and, in the case of representations made by other persons, they are not in the Council's opinion frivolous or vexatious.
- Must relate directly to an application and received during the consultation period. Representations received outside the consultation period cannot be considered.
- An objection must relate to the licensable activities requested, how you and the objectives are likely to be adversely impacted by the activity, which the conditions proposed in the operating schedule of the application do not address or do not address sufficiently.

'Temporary Event Notice (TEN)' means a Permitted Temporary Activity involving one or more Licensable Activities subject to various conditions and limitations (see section 9.5). For further information, please go to www.gov.uk (and search for alcohol licensing)

Standard TEN: Must be received no later than 10 working days prior to the event.

Late TEN: Must be received between 5 and 9 working days prior to the event

THE CITY OF PETERBOROUGH AND DISTRICT

Peterborough is a modern and progressive City with a strong historical character that makes it a stimulating environment in which to live, work and visit.

In the 2011 Census, Peterborough had a population of approximately 183,000, with an approximate population of 188,400 in 2013. The wider sub-region, in which Peterborough is the economic centre, has a population of approximately 350,000 people in both the East of England and East Midlands' regions.

Neighbouring districts that look towards Peterborough as a key economic centre include Fenland, Huntingdonshire, South Holland, South Kesteven, East Northamptonshire and Rutland.

Today, Peterborough is one of the fastest growing cities in the country with a vibrant private sector delivering record job growth in recent years. The city enjoys an unrivalled strategic location in the East of England. It is only 45 minutes from central London and within striking distance of the regions other great cities being well served as it is by airports, rail and road links.

The city owes much of its increasing fortunes in recent years to a city council that focuses on three key areas for its people – prosperity, education and quality of life.

An essential contribution to the continued development of the City of Peterborough are the differing types of premises and events licensed under the Licensing Act 2003. There are over 600 licensed premises offering a wide range of leisure activities, such as live music, theatres, sports venues, cinema and a vast range of restaurants offering diverse menus to suit any palate.

The embankment along with the county showground provide facilities for several open-air larger type festivals and concerts. Visitors can enjoy a vast range of outdoor leisure activities and picturesque countryside – including 2,000 acres of riverside parkland. There are two theatres offering drama, ballet and concerts – the Key Theatre and the Cresset Theatre. For sports fans, Peterborough has four sports stadia: football, speedway, ice hockey and greyhound.

Peterborough continues to invest in regeneration, infrastructure and accessibility, with projects within the city centre and the outskirts. This creates a vibrant mix of activities and premises catering for a multi-cultural city, offering a wide range of facilities to residents and visitors.

Peterborough is an intelligence led authority, the Safer Peterborough Partnership is an integrated multi-agency initiative working in partnership with the police and others to tackle many issues, e.g. crime, anti-social behaviour and alcohol related issues. This approach highlighted the 'Op Can Do' area as an area which had reached saturation and a Cumulative Impact Policy was introduced and took effect in April 2013.

1. INTRODUCTION

- 1.1 This Statement of Licensing Policy has been produced in accordance with s.5 of the Licensing Act 2003 (the Act) which requires the Council to review and where appropriate renew its contents on a five yearly basis (subject to changes in legislation or otherwise prescribed by the Secretary of State).
- 1.2 In reviewing the Statement of Licensing Policy the Council has considered the Guidance issued under s.182 of the Act.
- 1.3 This policy provides information and guidance to licence applicants, licence holders, objectors and Other Persons on the general approach to be taken by the Council in respect of its obligations under the Act.
- 1.4 This policy is made available in key Council offices and via the Council's website: www.peterborough.gov.uk under business.
- 1.5 The contents within the policy have been amended in line with Local Government Association (LGA)' Best Practice Framework for the Review of Licensing Policy Statements.

2. DISCLAIMER

- 2.1 The content of the Council's Statement of Licensing Policy is aimed only to provide guidance and should not be interpreted as legal advice. It is strongly recommended that persons obtain their own legal advice if they are not sure of the requirements of the Act and/or the Guidance and Regulations issued in accordance with it.

3. LICENSABLE ACTIVITIES

- 3.1 This policy relates to all those activities identified as falling within the provisions of the Act, provided to the public, to registered club members or with a view to profit as defined within the Act.
- 3.2 The Licensing Act 2003 regulates the following activities:
 - Retail sale of alcohol
 - Supply of alcohol by or on behalf of a club, or to the order of, a member of the club
 - The provision of regulated entertainment
 - The provision of late night refreshment

4. OBJECTIVES

- 4.1 The Council has a duty under the Act to carry out its licensing functions by promoting the licensing objectives, which are:-
 - The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 4.2 Each objective has equal importance.
- 4.3 The Council will also in carrying out its duties have regard to the Guidance, this policy and any responses to consultation regarding this policy.
- 4.4 It is recognised that the licensing function is only one means of securing the delivery of the above objectives and should not be seen as a means for solving all problems within the community. The Council will therefore continue to work in partnership with its neighbouring authorities, responsible authorities such as the Police, Fire Service, Health Service etc. local

businesses, licensed trade, residents and others, towards the promotion and delivery of the objectives.

- 4.5 The Council will expect individual applicants to address the licensing objectives in their Operating Schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community. This must be particularly addressed for applications within the Cumulative Impact area.
- 4.6 It is recommended and encouraged that all applicants for authorisations enter into informal discussions prior to the submission of an application in order to avoid potential problems and unnecessary hearings and appeals.

5. CONSULTATION

- 5.1 There are a number of groups who have a stake in the leisure industry, including providers, customers, residents and enforcers, all of whom have views and concerns that require consideration as part of the licensing functions and the promotion of the licensing objectives. The Council will continue to consult with these parties upon receipt of applications where relevant, and for the further continuation and development of the Licensing Policy.
- 5.2 In reviewing this Policy, the Council consulted over a 10 week period 06 July 2015 – 13 September 2015 with the following:
- (a) Chief Officer of Police for the area;
 - (b) Fire Authority for the area
 - (ba) Director of Public Health
 - (c) Persons/bodies representative of local holders of premises licenses;
 - (d) Persons/bodies representative of local holders of club premises certificates;
 - (e) Persons/bodies representative of local holders of personal licenses
 - (f) Persons/bodies representative of businesses and residents in its area;

All responses to the consultation were given due consideration when determining the final policy.

- 5.3 A review of the policy was carried out by way of consultation with those listed in 5.2 to include a special policy. The consultation took place between 21/1/13 – 04/03/13.
- 5.4 The special policy was adopted by full council at a meeting held on 17 April 2013. Please see section 11.

6. FUNDAMENTAL PRINCIPLES

- 6.1 Licensing is about regulating the carrying on of licensable activities by the appropriate control of licensed premises, qualifying clubs, and temporary events together with the people who manage such premises or hold Personal Licences within the terms of the Act.
- 6.2 In circumstances where conditions are required to be attached to the various authorisations, the focus will be on matters which are within the control of the individual licensee and others in possession of relevant authorisations (please see section 14 for more information on licence conditions).
- 6.3 In setting conditions the Council will primarily focus on the direct impact of the activities taking place at, or resulting from the licensed premises on those living, working or engaged in normal activity in the vicinity of the licensed premises.
- 6.4 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises and beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned. However:

- (a) licensing law is a key aspect of such control and therefore will always form part of an all round approach to the management of the entertainment evening and night-time economy within Peterborough; and
- (b) licensees and Certificate Holders should take all reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside their premises, for example, on the pavement, in a beer garden, or with the smoking ban in force, in a smoking shelter, where and to the extent that these matters are within their control.

6.5 Nothing in this policy prevents each licence application being considered on its own merits nor will it override the right of any individual to apply under the terms of the Licensing Act 2003 for a variety of permissions.

6.6 This policy does not seek to override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act.

6.7 If no relevant representations are received from responsible authorities or any other persons, applications must be granted as applied for. The only conditions which will be applied are those proposed within the operating schedule and any applicable mandatory condition(s).

7. OTHER LEGISLATION

7.1 Crime and Disorder Act 1998: Under this Act local authorities must have regard to the likely effect of the exercise of their functions, and do all they can to prevent crime and disorder in their area.

7.2 The Council will have particular regard to the likely impact of licensing on related crime and disorder in the district, particularly when considering the location, impact, operation and management of all proposed licence/certificate applications, renewals and variations of conditions. Any conditions attached to premises licences and club premises certificates will, so far as possible, consider and reflect the local crime prevention strategies.

7.3 The Council recognises that the Equality Act 2010 places a legal obligation on public authorities and has due regard to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity.

8. OTHER REGULATORY SYSTEMS / POLICIES

8.1 By consultation and liaison, the Council will secure the proper integration of this licensing policy with local crime prevention, community safety, environment, planning, tourism, health and wellbeing, race equality schemes and cultural strategies and any other relevant policy, in addition to plans introduced for the management of the City and the night-time economy. Many of these strategies are not directly related to the promotion of the four licensing objectives, but, indirectly impact upon them.

8.2 **Sexual Entertainment Venues (SEV):** On 02 December 2010 The Council adopted the amendment to the Local Government (Miscellaneous Provisions) Act 1982 (LG(MP)A 1982) with an effective commencement date of 08 February 2011. The effect of this means that premises which provide sexual entertainment on a regular basis (more than 11 occasions per year) will be required to obtain a SEV licence under LG(MP)A 1982. If the premises also require the sale and supply of alcohol, licences under both Acts will be required.

8.3 **Planning, building control and the licensing regimes:** Will be separate to avoid duplication and inefficiency. Licensing applications should not be a re-run of the planning application and should not cut across decisions taken by the planning committee or following appeals against decisions taken by that committee. Where a terminal hour has been set as a condition of planning permission for the use of premises for commercial purposes that are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.

- 8.4 **Cultural Strategies:** The Council will monitor the impact of licensing on the provision of regulated entertainment, and particularly live music and dancing. As part of implementing cultural strategies, proper account will be taken of the need to encourage and promote a broad range of entertainment, particularly live music, dancing and theatre, including the performance of a wide range of traditional and historic plays, for the wider cultural benefit of the communities.
- 8.5 **Public Spaces:** The Council wishes to promote a broad range of entertainment within its area including live music, dancing and theatre. To promote this policy the Council may, where appropriate, seek to obtain premises licences for Council owned public spaces within the community such as market squares, village greens, etc.
- 8.6 **Travelling Circuses:** Where types of entertainment are present in a performance by a travelling circus they will not be licensable provided that certain qualifying conditions are met. Guidance has listed these qualifying conditions as follows:
- The entertainment is not an exhibition of a film or a boxing or wrestling entertainment;
 - The entertainment takes place between 08.00 and 23.00 on the same day
 - The entertainment takes place wholly within a moveable structure and the audience present is accommodated wholly inside that moveable structure; and
 - The travelling circus has not been located on the same site for more than 28 consecutive days.

It should be noted that the circuses with performing animals will not be permitted, and therefore not licensed, on Council owned land.

9. TEMPORARY EVENT NOTICES

- 9.1 A temporary events notice (TEN) is required for the sale of alcohol by retail, provision of regulated entertainment and/or the provision of late night refreshment, which is to take place at premises, which are currently unlicensed for the activities involved. Applicants are reminded that a limit of fewer than 500 persons at any one time applies to a temporary event and failure to comply with this limit may lead to the event closure or even prosecution. It is strongly recommended, therefore, that a means of recording the number of persons entering and leaving the premises is put into operation. There is nothing to stop a TEN being given for a premises where a premises licence is already in force although does not cover the type of event proposed.
- 9.2 If there are over 500 persons attending the event then this will fall outside the provisions of a temporary event notice and a premises licence will be required.
- 9.3 Applicants are reminded that an authorisation made under a TEN does not remove their obligations under any other legislation including that of statutory nuisance. Where necessary, permissions should be sought from the appropriate body. The Council strongly recommends that applicants familiarise themselves with these responsibilities which amongst others may include:-
- Planning permission
 - Health and Safety
 - Noise Pollution
 - Erection of temporary structures
 - Road closures
 - Use of pyrotechnics
 - Anti-social behaviour
- 9.4 As well as the limit on the number of persons permitted under a TEN the following conditions and limitations apply:-
- Duration – they are limited to events lasting for up to 168 hours (7 days);

- Use of the same premises – the same premises cannot be used on more than 12 occasions in a calendar year, (this will increase to 15 with effect from 1 January 2016) but are subject to the overall aggregate of 21 days irrespective of the number of occasions on which they have been used;
- The total number of notices (this includes late and standard TENs) given by an individual within a calendar year (1 January to 31 December) – a Personal Licence Holder is limited to 50 notices in one year and another person to 5 notices
- The number of late TEN's is limited to 10 in a calendar year for a personal licence holder and two for other people. If these limits are exceeded in a calendar year, the application will be returned as void and the event will not be authorised.
- There must be a minimum period of 24 hours between events authorised under separate TEN's at the same premises by the same premises user or associate.
- Relevant persons - Police and Environmental Health have the opportunity to consider whether they should object, modify or attach conditions to a TEN based on any of the licensing objectives

9.5 When calculating the number of working days for submission of TENs, the day the notice is received and the first day of the event are excluded from the calculation. If a TEN application requests for an event to start before midnight and end after midnight this will count as two days towards the 21 day limitation.

9.6 **Standard and Late Temporary Event Notices:** There are two types of TEN, a standard TEN and a late TEN. These are subject to different processes. A standard TEN is given no later than ten working days before the event to which it relates, and a late TEN is given not before nine and not later than five working days before the event.

9.7 **Standard Temporary Event Notices:** Whilst a minimum of 10 working days' notice must be given to the Council and relevant persons for applications, it should be noted that this gives very little time for the Council to process the application and for the relevant persons to respond. Applicants are therefore encouraged to provide a minimum of 28 days' notice of a licensable event.

9.8 Where a TEN is held on premises where a premises licence or club premises certificate is in place, and the relevant persons believe that allowing the premises to be used in accordance with the TEN would undermine the licensing objectives they can object and/or modify and/or request conditions from the premises licence or club premises certificate to be applied to the TEN.

9.9 Where an objection to a TEN is received from relevant persons and not withdrawn, the licensing authority must hold a hearing to consider the objection, unless all parties agree that this is unnecessary.

9.10 **Late Temporary Event Notices:** are intended to assist premises users who are required for reasons outside their control to provide licensable activities at premises in shorter time scales. However, there is a risk that the event may receive an objection from relevant persons, where this occurs the notice will not be valid and the event will not go ahead, as there is no scope for a hearing or the application of any existing conditions.

10. DUPLICATION

10.1 So far as is possible, this policy is not intended to duplicate existing legislation and other regulatory regimes that already place obligations on the self-employed, employers and operators of venues both in respect of employers and of the general public when on the premises in question. Therefore, conditions and control measures which would be a duplication of existing legislative requirements, cannot be imposed in the context of licensing law as they are already provided for in other legislation.

11. CUMULATIVE IMPACT

- 11.1 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter which the Council can consider within its licensing policy statement. This should not, however, be confused with 'need' which concerns the commercial demand for a particular type of premises, e.g. a pub, restaurant or hotel. The issue of 'need' is therefore primarily a matter for the market to decide and does not form part of this licensing policy statement.
- 11.2 The licensing authority can only adopt a special policy on cumulative impact if there is evidence that a significant number of licensed premises concentrated in one area is causing a cumulative impact on one or more of the licensing objectives.
- 11.3 The Licensing Authority has adopted (following a meeting of the full council on 17 April 2013) a special policy relating to cumulative impact in respect to all licensed premises for the Op Can Do area. The first special policy took effect on 18 April 2013 and was subsequently reviewed and published on 07 January 2016.
- 11.4 A CIA creates a rebuttable presumption that applications within the Op Can Do area for new premises or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused, if relevant representations are received about the cumulative impact on the licensing objectives, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced.
- 11.5 Cumulative Impact was only ever described in Section 182 Guidance, however, with effect from 06 April 2018 cumulative impact is now incorporated within Section 5A of the Licensing Act 2003, following commencement of Section 141 of the Policing and Crime Act 2017 which amended the Licensing Act 2003. This puts Cumulative Impact Assessments on a statutory footing and requires authorities to set out the evidence as to why the authority is of the opinion that a CIP is required for those types of premises and that defined area.
- 11.6 Section 5A of the Act requires CIA's to be reviewed and re-evaluated every three years in order to establish if the CIA is still relevant to current problems in the defined area.
- 11.7 A consultation took place between the dates of 06 August 2018 – 23 September 2018, with the statutory consultees as set out in 5(3) of the Act. Evidence produced during the consultation was reviewed and considered by the Licensing Act 2003 Committee at a meeting on 18 October 2018.
- 11.8 The Licensing Committee at the aforementioned meeting resolved to recommend that Full Council approve the retention of the current Cumulative Impact Policy (Assessment) for the Op Can Do area.
- 11.9 In making its determination the Authority considered 14.29 of the Guidance (April 2018) and gave particular weight to evidence from local councillors, evidence obtained through local consultation and complaints recorded by the local authority, which may include complaints raised by local residents and residents' associations.
- 11.10 Applicants will need to address the CIA in their operating schedules in order to rebut such a presumption.
- 11.11 Despite the presumption against grant, responsible authorities and/or other persons will still need to make a relevant representation before the licensing authority may lawfully consider giving effect to its special policy i.e. if no representation is received, the application must be granted (subject to such conditions as are consistent with the Licensing Act 2003). Responsible authorities and other persons can make a written representation referring to information, which had been before the licensing authority when it developed its statement of licensing policy.
- 11.12 This licensing authority recognises that a special policy should never be absolute. The circumstances of each application will be considered properly and applications for licences

and certificates that are unlikely to add to the cumulative impact on the licensing objectives may be granted. After receiving representations in relation to a new application or for a variation of a licence or certificate, the licensing authority will consider whether it would be justified in departing from its special policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

- 11.13 The absence of a special policy however, does not prevent any responsible authority or other persons making representations on a new application for the grant of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.
- 11.14 Once away from licensed premises, a minority of consumers will behave badly and unlawfully. The licensing policy is part of a much wider strategy for addressing these problems. Other mechanisms both within and outside the licensing regime are available for addressing such issues. For example:
- Planning controls
 - Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority
 - The provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols.
 - Powers of local authorities to designate parts of the local authority area as Public Spaces Protection Orders. Confiscation of alcohol from adults and children in designated areas.
 - Police enforcement of the general law concerning disorder and antisocial behaviour, including the issuing of fixed penalty notices.
 - Prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale).
 - Powers to close down instantly premises or temporary events to prevent a nuisance or disorder from continuing, recurring or occurring.
 - The power for responsible authorities and other persons to seek a review of a premises licence or club premises certificate.
- 11.15 The above may be supplemented by other local initiatives that seek to address these problems, for example through Safer Peterborough Partnership, in line with the strategic objectives for crime and disorder reduction in the city.

Map Showing Current CI Policy Area in Green

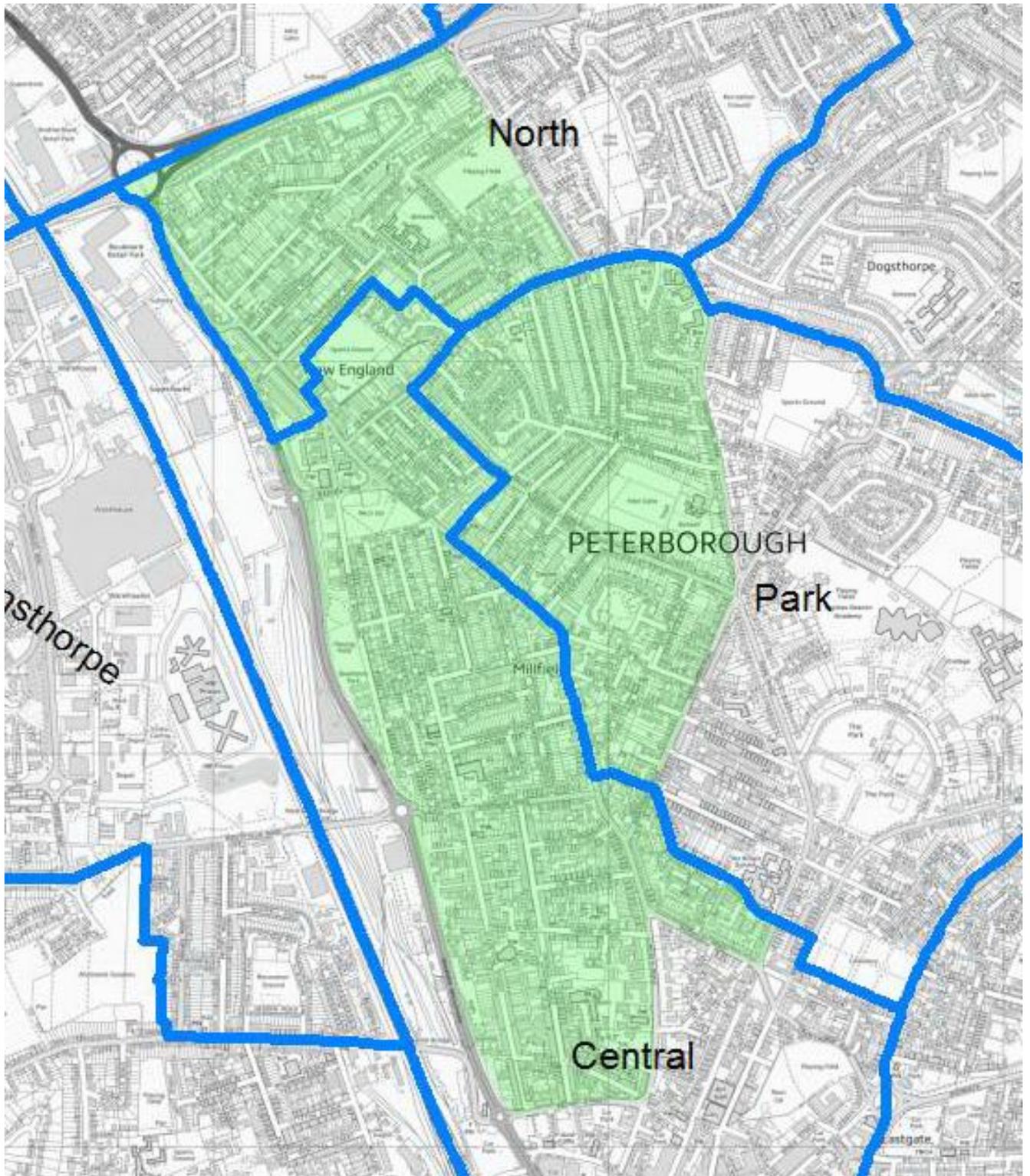


Table of Street Names Within the Current CI Area

Streets in the Op Can Do area		
Alexandra Road	Keats Way	1-359 Dogsthorpe Road
Allen Road	Keeton Road	40 - 50 Bright Street
Alma Road	Kipling Court	Beckets Close
Bamber Street	Lammas Road	Berry Court
Beech Avenue	Lawn Avenue	Boswell Close
Belham Road	Lime Tree Avenue	Burghley Mansions
Bourges Boulevard	Lincoln Road	Burns Close
Brassey Close	Link Road	Burrows Court
Brownlow Road	Lister Road	Carl Hall Court
Burghley Road	Lynton Road	Caroline Court
Burmer Road	Maskew Avenue	Cecil Pacey Court
Cambridge Avenue	Norfolk Street	Century Square
Cecil Road	North Street	Claridge Court
Chantry Close	Northfield Road	Coleridge Place
Chaucer Road	Norton Road	Connaught Mews
Church Walk	Nursery Close	Cromwell Court
Clare Road	Occupation Road	Dogsthorpe Grove
Clarence Road	Park Road	Dyson Close
Cobden Avenue	Parliament Street	Gillwell Mews
Cobden Street	Peveril Road	Gray Court
Cowper Road	Pope Way	Hamilton Court
Craig Street	Portland Avenue	Ingleborough
Cromwell Road	Russell Street	Johnson Walk
Crown Street	Scotney Street	Kimbolton Court
Dryden Road	Searjeant Street	Lincoln Gate
Eaglesthorpe	Shakespeare Avenue	Loire Court
English Street	Sheridan Road	Manor House Street
Exeter Road	Silverwood Road	Old Court Mews
Fitzwilliam Street	Springfield Road	Oxford Road
Foxdale	St James' Avenue	Parkodi Court
Fulbridge Road	St Mark's Street	Popley Court
Geneva Street	St Martins Street	'Raedwald Court
Gilpin Street	St Paul's Road	Rock Road
Gladstone Street	Stone Lane	Rosehall Court
Granville Street	Summerfield Road	Russell Mews
Green Lane	Taverners Road	Salaam Court
Hankey Street	Tennyson Road	Shelley Close
Harris Street	Thistle Moor Road	St Marks Apartments
Henry Court	Towler Street	St Marks Court
Henry Street	Vere Road	St Martins Mews
Herrick Close	Victoria street	The New Haven
Highbury Street	Warbon Avenue	Tom Lock Court
Windmill Street	Waterloo Road	up to 135 Park Road
Bamber Court	Wilberforce Road	Victoria Place
Walpole Court	York Road	

12. LICENSING HOURS / ZONING

- 12.1 EMRO's: Early Morning Restriction Orders, are designed to address recurring problems such as high levels of alcohol related crime and disorder in specific areas at specific times; serious public nuisance; and other instances of alcohol-related anti-social behaviour which is not directly attributable to specific premises.
- 12.2 LNL: Late Night Levy, is a levy imposed on businesses which sell alcohol between midnight and 6am or part thereof. Funds raised by this levy are applied to the costs of policing crime and disorder connected to those sales of alcohol.
- 12.3 The Council notes guidance on the late night levy and EMRO's and has considered the options of adopting the provisions, but has no intention at this time of implementing either provision. The Council reserves the right to review this decision in the future.
- 12.4 The Council has not adopted fixed trading hours as a matter of policy. It recognises that flexible licensing hours with regard to the sale of alcohol is important to ensure that the concentrations of customers leaving premises simultaneously are avoided.
- 12.5 The Council recognises that providing consumers with greater choice and flexibility is important to a thriving evening and night-time economy however, this will be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.
- 12.6 There is no general presumption in favour of lengthening licensing hours and accordingly the Council may when issuing new licenses or following reviews of existing licenses reject a proposal or grant it with appropriate conditions and/or different hours from those requested.
- 12.7 Shops, stores and supermarkets will normally be permitted to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping, unless there are good reasons based on the four licensing objectives for restricting those hours. For example, a limitation on licensing hours may be appropriate following Police representations in the case of premises known to be a focus of disorder and disturbance because youths gather there.

13. CHILDREN AND LICENSED PREMISES

- 13.1 There are a great variety of premises for which licences may be sought, including theatres, cinemas, restaurants, cafes, fast food outlets, community halls and schools where children may frequent. No statement of policy can properly anticipate every issue of concern that could arise in respect of children in relation to individual premises, and therefore the individual merits of each application will be considered in each case.
- 13.2 Conditions requiring the admission of children to any premises will not generally be attached to licences or certificates (except those identified in 13.7). Where no licensing restriction is necessary, this will remain a matter for the discretion of the individual licensee or club, subject to compliance with the Act
- 13.3 Where it is deemed appropriate to attach conditions to the licence in relation to access by children, this will be for the prevention of physical, moral or psychological harm to them.
- 13.4 Venue operators seeking premises licences and club premises certificates will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, relevant to the individual style and characteristics of their premises and events. It may also be that their own risk assessments have determined that the presence of children is undesirable or inappropriate.

- 13.5 The following examples of control measures are given to assist applicants and are considered to be amongst the most essential that applicants should take account of in their operating schedules, having regard to their particular type of premises and/or activities:-
- Effective and responsible management of the premises
 - Provision of a sufficient number of people employed or engaged to secure the protection of children, including child performers, from harm
 - Appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm
 - Limitations on the hours when children may be present in all or parts of the premises
 - Limitations or exclusions by age when certain activities are taking place
 - Imposition of requirements for children to be accompanied by an adult
 - Acceptance of accredited 'proof of age' cards and/or 'new type' driving licences with photographs.
- 13.6 Where no relevant representations are made to the Council, any proposed conditions in the operating schedule will be attached as conditions to the licence or certificate, subject to paragraph 14.1 below and will be enforceable.
- 13.7 Following receipt of any relevant representations, the Council will consider and determine each application, on its merits, as to whether to limit access by children or exclude them altogether from licensed premises by attaching any relevant conditions.
- 13.8 The conditions limiting and restricting access by children may include a combination of the following: -
- Limitations on the hours when children may be present in all or parts of the premises
 - Requirements for children to be accompanied by adults
 - Full exclusion of those people under 18 from the premises when any licensable activities are taking place
 - Limitations on the parts of premises to which children might be given access
 - Limitations or exclusions by age when certain specified activities are taking place e.g.
 - Where entertainment or services of an adult or sexual nature for example, lap-, table- or pole dancing, topless bar staff or striptease are commonly provided
 - Where there is a strong element of gambling on the premises (but not where there is a small number of cash prize gaming machines);
 - With a known association to drug activities – taking or dealing;
 - Where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking.
 - Where the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
- 13.9 The Council recognises the Peterborough Safeguarding Children Board as the competent body to advise on these matters.
- 13.10 **The Portman Group:** The Council commends the Portman Group Code of Practice on the naming, packaging and promotion of alcoholic drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older.
- 13.11 **Proof of Age Schemes:** The Council commends proof of age cards accredited under the Proof of Age Standards Scheme (PASS).
- 13.12 **Children and Cinemas:** In the case of premises which are used for film exhibitions conditions will be imposed restricting access only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Council itself.

14. LICENCE CONDITIONS

- 14.1 There are three different types of condition that may be attached to a licence or certificate:
Proposed - those conditions offered with the operating schedule of the application:
Imposed - attached by licensing authority following a hearing
Mandatory - imposed by the Act and can be amended by the Secretary of State.
All conditions should be clear, enforceable, evidenced, proportional, relevant, and capable of being understood.
- 14.2 One of the key concepts of the Act is that any conditions (other than the statutory mandatory conditions and those proposed within the application) attached to licences or certificates can only be imposed to licenses at a hearing following relevant representations. Conditions will be tailored to the individual style and characteristics of the premises and events concerned.
- 14.3 The Council will only attach conditions to premise licenses and club certificates where they are appropriate for the promotion of one or more of the four licensing objectives.
- 14.4 Conditions that are appropriate for the promotion of the licensing objectives should emerge initially through the operating schedule and risk assessment carried out by a prospective licensee or certificate holder at the time of application, particularly for applications within the cumulative impact area,
- 14.5 The Council will not impose any conditions unless they are proposed or its discretion has been engaged following relevant representations having been received and upheld. In these circumstances, it may then only impose conditions as are appropriate to promote the licensing objectives arising out of the consideration of representations.
- 14.6 The Council will take into account:
- The character of the surrounding area;
 - The nature and character of the proposed operation;
 - The impact that the activity will have on those living, working or engaged in normal activities in the area concerned.
- 14.7 Conditions will generally be considered inappropriate if they are already adequately covered by other legislation.
- 14.8 The pool of conditions cover, among other things, issues surrounding:
- Crime and disorder, incorporating local crime prevention strategies, e.g. CCTV at certain premises;
 - Public safety (including fire safety and means of escape);
 - Theatres and cinemas (promotion of public safety);
 - Anti-social behaviour (inc: public nuisance, provision of clearance of litter outside premises, fly posting);
 - Protection of children from harm;
- Further information can be found via the Council's website www.peterborough.gov.uk under 'business'
- 14.9 Any conditions not listed in the pool may be specifically tailored by this Council and attached as conditions where appropriate.
- 14.10 In determining what conditions should be attached to licences and certificates, to appropriately promote the licensing objectives, the Council will be aware of the need to avoid measures which might deter live music, dancing or theatre by imposing indirect costs of a substantial nature.

15. ENFORCEMENT

- 15.1 The Council will establish arrangements with the responsible authorities on enforcement issues in addition to carrying out their own regular inspections. These protocols will provide for the targeting of agreed problem and high-risk premises.
- 15.2 All decisions and enforcement action taken by the Council will have regard to the relevant provisions of the Act, national guidance, e.g. BRDO (Better Regulation Delivery Office) Regulators' Code and the enforcement policy of the Council. To this end, the key principles of consistency, targeting, transparency and proportionality will be maintained.
- 15.3 Responsible authorities may carry out their own enforcement activities such as test purchasing, on and off sales, underage and proxy sales. Any national guidance will be observed when these activities are conducted.
- 15.4 Premises licences and club premises certificates are subject to an annual fee. The Council must suspend these authorisations for the non-payment of the annual fee. Where disputes or administrative errors arise, there is a grace period of 21 days to resolve (from the due date of the invoice). If the dispute or error is not resolved, a notice of suspension will be given to the premises providing the date (minimum of two working days) when the suspension notice takes effect.
- 15.5 Where an authorisation is suspended, any licensable activities taking place would be unauthorised and subject to further enforcement. Responsible authorities will be notified of suspension notices issued.

16. REVIEWS

- 16.1 The licensing authority works in partnership with the responsible authorities to promote the licensing objectives and will aim to give licensees early warning of any concerns identified at a premises.
- 16.2 Reviews of premise licences represent a key protection for the community where matters arise at the premise in connection with any of the four licensing objectives.
- 16.3 There are certain circumstances (as detailed within guidance), when the crime prevention objective is being undermined, it is expected that revocation of the licence, even in the first instance will be seriously considered.
- 16.4 At any stage following the grant of a Premises Licence a responsible authority or any other person may request a review. Evidence would be required based on one or more of the licensing objectives.
- 16.5 If relevant representations are made about a current licence, the Council will hold a hearing to consider them, unless the Council, the applicant and those making representations agree that the hearing is not necessary.
- 16.6 Additionally a review of the licence will normally follow any action by the Police or Local Authority to close down the premises on grounds of disorder or public nuisance.
- 16.7 No more than one review will normally be permitted within any 12 month period on similar grounds except in exceptional and compelling circumstances or where it arises following a Closure Notice or Order.
- 16.8 Where entertainment is deregulated, between 08.00 and 23.00 and it is having a negative impact on the licensing objectives, a premises licence or club premises certificate can be reviewed to bring the entertainment back under the scope of the authorisation and appropriate conditions can be applied.
- 16.9 A summary review (or expedited) is appropriate for premises experiencing serious crime or disorder. It is a fast track licence review where the Council can attach interim conditions

(where appropriate) to a premises licence where the responsible authority consider that the premises concerned is associated with serious crime or disorder or both. The Council can take the following interim steps:

- Modification of the conditions of the premises licence
- The exclusion of the sale of alcohol (or other licensable activities) from the scope of the licence
- Removal of the DPS
- Suspension of the licence

16.10 The decision takes effect immediately or as soon as the Council directs. The Council will have regard to the Guidance when processing summary reviews.

16.11 Licensing officers may not initiate their own review of premises licences.

17. DELEGATION / DECISION MAKING / ADMINISTRATION

17.1 When determining applications the Council will have regard to the Guidance and this policy. Therefore, determination of applications made under the Act will be made by either the Licensing Committee, by a Sub-Committee of the Licensing Committee, or by one or more authorised officers acting in accordance with the Council's Scheme of Delegation. (See table of delegations on page 22)

17.2 A decision made by an officer under the Council's Scheme of Delegation, will be considered a decision made by the Council.

17.3 The Council will consider relevant representations made both in support of or opposition to any application.

17.4 Where a relevant representation is made then the authorised officer will liaise with the applicant and relevant parties to try and reach an agreement between them and the Council, as to the need for final determination by the Licensing Committee or Sub-Committee.

17.5 Where relevant representations are raised which cannot be resolved by mediation, matters will be referred to either of the aforementioned committees for determination.

17.6 The licensing authority is also a responsible authority and will make representations and review licenses where it considers appropriate. This does not negate the requirement for other responsible authorities or other persons from acting in their own capacity.

17.7 Where the licensing authority utilises the responsible authority provision, there is separation of responsibilities to ensure procedural fairness and eliminate any conflicts of interest. The officer acting as the responsible authority will be a different officer to that who is acting in its capacity as the licensing authority.

17.8 In cases where only positive relevant representations are received and upon agreement of the Applicant, the Licensing Authority and the other persons making those representations, it will not be necessary to hold a hearing to determine the application.

17.9 Each application will be determined on its individual merits taking into consideration the four licensing objectives.

17.10 Where it is determined that it is appropriate to attach conditions to a licence or certificate it will ensure that those conditions are focused on the direct impact of the activities taking place at the premises concerned, on members of the public living, working or engaged in normal activity in the area concerned. Such conditions will be proportionate to the activity to be controlled and will only be imposed in the interests of the licensing objectives.

17.11 If representations are made concerning the potential for limited disturbance in a particular neighbourhood, the Council's consideration will balance those representations against the

wider benefits of the community. Furthermore, the Council acknowledges the advice received from the DCMS that the views of local minorities should not be allowed to predominate over the general interests of the community.

- 17.12 It may be appropriate for the Sub-Committee in some circumstances to conduct a site visit. In such circumstances, Members will observe the Members' Licensing Code of Good Practice and Procedure for Licensing Sub-Committee Site Visits.
- 17.13 All parties will receive a fair hearing.
- 17.14 The Council will ensure that Members and Officers having responsibility under the Act will receive appropriate training to administer and enforce the Act.
- 17.15 Upon request, the Licence Committee will receive regular reports on decisions made by officers to ensure that an overall picture of the state of licences in the area is maintained.
- 17.16 The Council will give comprehensive reasons for its decisions and such reasons shall also address the extent to which the decision has been made with regard to this Policy and Guidance.

18. APPEALS

- 18.1 **Magistrates' Court Appeals:** Other than in the case of personal licences, all appeals in connection with various decisions made by the Council will be determined by the Magistrates' Court in the area which the premises concerned are situated.
- 18.2 In the case of personal licences, the appeal must be made to the Magistrates' Court in the area in which the Council (or any part of it) which made the decision is situated.
- 18.3 Beginning with the day the appellant was notified by the Council of the decision to be appealed against; the appellant has a period of 21 days to commence his appeal by the issue of a complaint and notice of appeal to the Magistrates' Court. A fee is payable to the Court and the 21 day period is strict and cannot be extended.
- 18.4 The Council will always be a Respondent to the appeal, but in cases where a favourable decision has been made for an applicant licence holder, club or premises user against the representations of a responsible authority or an interested party or the objections of the chief officer of Police, the holder of the premises or personal licence or club premises certificate or the person who gave an interim authority notice or the premises user will also be a respondent to the appeal and the person who made the relevant representation or the chief officer of Police will be the appellants.
- 18.5 On determining an appeal, the court may:
 - Dismiss the appeal;
 - Substitute for the decision appealed against any other decision which could have been made by the Council; or
 - Remit the case back to the Council to dispose of it in accordance with the direction of the court.
- 18.6 The court may make such order as to costs as it sees fit.
- 18.7 The court, on hearing any appeal, may therefore review the merits of the decision on the facts and consider points of law or address both.
- 18.8 In hearing an appeal against any decision made by the Council, the Magistrates' Court will have regard to this licensing policy statement and the Guidance.
- 18.9 The Court can depart from both if it is justified to do so, depending on the individual circumstances.

- 18.10 This Council, therefore, when determining applications will give comprehensive reasons for its decisions.
- 18.11 Any decision made by the Magistrates' Court will be implemented by the Council immediately.

19. EFFECTIVE DATE AND REVIEW

- 19.1 This policy statement will take effect on 7 January 2016
- 19.2 This policy statement will be kept under review, consulted on, and will remain in existence for a period of up to five years. It is subject to review and further consultation before 7 January 2021 (subject to changes in legislation prescribed by the Secretary of State).

20. Table: Recommended Delegations of Functions

Matter to be dealt with	Sub Committee	Officers
Application for Personal Licence	If a Police objection	If no objection made
Application for Personal Licence with unspent convictions	All cases	
Application for Premise Licence/Club Premise Certificate	If a relevant representation made	If no relevant representation made
Application for Provisional Statement	If a relevant representation made	If no relevant representation made
Application to vary Premise Licence/Club Premise Certificate	If a relevant representation made	If no relevant representation made
Application to vary designated Premise Supervisor	If a Police objection	All other cases
Request to be removed as designated Premise Supervisor		All cases
Application for transfer of Premise Licence	If a Police objection	All other cases
Applications for interim authorities	If a Police objection	All other cases
Application to review Premise Licence/club Premise Certificate	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc		All cases
Decision to object when Local Authority is a Consultee and not the relevant Authority considering the application	All cases	
Determination of a Police objection to a Temporary Event Notice	All cases	

21. CONTACT DETAILS

THE LICENSING AUTHORITY:

The Licensing Team
Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1FA
T: 01733 747474
E: eh.licensing@peterborough.gov.uk
www.peterborough.gov.uk
(under the Business section)

THE RESPONSIBLE AUTHORITIES:

Cambridgeshire Constabulary

Licensing Department
Cambs Constabulary North Division
4th Floor Bayard Place
Broadway
Peterborough
PE1 1 HZ
T: 01733 424438 / 424449

Cambridgeshire Fire and Rescue:

Cambs Fire & Rescue Service
Peterborough District
Dogsthorpe Fire Station
Dogsthorpe Road
Peterborough
PE1 3RE
T: 01733 353206

Safeguarding Children Board

Child Protection and Review Manager
Peterborough City Council
Children's Services – Social Care
2nd Floor, Bayard Place
Broadway
Peterborough
PE1 1FB
T: 01733 746020

Environmental Health - Pollution

Pollution Control Team
Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1FA
T: 01733 747474
E: pollution.control@peterborough.gcsz.gov.uk

Health and Safety:

e.g. Public houses, nightclubs,
shops, restaurants, takeaways,
Community centres managed by
a committee

Health & Safety Team
Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1FA
T: 01733 747474
E: healthandsafety@peterborough.gov.uk

Premises **managed** by Peterborough
City Council e.g. schools, leisure
centres

Health and Safety Executive
14 Cardiff Road
Luton
LU1 1PP
T: 01582 444200

Planning

Planning Services
Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1HF
T: 01733 453410
E: planningcontrol@peterborough.gov.uk

Trading Standards

Trading Standards Department
Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1HT
T: 01733 747474
T: 03454 040506 for consumer advice
E: trading.standards@peterborough.gov.uk

Public Health

Director of Public Health
Peterborough City Council
2nd Floor Town Hall
Peterborough
PE1 1HQ
T: 01733 747474
E: publichealth@peterborough.gov.uk

For vessels carrying more than 12 passengers the certifying authority will be: -

Maritime & Coastguard Agency
Surveyor In Charge
Harwich Marine Office
East Terrace
Walton-on-Naze
Essex
CO14 8PY
T: 01255 682107

For Vessels carrying 12 or less passengers the certifying authority will be: -

Environment Agency
Kingfisher House
Goldhay Way
Orton Goldhay
Peterborough
PE2 5ZR
T: 01733 464277

Further information can be found on the following links:

Peterborough City Council website; www.peterborough.gov.uk/business

Home Office website: www.gov.uk/government/organisations/home-office

Guidance issued under section 182 of the Act:

www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003

The Licensing Act 2003: www.legislation.gov.uk/ukpga/2003/17/contents

Information Commissioners Office: ico.org.uk

Cumulative Impact Assessment Statement for the New England and Millfield area of Peterborough

This document is produced in accordance with Section 5A of the Licensing Act 2003

Background

Peterborough City Council adopted a cumulative impact policy in the area of Millfield New England, locally known as Can-Do, on 17/4/13 which was applicable to all types of licensed premises within the defined boundary. The decision was based on the number of licensed premises in the boundary area had reached or was about to reach saturation. The cumulative impact of the saturation of licensed premises was having a negative impact on the four licensing objectives.

The policy was reviewed and subject to consultation in 2015, where it was determined to retain the cumulative impact policy for the defined boundary of Can-Do, as the saturation of licensed premises continued to have a negative impact on the four objectives and residents in the locality.

Current

A further review and consultation was carried out between 6 August 2018 to 23 September 2018 which invited comments and responses on the future of the policy.

The Licensing Committee convened on the 18 October 2018 and considered all responses and evidence made available (orally and in writing) and determined to retain the cumulative impact policy as the licensing authority considers that the number of premises licenses and/or club premises certificates in the defined boundary is such that it is likely that granting further licenses would be inconsistent with the authority's duty to promote the licensing objectives.

Further details including responses and minutes of the meeting can be found on the following link <https://democracy.peterborough.gov.uk/ieListDocuments.aspx?CId=142&MId=4159&Ver=4>

Evidence

Licensed premises in the defined Can-Do cumulative impact boundary

At the time of the review and determination by the licensing authority, there were approximately 100 licensed premises within the defined boundary. Of these 100 there were approximately:

- 14 premises licensed for consumption of alcohol on the premises
- 35 premises licensed for off sales of alcohol
- 24 premises licensed for on and off sales of alcohol
- 27 premises licensed with no alcohol provision

The licensing authority considers that the defined area remains saturated with licensed premises which, cumulatively is having a negative impact on the licensing objectives and residents.

Public health

In making its determination the licensing authority considered the public health evidence, which shows that Peterborough has statistically significantly higher rates of:

- Hospital admissions for alcohol-related conditions in under 40s (all persons and males only)
- Hospital admissions as a result of intentional self-poisoning by and exposure to alcohol conditions (all persons, males only and females only)
- Hospital admissions for alcohol-related cardiovascular disease conditions (all persons, males only and females only)
- Alcohol related road traffic accidents
- The volume of pure alcohol sold through the off trade is statistically significantly higher in Peterborough than in England. In Peterborough, the crude rate of such sales is 7.2 litres per adult, compared to the national average of 5.5 litres.

Peterborough is the only area within the East of England region to have a statistically significantly high directly age-standardised rate of hospital admission episodes for alcohol-related conditions in under 40s for all persons and males.

A considerable body of research examines the relationship between alcohol outlet density and alcohol – related harms. This shows that areas with more deprivation tend to have greater alcohol outlet density, which means that regulating the local availability of alcohol has the potential to reduce health inequalities, which supports the use of the cumulative impact policy in the Can-Do area, which has high levels of deprivation.

The socio-economic issues including relatively high rates of relative deprivation in the defined boundary remain a concern. Alcohol is known to be a cause of over 200 health conditions and has a number of social negative impacts, including loss of earnings or unemployment, family or relationship problems and problems with the law. Many of these harms affect both the drinker and those around them, including families, friends and strangers.

NICE guidelines recommend that a cumulative impact policy should be used where an area is saturated with licensed premises and the evidence suggests that additional premises may affect the licensing objectives.

Current issues in the defined Can-Do cumulative impact area

The 'Can-Do' programme was launched in September 2011, it was a ten year vision jointly led by Peterborough City Council and Cambridgeshire Constabulary, to tackle the many challenges faced in the area and bring about transformational change to improve the quality of life, outlook and aspirations of local people. The programme took a holistic view of the identified issues, and provided a framework to ensure all resources and services available were co-ordinated and effectively delivered appropriately, to meet the needs of the community.

The defined Can-Do boundary includes Gladstone, Millfield and New England communities. These three adjacent neighbourhoods span the Central, North and Park wards of Peterborough. The population has increased significantly and is typically the focal point for many new arrival residents and economic migrants. The area has a disproportionate level of social challenges, is residentially overcrowded has poor housing stock and high levels of HMOs, with a community that is becoming increasingly fragmented with inherent tensions.

Lincoln Road is the main traffic route and is continually choked with traffic. The saturation of licensed premises in this area has contributed to issues of anti-social behaviour directly affecting the health and wellbeing of residents, leaving them feeling unsafe. The area has the highest density in terms of number of premises selling alcohol in proximity to residential dwellings in Peterborough.

Outreach projects have engaged with the general public including people drinking on the streets of the area and have identified key learning points, such as:

- Drinking in public places is a social norm for many young Eastern Europeans
- Mistrust of statutory services among some recent arrivals

Community groups have been established and are working together on the challenges to bring about positive change to the area for those who reside and work there. Public feedback and information from community groups indicate that alcohol related problems and alcohol related anti-social behaviour is vastly under-reported. This can be attributed to lack of English language skills and a mistrust of authority.

Ward Councillors and community groups representing businesses and residents in the area, indicate that the density of outlets selling alcohol in the Can-Do area contributes significantly to volatility and anti-social behaviour and negatively impacts on all four licensing objectives. Residents state that they fear to go out late at night. The presence of drunk individuals whose behaviour is aggressive and unpredictable can be intimidating for residents.

Issues of alcohol related litter, anti-social behaviour such as toileting in resident's gardens, noise disturbance such as rowdy behaviour, shouting and fighting are regularly witnessed and reported to ward councillors and community groups. It also negatively impacts on the use of public areas, children's play areas and green

spaces such as Victoria Gardens. Such issues can seriously affect children's general wellbeing, sleep and sense of security.

Local residents expect ward councillors, the licensing authority and the council as a whole to take action, and be seen to take action to improve the lives and wellbeing of all those living and working in this area.

Other measures in place.

The Can-Do area has been prone to suffer from the effects of alcohol related anti-social behaviour for many years. A Designated Public Places Order (DPPO) was initially implemented in 2007 and was extended in 2011. This was replaced with a Public Spaces Protection Order (PSPO) in June 2017.

The frequency of cleansing for streets and open spaces in the Can-Do area is significantly higher in comparison to other areas of the city. This is partly attributable to the amount of alcohol related litter (bottles, cans) which pose a safety risk and degrade the area.

Partnership working involving the Licensing Authority, Cambridgeshire Constabulary, Trading Standards, UKBA and HMRC and other responsible authorities, continues with a view to improving the standards and compliance with general law in the Can-Do area. Enforcement action has been taken against individual premises which have failed to operate in accordance with legislation and conditions of their licences. This work continues.

In conclusion.

The cumulative impact policy allows greater scrutiny of applications, this has resulted in more considered applications with appropriate conditions being served on the authority. Where applications have been made which have demonstrated that the grant of the application will not further negatively impact on the objectives, the licence has been granted.

The licensing authority and the council need to restore and nurture the community's confidence and trust as the area does continue to present a number of complex, multi-layered challenges. The saturation of licensed premises remains one of those challenges. The imminent introduction of the Peterborough Integration Strategy, of which the Can-Do programme is integral, that the Peterborough Together Partnership is developing will bring many new opportunities to achieve this and has secured £7.5m of capital investment for the area.

Signed by Councillor Ayres 

Date 14th December 2018.

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COUNCIL	AGENDA ITEM No. 9(b)
12 DECEMBER 2018	PUBLIC REPORT

EXECUTIVE AND COMMITTEE RECOMMENDATIONS TO COUNCIL

(b) STATEMENT OF PRINCIPLES – GAMBLING ACT 2005

The Licensing Committee at its meeting on 18 October 2018, received a report on the Statement of Principles - Gambling Act 2005.

The Licensing Committee considered the report and recommendations contained within the report to Full Council.

IT IS RECOMMENDED that Council approve and adopt the revised Statement of Principles.

The original Licensing Committee report follows.

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LICENSING COMMITTEE	AGENDA ITEM No.
18 OCTOBER 2018	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Irene Walsh, Cabinet Member for Communities	
Contact Officer(s):	Peter Gell – Head of Regulatory Services Kerry Leishman – Licensing & Business Manager	Tel. 01733 453419 Tel. 01733 453502

STATEMENT OF PRINCIPLES – GAMBLING ACT 2005

RECOMMENDATIONS	
FROM : Peter Gell, Head of Regulatory Services	Deadline date : 18 October 2018
1. Approve the revised Statement of Principles and recommend that it be adopted by Council on 12 December 2018.	

1. PURPOSE AND REASON FOR REPORT

- 1.1 The purpose of this report is to make members aware of any amendments to the Statement of Principles.
- 1.2 To ask Members to approve the revised Statement of Principles and agree to recommend approval by Full Council.

2. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	YES	If Yes, date for relevant Cabinet Meeting	N/A
Date for relevant Council meeting	12 December 2018	Date for submission to Government Dept <i>(please specify which Government Dept)</i>	N/A

3. BACKGROUND

- 3.1 Under Section 349 of the Gambling Act 2005, it is a requirement for each Council to produce, adopt and publish a Statement of Principles. This Statement will govern the way decisions are made by the Council and how it will administer its duties under the Act. Without a Statement of Principles the Council may be subject to Judicial Review for failing in its responsibilities to carry out a statutory duty.
- 3.2 The Act requires that the Statement of Principles is kept under continual review to incorporate where necessary any changes to the legislation and or Guidance as appropriate. In addition to this, the Act specifies that the Statement must be reviewed and revised on a three yearly basis.
- 3.3 The current three year period began on 31 January 2016 and therefore is due to expire on 30 January 2019. The revised Statement must be drafted and consulted upon prior to it being adopted.
- 3.4 In formulating the revised Statement, officers have given full consideration to the requirements of the Act and guidance issued by the Gambling Commission. We have also

Agenda Item 9(b)
For Information Only

liaised with colleagues from neighbouring authorities to ensure our Statements are consistent.

4. CONSULTATION

4.1 The following outlines the procedure taken, in providing the opportunity for members, statutory consultees and members of the public to be involved in the process of reviewing our Statement of Principles

4.2 Before determining its Statement for any three year period (as required under s.349 of the Act), the licensing authority must consult the persons listed in s349 (3) as follows:

- a. Chief Officer of Police for the area;
- b. One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the area;
- c. One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.

4.3 For information purposes a list of consultees is attached at **Appendix A**.

4.4 A consultation took place between 06 August 2018 and 23 September 2018. Advice was given on the following:

- i) Options on where to access and obtain copies of the draft revised Statement
- ii) Opportunity to make relevant representations, in writing, on the draft Statement
- iii) Notification that any comments must be received by 23 September 2018

4.5 The responses received during the consultation are attached at **Appendix C**

4.6 The revised Statement of Principles with track changes is attached at **Appendix B**.

5. ANTICIPATED OUTCOMES

5.1 Recommendation to Council to adopt the revised Statement of Principles.

6. REASONS FOR RECOMMENDATIONS

6.1 To comply with our statutory requirement under section 349 of the Gambling Act 2005 to produce, adopt and publish a Statement of Principles.

7. ALTERNATIVE OPTIONS CONSIDERED

7.1 The alternative option is to do nothing. This presents a risk to the council as failure to adopt a policy could result in a Judicial Review being sought.

8. IMPLICATIONS

Financial Implications – Any costs in relation to the production of the Statement of Principles will be met by income from fees.

In accordance with Cabinet policy, information provided below is the overall financial position for the Licensing budget is shown below, however, as stated above is not directly relevant to the subject of the report:

£'000	2017/18	2018/19	2019/20
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Agenda Item 9(b)
For Information Only

Budget	(35)	(38)	(40) (2) additional budget via fees & charges increase
Actual / forecast	(35)	(32)	

Legal Implications – As a minimum, Licensing Authorities are required to prepare and publish, every three years, a Statement of the Principles it proposes to apply when exercising its functions under the Gambling Act 2005.

9. BACKGROUND DOCUMENTS

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

9.1 Guidance issued to licensing authorities under s.25 of the Act.

10. APPENDICES

- 10.1 Appendix A - List of Consultees
- 10.2 Appendix B - Revised Statement of Principles
- 10.3 Appendix C - Consultation responses received

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APPENDIX A

LIST OF CONSULTEE'S

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

Responsible Authorities

- Cambridgeshire Constabulary – the chief officer of police
- Gambling Commission
- Cambridgeshire Fire & Rescue Service
- Peterborough City Council – Planning Control
- Local Safeguarding Children Board
- Environment Agency
- HM Revenue & Customs

One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area. The authority has therefore consulted:

- The Peterborough Greyhound Stadium
- British Greyhound Racing Board
- Gala Group Ltd
- British Beer and Pub Association
- British Bookmakers Trade Association
- British Casino Association
- All Gambling Act 2005 Licence/Permit/Registration Holders (through the Council website under heading consultation).

One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005:

- Peterborough City Council – Ward & Parish Councillors
- GamCare
- All residents and businesses within the Peterborough area (through the Council website under heading consultation)

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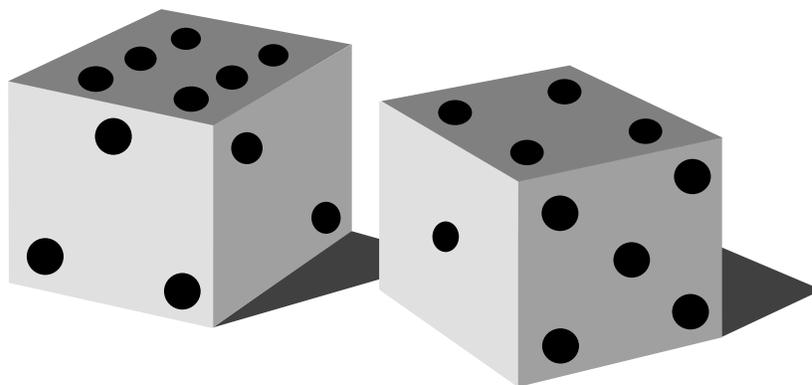
APPENDIX B



PETERBOROUGH CITY COUNCIL

GAMBLING ACT 2005

DRAFT **STATEMENT** **OF** **PRINCIPLES**



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THE CITY OF PETERBOROUGH

Peterborough is a modern and progressive city with a strong historical character that makes it a stimulating environment in which to live, work and visit. Between 1971 and 1991, Peterborough's population grew by 46 per cent under the New Town expansion scheme.

In the 2011 Census Peterborough had a population of approximately 183,000. The wider sub-region, in which Peterborough is the economic centre, has a population of approximately 350,000 people in both the East of England and East Midlands' regions.

Neighbouring districts that look towards Peterborough as a key economic centre include Fenland, Huntingdonshire, South Holland, South Kesteven, East Northamptonshire and Rutland.

Today Peterborough is one of the fastest growing cities in the country with a vibrant private sector delivering record job growth in recent years. The city enjoys an unrivalled strategic location in the east of England.

It is only 45 minutes from central London and within striking distance of the region's other great cities - being well served as it is by airports, rail and road links.

The city owes much of its increasing fortunes in recent years to a city council that focuses on three key areas for its people – prosperity, education and quality of life.

When you visit Peterborough you will find a heritage city, an environment city, an event city and a modern exciting cosmopolitan city

Please refer to Appendix 1 for a map of Peterborough.

Our priorities:

- Drive growth, regeneration and economic development
- Improve education attainment and skills
- Safeguard vulnerable children and adults
- Implement the Environment Capital agenda
- Support Peterborough's culture and leisure trust Vivacity
- Keep all our communities safe, cohesive and healthy
- Achieve the best health and wellbeing for the city

DEFINITIONS

The **Council** means Peterborough City Council

The **Licensing Authority** means the Council acting as defined by section 2 of the Gambling Act 2005.

The **Act** means the Gambling Act 2005.

Members means Peterborough City Councillors

The **Licensing Committee** means the full committee or a sub committee of no less than three Members.

Guidance means the guidance issued under part 2 section 25 of the Gambling Act 2005 by the Gambling Commission in April 2006

Child means an individual who is less than 16 years old, as defined in part 4 section 45(1) of the Act.

A **young person** means an individual who is not a child but who is less than 18 years old, as defined in part 4 section 45(2) of the Act.

LA means Local Authority.

BACKGROUND

The Gambling Act 2005 (“the Act”) gives effect to the Government’s proposals for reform of the law on gambling. The Act contains a regulatory system to govern the provision of all gambling in Great Britain, other than the National Lottery and spread betting. The Act received Royal Assent on 07 April 2005.

A draft bill was published in November 2003 following a publication of a Government White Paper “A Safe Bet for Success” published in March 2002. The White Paper was the Government’s response to the report of the Gambling Review Body published in July 2001.

The Act introduced a new unified regulator for gambling in Great Britain, the Gambling Commission and a new licensing regime for commercial gambling (to be conducted by the Gambling Commission or by licensing authorities, depending on the matter to be licensed). The Act removed from licensing justices all responsibility for granting gaming and betting permissions, which they exercised previously. Instead, the Gambling Commission and licensing authorities now share between them responsibility for all matters previously regulated by licensing justices.

PART A - INTRODUCTION

1. THE LICENSING OBJECTIVES

- 1.1 The Act sets out licensing functions to be exercised by licensing authorities in relation to the licensing of premises and the grant of certain permits. In exercising most of these functions licensing authorities must have regard to the licensing objectives, which underpin the regulatory regime.

The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime and disorder or being used to support crime,
 - Ensuring that gambling is being conducted in a fair and open way, and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.2 It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

2. STATEMENT OF PRINCIPLES

- 2.1 The Act requires this licensing authority to publish a ‘Statement of Principles’ that it proposes to apply when exercising its functions. This statement must be published at least every three years and amended from time to time with any amended parts re-consulted upon and subsequently re-published.

3. CONSULTATION

- 3.1 Peterborough City Council consulted widely upon this statement before finalising and publishing.
- 3.2 The Gambling Act requires that the following parties are consulted by licensing authorities:
- The Chief Officer of Police
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005

For a full list of persons this authority consulted please refer to Appendix 2.

- 3.3 The consultation took place between **06 August 2018** and **23 September 2018**.

This latest draft of the policy contains the minimum of amendments and no changes to the intent or direction of the policy.

4. APPROVAL OF POLICY STATEMENT

- 4.1 This statement was approved at a meeting of the full council on (to be determined) and will be published via Peterborough City Council's website upon adoption.
- 4.2 It should be noted that this statement will not override the right of any person to make an application, make representations about an application or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Act.

5. DECLARATION

- 5.1 Peterborough City Council would like to declare that in producing this Statement it has had regard to the licensing objectives of the Gambling Act 2005, the guidance to Licensing Authorities issued by the Gambling Commission and any responses from those consulted on the statement.

6. RESPONSIBLE AUTHORITIES

- 6.1 As required by regulations licensing authorities are to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm.

The principles are:

- The need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

- 6.2 In accordance with the suggestion in the Gambling Commission's guidance to local authorities this authority designates the Local Safeguarding Children Board for this purpose.

For a full list of the Responsible Authorities in relation to premises please refer to Appendix 3 or alternatively via the council website.

7. INTERESTED PARTIES

- 7.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence.
- 7.2 For the purposes of this part a person is an interested party in relation to an application for or in respect of a premises licence, if in the opinion of this licensing authority the person:

- Lives sufficiently close to the premises to be likely to be affected by the authorised activities;
 - Has business interests that might be affected by the authorised activities; or
 - Represents persons who satisfy the above.
- 7.3 Licensing authorities are required to state the principles they will apply in exercising their powers under the Act to determine whether a person is an interested party. The principles this authority will apply are:
- 7.4 Each case shall be decided upon its own merits. This authority will not apply a rigid rule to its decision making. It will however consider the following in accordance with the Gambling Commission's guidance for local authorities.
- 7.5 When determining what "sufficiently close to the premises" means (in each case), this authority might include:
- The size of the premises
 - The nature of the premises
 - The distance of the premises from the location of the person making the representation
 - The potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment), and
 - The circumstances of the complainant. This is not the personal characteristics of the complainant, but the interests of the complainant which may be relevant to the distance from the premises. For example, it could be reasonable for an authority to conclude that "sufficiently close to be likely to be affected" could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults.
- 7.6 In relation to "persons with business interests that could be affected" it could be argued that any gambling business could be affected by another gambling business expanding into any part of Great Britain, however that is unlikely to satisfy the test of being "a person with business interests that could be affected by the premises" under consideration. It should be borne in mind however that the "demand test" in the 1963 and 1968 Acts have not been preserved in the Gambling Act 2005, therefore unmet demand is not a criterion for a licensing authority in considering an application.
- 7.7 Factors that this licensing authority is likely to include are:
- The size of the premises;
 - The 'catchment' area of the premises (i.e. how far people travel to visit); and
 - Whether the person making a representation has business interests in that catchment area that might be affected.
- 7.8 The Gambling Commission recommended in its guidance that licensing authorities should state that interested parties include trade associations, trade unions, residents' and tenants' associations. This authority however will not generally view these bodies as interested parties unless they have a member

who can be classed as an interested party under the terms of the Act e.g. lives sufficiently close to the premises to be likely to be affected by the activities applied for.

- 7.9 Interested parties can also be represented by other persons such as their local councillors and Members of Parliament (MP's). There is a burden on ward councillors who are also licensing committee members to avoid beyond doubt any conflict of interest; therefore care should be taken when seeking representation. If there are any doubts please contact the licensing department.

8. EXCHANGE OF INFORMATION

- 8.1 Licensing authorities are required to include in their statement, the principles to be applied under Section 29 and 30 of the Act with respect to the exchange of information between the licensing authority and the Gambling Commission, and the functions under section 350 of the Act with the respect of information between it and the other persons listed in schedule 6 of the Act:

- A Constable or Police Force
- An Enforcement Officer
- A Licensing Authority
- Her Majesty's Commissioners of Customs and Excise
- The Gambling Commission
- The National Lottery Commission
- The Secretary of State
- The Scottish Ministers

- 8.2 The principle that this licensing authority applies is that it will act in accordance with provisions of the Act in its exchange of information which includes the provision that the Data Protection Act 1998 **and any relevant regulations** will not be contravened. This licensing authority shall have regard to the guidance issued by the Gambling Commission as and when it is published on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Act.

- 8.3 Details of applications and representations which are referred to the Licensing Sub-Committee for determination will be detailed reports that are made publicly available in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000. Personal details of people making representations will be disclosed to applicants and only be withheld from publication on the grounds of personal safety where the Licensing Authority is asked to do so.

- 8.4 Should any protocols be established as regards information exchange with other bodies then they will be made available. Please contact the licensing team for further information on our protocols.

9. ENFORCEMENT

- 9.1 Licensing authorities are required to state the principles they propose to apply in exercising the functions under Part 15 of the Act with respect to the inspection of premises and the powers under Section 346 of the Act to instigate criminal proceedings in respect of the offences specified.
- 9.2 This licensing authority's principles are that it shall be guided by the Gambling Commission's guidance and will endeavour to be:
- proportionate – regulators should only intervene when necessary. Remedies should be appropriate to the risk posed and costs identified and minimised
 - accountable – authorities must be able to justify decisions and be subject to public scrutiny
 - consistent – rules and standards must be joined up and implemented fairly.
 - transparent – regulators should be open, and keep regulations simple and user friendly; and
 - targeted – enforcement should be focused on the problems and minimise side effects
- 9.3 This licensing authority will endeavour to avoid duplication with other regulatory regimes, so far as is possible and adopt a risk based inspection programme.
- 9.4 The main enforcement and compliance role of the licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacturer, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.
- 9.5 The **council's enforcement policy** is available upon request to the licensing department.

10 PUBLIC REGISTER

- 10.1 In accordance with section 156 of the Act, Peterborough City Council maintains an electronic public register which contains premises licences issued by the authority. The register is available to view at www.peterborough.gov.uk. This information is available for inspection by members of the public at all reasonable times. Further information such as fees can also be found on the website.

11. DECISION MAKING / DELEGATION

- 11.1 When determining applications this licensing authority will have regard to the guidance issued by the Gambling Commission, any relevant code of practice, this policy and the licensing objectives. Determination of applications made to the licensing authority will be made either by the full council, the licensing committee, or a sub-committee of the licensing committee or by authorised officers, in accordance with section 153 of the Act.

- 11.2 Where relevant representations are raised which cannot be resolved by mediation, matters will either be referred to the licensing committee or the sub-committee of the licensing committee.

For a summary of this licensing authorities delegations permitted under the Gambling Act 2005 please refer to Appendix 4.

12. LICENSING AUTHORITY FUNCTIONS

- 12.1 Licensing authorities are required under the Act to:

- be responsible for the licensing of premises where gambling activities are to take place by issuing **Premises Licences**
- issue **Provisional Statements**
- regulate members' clubs and miners welfare institutes who wish to undertake certain gaming activities via issuing **Club Gaming permits** and/or **Club Machine Permits**
- issue **Club Machine Permits to Commercial Clubs**
- grant permits for the use of certain lower stake gaming machines at **Unlicensed Family Entertainment Centres**
- receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- issue **Licensed Premises Gaming Machine Permits** for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- register **Small Society Lotteries** below prescribed thresholds
- issue **Prize Gaming Permits**
- receive and endorse **Temporary Use Notices**
- receive **Occasional Use Notices**
- provide information to the Gambling Commission regarding details of licences issued
- maintain registers of the permits and licences that are issued under these functions
- the exercise of its powers of compliance and enforcement under the Act in partnership with the Gambling Commission and other relevant responsible authorities.

- 12.2 It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

PART B - PREMISES LICENCES

13. GENERAL PRINCIPLES

- 13.1 Premises licences are subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where considered to be appropriate.
- 13.2 This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:
- in accordance with any relevant code of practice issued by the Gambling Commission
 - in accordance with any relevant guidance issued by the Gambling Commission
 - reasonably consistent with the licensing objectives, and
 - in accordance with the authority's Statement of Principles

13.3 Definition of “premises”

- 13.3.1 In the Act, “premises” is defined as including “any place”. Section 152 of the Act prevents more than one premises licence applying to any one place. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can reasonably be regarded as being different premises. However, this licensing authority will pay particular attention if there are issues about subdivisions of a single building or plot and will ensure that mandatory conditions relating to access between premises are observed.
- 13.3.2 Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter of discussion between the operator and the licensing officer.
- 13.3.3 The **licensing** authority will consider the Gambling Commission's Guidance and all other circumstances of the case in making any decision as to what can properly be regarded as premises.

13.4 Premises “ready for gambling”

- 13.4.1 The guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future,

consistent with the scale of building or alterations required before the premises are brought into use.

- 13.4.2 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have the right to occupy them, then an application for a provisional statement should be made instead.

13.5 Location

Demand issues cannot be considered with regards to the location of premises but that considerations in terms of licensing objectives can. This authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

13.6 Duplication with Other Regulatory Regimes

This licensing authority will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of any application. The licensing authority will listen to, and consider carefully, any concerns about conditions which cannot be met by licensees due to planning restrictions, should such a situation arise.

13.7 Licensing Objectives

Premises licences granted must be reasonably consistent with the licensing objectives, this licensing authority has considered the Gambling Commission's guidance to local authorities and some comments are made below.

- 13.7.1 **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime** – This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's guidance does however envisage that licensing authorities should pay particular attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located in such areas and whether conditions may be suitable such as the provision of door supervisors.
- 13.7.2 This licensing authority has noted the Gambling Commission's guidance where it states that licensing authorities should generally consider disorder as activity that is more serious and disruptive than mere nuisance.

13.7.3 Ensuring that gambling is conducted in a fair and open way – This licensing authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.

Further guidance on this issue may be provided by the Gambling Commission and if so this authority will have regard to it, when available.

13.7.4 Protecting children and other vulnerable persons from being harmed or exploited by gambling – This licensing authority has noted that Gambling Commission guidance states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children).

13.7.5 There is no definition of ‘vulnerable person’ and it is noted that the Gambling Commission are not seeking to offer one, but this could include people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs. Should a practical definition prove possible in future then this statement will be updated with it, by way of a revision.

This licensing authority will consider this licensing objective on a case by case basis.

13.8 Conditions

13.8.1 Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility
- directly related to the premises and the type of licence applied for
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects

13.8.2 Decisions upon individual conditions will be made on a case by case basis, although there are a number of measures this licensing authority may consider using should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to ways in which they can meet the licensing objectives effectively.

13.8.3 This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the

licensing objectives. These matters are in accordance with the Gambling Commission's guidance.

13.8.4 This authority will also ensure where necessary and deemed appropriate that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
- only adults are admitted to the area where these machines are located
- access to the area where the machines are located is supervised
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18

13.8.5 As the licensing authority we note that there are conditions which we are unable to attach to premises licences, these are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition
- conditions relating to gaming machine categories, numbers, or method of operation
- conditions which provide that a membership of a club or body be required for casino and bingo clubs (the Act specifically removed the membership requirement)
- conditions in relation to stakes, fees, winning or prizes

13.8.6 This licensing authority may consider a need for door supervisors in terms of the licensing objectives for protection of children and vulnerable persons and preventing premises becoming a source of crime or disorder. Door supervisors at casinos or bingo premises are exempt from the requirements of the Private Security Industry Act 2001. Where this authority imposes door supervision requirements on such licences, the personnel will not need licensing under the 2001 Act. This authority may however consider imposing the requirement of a Criminal Record Bureau check on door supervisors, by way of a condition on a licence.

13.8.7 For premises other than casinos and bingo premises, operators and licensing authorities may decide that supervision of entrances / machines is appropriate for particular cases but it will need to be decided whether these shall be SIA licensed or not. It will not be automatically assumed that they shall be.

13.9 Risk Assessments

Under new social responsibility code provisions from April 2016 licensees are required to undertake a local risk assessment when applying for a new premises licence. Their risk assessment must also be updated:

- When applying for a variation of a premises licence
- To take into account of significant changes in local circumstances, including those identified in a licensing authority's statement of policy
- When there are significant changes at a licensee's premises that may affect their mitigation of local risks.

13.10 Local Area Profiles

Such risk assessments can make reference to the council's Area Profile which may be compiled with respect to reported gambling-related problems in an area. At the time of preparing this edition of the Statement of Principles there has been no evidence presented to support the assertion that any part of Peterborough City Council had or is experiencing problems from gambling activities. This position will be kept under review.

14. ADULT GAMING CENTRES

- 14.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to address these issues.
- 14.2 This licensing authority will expect applicants to offer their own measures to meet licensing objectives however appropriate measures / licence conditions may cover issues such as:
- proof of age schemes
 - CCTV
 - supervision of entrances / machine areas
 - physical separation
 - location of entry
 - notices / signage
 - self-barring schemes
 - provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 14.3 The question of sub-division of such premises has become an issue and been the subject of Gambling Commission Guidance. There must be no direct entry from one adult gaming centre into another. This Authority will take note of the guidance issued in respect of such applications.

15. LICENSED FAMILY ENTERTAINMENT CENTRES

- 15.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, ensure that under 18 year olds do not have access to the adult only gaming machine areas.
- 15.2 This licensing authority will expect applicants to offer their own measures to meet licensing objectives however appropriate measures / licence conditions may cover issues such as:
- CCTV
 - supervision of entrances / machine areas
 - notices / signage
 - physical separation of areas
 - specific opening hours
 - self-barring schemes
 - provision of information leaflets / helpline numbers for organisations such as GamCare
 - suspected child truancy handling training

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 15.3 This licensing authority will, as per the Gambling Commission's guidance, refer to the Gambling Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated.

For a full list of machine categories please refer to appendix 5.

16. CASINOS

This authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the powers to do so. Should this authority decide in the future to pass such a resolution, it will update this statement with details of that resolution. Any such decision would need to be made by full council.

17. BETTING PREMISES

- 17.1 **Betting machines** - This licensing authority will, as per the Gambling Commission's guidance, take into account the size the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

- 17.2 There is no evidence that the operation of betting offices has required door supervisors for the protection of the public. This authority will make a door supervision requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that the door supervision is both necessary and proportionate.

18. TRACKS

- 18.1 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 18.2 This licensing authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and / or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 18.3 Applicants will be expected to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:
- proof of age schemes
 - location of gaming machines
 - supervision of entrances / machine areas
 - notices / signage
 - provision of information leaflets / helpline numbers for organisations such as Gamcare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 18.4 **Betting Machines** – This licensing authority will as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. We will also take note of the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises licences.

18.5 **Condition on rules being displayed** - The Gambling Commission has advised in its guidance for local authorities that "...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office."

18.6 **Applications and plans** – The Gambling Act requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling.

The Gambling Commission's suggestion "To ensure that licensing authorities gain a proper understanding of what they are being asked to license they should, in their licensing policies, set out the information that they will require, which should include detailed plans for the racetrack itself and the area that will be used for temporary "on-course" betting facilities (often known as the "betting ring") and in the case of dog tracks and horse racecourses fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities." and that "Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence."

18.7 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the "five times rule" (commonly known at betting rings) must be indicated on the plan.

In rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.

19. BINGO PREMISES

19.1 This licensing authority notes that the Gambling Commission's guidance states:

Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

- 19.2 This licensing authority must satisfy itself that bingo can be played in any bingo premises for which a premises licence has been issued. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.
- 19.3 This authority also notes the Guidance at paragraph 18.8 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted.

20. TRAVELLING FAIRS

- 20.1 It will fall to this licensing authority to decide whether, where category D machines and / or equal chance gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met. This licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 20.2 It has been noted that the 27-day statutory maximum for land being used as a fair is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses its boundaries is monitored so that the statutory limits are not exceeded.

21. PROVISIONAL STATEMENTS

- 21.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

The Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expect to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

- 21.2 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired.
- 21.3 In terms of representations about premise licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern

matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, this authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional licence stage; or
- which in the authority's opinion reflect a change in the operator's circumstances

22. REVIEWS

- 22.1 Requests for a review of a premise licence can be made by interested parties or responsible authorities; however, it is for this licensing authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below
- in accordance with any relevant code of practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with the authorities statement of principles.

The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

- 22.2 This licensing authority can also initiate a review of a licence on the basis of any reason which it considers is appropriate.
- 22.3 Once a valid application for a review has been received, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt. The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.
- 22.4 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-
- a) add remove or amend a licence condition imposed by the licensing authority;
 - b) exclude a default condition imposed by the Secretary of State (e.g. opening hours) or amend such an exclusion;
 - c) suspend the premises licence for a period not exceeding three months; and/or

d) revoke the premises licence.

In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

22.5 In particular, the licensing authority may initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

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PART C - PERMITS / REGISTRATIONS / NOTICES

23. UNLICENSED FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMITS

- 23.1 Where a premises does not hold a premises licence but wishes to provide category D gaming machines, it may apply to this licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.
- 23.2 This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children and other vulnerable persons from harm. Harm in this context is not limited to harm from gambling but includes wider protection considerations. The efficiency of such policies and procedures will each be considered on their own merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.
- 23.3 This licensing authority will expect that applicants demonstrate a full understanding of the licensing objectives as well as the maximum stakes and prizes of the gambling that is permissible in Unlicensed Family Entertainment Centres; that the applicant has no relevant convictions and that staff are trained to have a full understanding of the maximum stakes and prizes.

24. (ALCOHOL) LICENSED PREMISES GAMING MACHINE PERMITS

- 24.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines, of category C and / or D. To take advantage of this entitlement, the person who holds the on-premises licence must give notice to this licensing authority of their intention to make gaming machines available for use, and must pay the prescribed fee.
- 24.2 This licensing authority can remove the automatic authorisation in respect of any particular premises if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
 - gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
 - the premises are mainly used for gaming; or
 - an offence under the Act has been committed on the premises
- 24.3 If a premises wishes to have more than two machines, an application for a permit is required and this licensing authority shall consider that application based upon

the licensing objectives, any guidance issued by the Gambling Commission under Section 25 of the Act, and “such matters as they think relevant”. This authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from being harmed or exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures in place to ensure that under 18 year olds do not have access to the adult only gaming machines.

Such measures may include:

- adult machines being in site of bar
- notices / signage

- 24.4 It should be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.
- 24.5 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.
- 24.6 Where an application is received for more than 19 gambling machines in alcohol licensed premises Officers will have the discretion to arrange a hearing for members to consider the application.
- 24.7 It should be noted that this licensing authority can decide to grant the application with a smaller number of machines and / or different category of machines than applied for. Conditions (other than these) cannot be attached.

25. PRIZE GAMING PERMITS

- 25.1 This licensing authority can grant or refuse an application for a permit, but cannot add conditions. This licensing authority can only grant an application for a permit if it has consulted with the chief officer of police about the application. This licensing authority will take into account any objections that the police may make which are relevant to the licensing objectives. Relevant considerations would be the suitability of the applicant in terms of any convictions that they may have that would make them unsuitable to operate prize gaming; and the suitability of the premises in relation to their location and issues about disorder.
- 25.2 Given that the premises will particularly appeal to children and young persons, in considering what to take into account in the application process and what information to request from the applicant, this licensing authority will give weight to child protection issues. Applicants will be required to set out the types of gaming that he or she is intending to offer and the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in regulations; and
- that the gaming offered is within the law.

25.3 The licensing authority will determine each application on its own merits.

(The Council as a licensing authority has the remit to set its own criteria for the above statement of principles on permits – the principles as set out above reflect the general issues considered to be most relevant by a number of other licensing authorities)

25.4 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission's guidance.

25.5 It should be noted that there are conditions in the Gambling Act 2005 to which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

26. CLUB GAMING AND CLUB GAMING MACHINE PERMITS

26.1 Members Clubs and Miners' Welfare Institutes (but **not** Commercial Clubs) may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines, of which one may be a category B3A, the others being of categories B4, C or D), equal chance gaming and games of chance as prescribed in regulations.

26.2 Members Clubs and Miner's welfare institutes – and also Commercial Clubs – may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

26.3 Members clubs must have at least 25 members and be established and conducted 'wholly or mainly' for the purposes other than gaming, unless the gaming is permitted by separate regulations. A members club must be

permanent in nature, not established to make commercial profit, and controlled by its members equally.

- 26.4 This licensing authority is aware that it may only refuse an application on the grounds that:
- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied
 - the applicant's premises are used wholly or mainly by children and / or young persons
 - an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities
 - a permit held by the applicant has been cancelled in the previous ten years; or
 - an objection has been lodged by the Gambling Commission or the police.
- 26.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

27 SMALL SOCIETY LOTTERIES

- 27.1 Under the Gambling Act 2005, a lottery is unlawful unless it runs under an operating licence or is an exempt lottery. This Licensing Authority will register and administer small society lotteries as defined under the Act. Promoting or facilitating a lottery will fall into two categories:
- Licensed Lotteries (requiring an operating licence from the Gambling Commission)
 - Exempt Lotteries (including small society lotteries registered with Peterborough City Council)
- 27.2 Exempt lotteries are lotteries permitted to run without a licence from the Gambling Commission and are defined as:
- Small society lotteries;
 - Incidental non-commercial lotteries;
 - Private lotteries;
 - Private society lottery;
 - Work lottery;
 - Residents' lottery;
 - Customers' lottery.

Advice regarding the definitions of the above exempt lotteries is available from the Gambling Commission website:

http://www.gamblingcommission.gov.uk/gambling_sectors/lotteries.aspx

28. TEMPORARY USE NOTICES

- 28.1 A Temporary Use Notice (TUN) allows the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for facilities for gambling. A Temporary Use Notice may only be granted to a person or company holding a relevant operating licence issued by the Gambling Commission.
- 28.2 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of revising this Statement the relevant regulations state that Temporary Use Notices can only be used to permit the provision of facilities of equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.
- 28.3 There are a number of statutory limits as regards Temporary Use Notices. It is noted that it falls to licensing authorities to decide what constitutes a 'set of premises' where TUN's are received relating to the same building / site.
- 28.4 This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Local Authorities.

29. OCCASIONAL USE NOTICES

This licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

30. ADDITIONAL INFORMATION

Further information on the application process, application forms and applicable fees can be found at www.peterborough.gov.uk

APPENDIX 1

MAP OF PETERBOROUGH



APPENDIX 2

LIST OF CONSULTEE'S

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

Responsible Authorities

- Cambridgeshire Constabulary – the chief officer of police
- Gambling Commission
- Cambridgeshire Fire & Rescue Service
- Peterborough City Council – Planning Control
- Local Safeguarding Children Board
- Environment Agency
- HM Revenue & Customs

One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area. The authority has therefore consulted:

- The Peterborough Greyhound Stadium
- British Greyhound Racing Board
- Gala Group Ltd
- British Beer and Pub Association
- British Bookmakers Trade Association
- British Casino Association
- All Gambling Act 2005 Licence/Permit/Registration Holders (through the Council website under heading consultation).

One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005:

- Peterborough City Council – Ward & Parish Councillors
- GamCare
- All residents and businesses within the Peterborough area (through the Council website under heading consultation)

APPENDIX 3

GAMBLING ACT 2005 **RESPONSIBLE AUTHORITIES CONTACT DETAILS**

THE RESPONSIBLE AUTHORITIES:

Licensing Team:	The Licensing Team Peterborough City Council Sand Martin House Bittern Way Fletton Quays Peterborough PE2 8TY Telephone: 01733 747474 Email: licensing@peterborough.gov.uk
The Gambling Commission:	Victoria Square House Victoria Square Birmingham B2 4BP Tel: 0121 230 6500 Fax: 0121 237 2236 Email: info@gamblingcommission.gov.uk
Cambridgeshire Constabulary:	Ops Planning and Licensing Department Cambridgeshire Constabulary North Division Thorpewood Police Station Peterborough PE3 6SD
Cambridgeshire Fire and Rescue:	Cambridgeshire Fire & Rescue Service Peterborough District Dogsthorpe Fire Station Dogsthorpe Road Peterborough PE1 3RE
Pollution Control:	Pollution Control Peterborough City Council Sand Martin House Bittern Way Fletton Quays Peterborough PE2 8TY

Planning:

Planning Services
Peterborough City Council
Sand Martin House
Bittern Way
Fletton Quays
Peterborough
PE2 8TY

HM Revenue & Customs:

National Registration Unit
Portcullis House
21 India House
Glasgow
G2 4PZ

Safeguarding Children Board:

Safeguarding Service Manager
Peterborough City Council
Sand Martin House
Bittern Way
Fletton Quays
Peterborough
PE2 8TY

For Vessels the certifying Authority will be:-

Environment Agency
Kingfisher House
Goldhay Way
Orton Goldhay
Peterborough
PE2 5ZR

APPENDIX 4

Summary of licensing authority delegations permitted under the Gambling Act 2005.

Matter to be dealt with	Full Council	Sub-committee of licensing committee	Officers
Final approval of three year licensing policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)			X
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premise licence		X	
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give counter notice to temporary use notice		X	

APPENDIX 5

Section 236 of the Act provides for the Secretary of State to make regulations to define four classes of gaming machine: categories A, B, C and D, with category B to be further divided into sub-categories.

The below table sets out the current proposals for the different categories with the maximum stakes and prizes that apply (please note the below information is subject to change upon regulations being set).

Category of Machine	Maximum Stake	Maximum Prize
A	Unlimited	Unlimited
B1	£5	£10,000 ¹
B2	£100	£500
B3	£2	£500
B3A	£2	£500
B4	£2	£400
C	£1	£100
D Non-money prize (other than a crane grab machine or a coin pusher or penny falls machine)	30p	£8
D Non money prize (crane grab machine)	£1	£50
D Money prize (other than a coin pusher or penny falls)	10p	£5
D Combined money and non-money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be money prize)
D Combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)

¹ with the option of a maximum £20,000 linked progressive jackpot on a premises basis only

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Kind regards,
Catherine

Catherine Sweet

Head of Marketing and Communications

T: 020 7801 7028

E: catherine.sweet@gamcare.org.uk



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From: terri.martin@peterborough.gov.uk <terri.martin@peterborough.gov.uk> **On Behalf Of** Licensing Policy Consultation Mailbox
Sent: 21 August 2018 15:59
Subject: Gambling Act 2005 – Statement of Principles Review and Consultation

This Message originated outside your organization.

Dear Sir / Madam

I write to inform you of the consultation on Peterborough City Councils revised Gambling Act 2005 (the Act) Statement of Principles.

The consultation runs from 6 August to 23 September 2018. Should you wish to respond and make comment, please ensure that you do so prior to the end of the consultation period, to ensure your comments can be properly considered prior to determination.

The Act requires all licensing authorities to prepare and publish a Statement of Principles, setting out how it will administer its duties. The Statement must be published at least every three years and amended from time to time with any amended parts re-consulted upon and subsequently re-published.

Prior to publishing its statement the Act requires the licensing authority to consult the following on the statement or any subsequent revision;

- in England and Wales, the chief officer of police for the authorities area;
- one or more persons who appear to the licensing authority to represent the interests of persons carrying on the gambling businesses in the authorities area; and
- one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under this Act.

Further information, including how to respond, may be found on the attachment to this email or on the councils website [here](#). Copies are also available from the Town Hall on Bridge Street, Bayard Place and Central Library on Broadway.

As part of the consultation process, we are writing to those likely to be affected by the policy and recognise that in some areas it may be difficult to identify the correct persons or bodies to consult. With this in mind, it would be appreciated if you could forward this email to the most appropriate person or body to respond, if necessary.

Yours faithfully

--

Consultation Officer

Licensing

Peterborough City Council

Sand Martin House

Bittern Way

Fletton Quays

Peterborough

PE2 8TY

lpc@peterborough.gov.uk

Tel: 01733 747474

To find out more about Peterborough City Council please go to: www.peterborough.gov.uk

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--
Consultation Officer

Licensing
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Sand Martin House
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Tel: 01733 747474

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2 attachments

 **GamCare Local Authorities Brochure 2018 (web-version).pdf**
233K

 **GamCare Training Brochure 2017.pdf**
783K



GOSSCHALKS
SOLICITORS

BY EMAIL ONLY
Licensing Department
Peterborough City Council

Please ask for: Richard Taylor
Direct Tel: 01482 590216
Email: rjt@gosschalks.co.uk
Our ref: RJT / MJM / 097505.00005
#GS2177449
Your ref:
Date: 19 September 2018

Dear Sir/Madam,

Re: Gambling Act 2005 Policy Statement Consultation

We act for the Association of British Bookmakers (ABB) and have received instructions to respond on behalf of our client to the current consultation on the Council's review of its gambling policy statement.

The Association of British Bookmakers (ABB) represents over 80% of the high street betting market. Its members include large national operators such as William Hill, Ladbrokes Coral and Paddy Power, as well as almost 100 smaller independent bookmakers.

Please see below for the ABB's response to the Council's current consultation on the draft gambling policy statement.

This response starts by setting out the ABB's approach in areas relevant to the local authority's regulation of betting shop premises, and its commitment to working with local authorities in partnership. The response finishes by highlighting matters within the policy statement which the ABB feels may need to be addressed.

Betting shops have been part of the British high street for over 50 years and ensuring a dialogue with the communities they serve is vital.

The ABB recognises the importance of the gambling policy statement in focusing on the local environment and welcomes the informed approach this will enable operators to take for example, with regard, to the new requirements for local area risk assessments and ensuring the right structures are in place in shops that are appropriate for that area.

Whilst it is important that the gambling policy statement fully reflects the local area, the ABB is also keen to ensure that the statutory requirements placed on operators and local authorities under the Gambling Act 2005 remain clear; this includes mandatory conditions (for instance, relating to Think 21 policies) and the aim to permit structure. Any duplication or obscuring of these within new processes would be detrimental to the gambling licensing regime. The ABB also believes it is

important that the key protections already offered for communities, and clear process (including putting the public on notice) for objections to premises licence applications, continue to be recognised under the new regime.

Any consideration of gambling licensing at the local level should also be considered within the wider context.

- the overall number of betting shops is in decline. The latest Gambling Commission industry statistics show that numbers as of March 2017 were 8,788 - a decline of 349 since March 2014, when there were 9,137 recorded.
- planning law changes introduced in April 2015 have increased the ability of licensing authorities to review applications for new premises, as all new betting shops must now apply for planning permission.
- successive prevalence surveys and health surveys tells us that problem gambling rates in the UK are stable (0.6%) and possibly falling.

Working in partnership with local authorities

The ABB is fully committed to ensuring constructive working relationships exist between betting operators and licensing authorities, and that where problems may arise that they can be dealt with in partnership. The exchange of clear information between councils and betting operators is a key part of this and the opportunity to respond to this consultation is welcomed.

LGA – ABB Betting Partnership Framework

In January 2015 the ABB signed a partnership agreement with the Local Government Association (LGA), developed over a period of months by a specially formed Betting Commission consisting of councillors and betting shop firms, which established a framework designed to encourage more joint working between councils and the industry.

Launching the document Cllr Tony Page, LGA Licensing spokesman, said it demonstrated the "*desire on both sides to increase joint-working in order to try and use existing powers to tackle local concerns, whatever they might be.*"

The framework builds on earlier examples of joint working between councils and the industry, for example the Medway Responsible Gambling Partnership which was launched by Medway Council and the ABB in December 2014. The first of its kind in Britain, the voluntary agreement led the way in trialing multi-operator self-exclusion. Lessons learned from this trial paved the way for the national multi-operator self-exclusion scheme now in place across the country. By phoning a free phone number (0800 294 2060) a customer who is concerned they are developing a problem with their gambling can exclude themselves from betting shops close to where they live, work and

socialise. The ABB is working with local authorities to help raise awareness of the scheme, which is widely promoted within betting shops.

The national scheme was first trialed in Glasgow in partnership with Glasgow City Council. Cllr Paul Rooney, Glasgow's City Treasurer and Chairman of a cross-party Sounding Board on gambling, described the project as "*breaking new ground in terms of the industry sharing information, both between operators and, crucially, with their regulator.*"

Primary Authority Partnerships in place between the ABB and local authorities

All major operators, and the ABB on behalf of independent members, have also established Primary Authority Partnerships with local authorities. These partnerships help provide a consistent approach to regulation by local authorities, within the areas covered by the partnership; such as age-verification or health and safety. We believe this level of consistency is beneficial both for local authorities and for operators.

For instance, Primary Authority Partnerships between Milton Keynes Council and Reading Council and their respective partners, Ladbrokes and Paddy Power, led to the first Primary Authority inspection plans for gambling coming into effect in January 2015. By creating largely uniform plans, and requiring enforcing officers to inform the relevant Primary Authority before conducting a proactive test-purchase, and provide feedback afterwards, the plans have been able to bring consistency to proactive test-purchasing whilst allowing the Primary Authorities to help the businesses prevent underage gambling on their premises.

Local area risk assessments

Since April 2016, under new Gambling Commission LCCP provisions, operators have been required to complete local area risk assessments identifying any risks posed to the licensing objectives and how these would be mitigated. Licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy, and any local area profile, in their risk assessment. These must be reviewed where there are significant local changes or changes to the premises, or when applying for a variation to or for a new premises licence.

The ABB fully supports the implementation of risk assessments which will take into account risks presented in the local area, such as exposure to vulnerable groups and crime. The new requirements build on measures the industry has already introduced through the ABB Responsible Gambling Code to better identify problem gamblers and to encourage all customers to gamble responsibly.

This includes training for shop staff on how to intervene and direct problem gamblers to support services, as well as new rules on advertising including banning gaming machine advertising in shop windows, and the introduction of Player Awareness Systems which use technology to track account based gaming machine customers' player history data to allow earlier intervention with any customers whose data displays known 'markers of harm'.

Best practice

The ABB is committed to working pro-actively with local authorities to help drive the development of best practice with regard to local area risk assessments, both through responses to consultations such as this and directly with local authorities. Both the ABB and its members are open and willing to engage with any local authority with questions or concerns relating to the risk assessment process, and would encourage them to make contact.

Westminster Council is one local authority which entered into early dialogue with the industry, leading to the development of and consultation on draft guidance on the risk assessment process, which the ABB and our members contributed to. Most recently one operator, Coral, has been working closely with the Council ahead of it issuing its final version of the guidance, which we welcome.

The final guidance includes a recommended template for the local area risk assessment which we would point to as a good example of what should be expected to be covered in an operator's risk assessment. It is not feasible for national operators to submit bespoke risk assessments to each of the c.350 local authorities they each deal with, and all operators have been working to ensure that their templates can meet the requirements set out by all individual local authorities.

The ABB would be concerned should any local authority seek to prescribe the form of an operator's risk assessment. This would not be in line with better regulation principles. Operators must remain free to shape their risk assessment in whichever way best meets their operational processes.

The ABB has also shared recommendations of best practice with its smaller independent members, who although they deal with fewer different local authorities, have less resource to devote to developing their approach to the new assessments. In this way we hope to encourage a consistent application of the new rules by operators which will benefit both them and local authorities.

Concerns around increases in the regulatory burden on operators

The ABB is concerned to ensure that any changes in the licensing regime at a local level are implemented in a proportionate manner. This would include if any local authority were to set out overly onerous requirements on operators to review their local risk assessments with unnecessary frequency, as this could be damaging. As set out in the LCCP a review should only be required in response to significant local or premises change. In the ABB's view this should be where evidence can be provided to demonstrate that the change could impact the premises' ability to operate consistently with the three licensing objectives.

Any increase in the regulatory burden would severely impact ABB members at a time when overall shop numbers are in decline, and operators are continuing to absorb the impacts of significant recent regulatory change. This includes the increase to 25% of Machine Games Duty, limits to staking over

£50 on gaming machines, and planning use class changes which require all new betting shops in England to apply for planning permission.

Employing additional licence conditions

It should continue to be the case that additional conditions are only imposed in exceptional circumstances where there are clear reasons for doing so. There are already mandatory and default conditions attached to any premises licence which will ensure operation that is consistent with the licensing objectives. In the vast majority of cases, these will not need to be supplemented by additional conditions.

The LCCP require that premises operate an age verification policy. The industry operates a policy called “Think 21”. This policy is successful in preventing under-age gambling. Independent test purchasing carried out by operators and the ABB, and submitted to the Gambling Commission, shows that ID challenge rates are consistently around 85%. The ABB has seen statements of principles requiring the operation of Challenge 25. Unless there is clear evidence of a need to deviate from the industry standard then conditions requiring an alternative age verification policy should not be imposed.

The ABB is concerned that the imposition of additional licensing conditions could become commonplace if there are no clear requirements in the revised licensing policy statement as to the need for evidence. If additional licence conditions are more commonly applied this would increase variation across licensing authorities and create uncertainty amongst operators as to licensing requirements, over complicating the licensing process both for operators and local authorities

Other concerns

Where a local area profile is produced by the licensing authority, this be made clearly available within the body of the licensing policy statement, where it will be easily accessible by the operator and also available for consultation whenever the policy statement is reviewed.

Considerations specific to the Draft Statement of Principles

On behalf of the ABB, we welcome the light touch approach to the draft Statement of Principles.

Section 13.8 explain the Licensing Authority’s approach to the imposition of conditions on premises licences. The draft Statement of Principles would be assisted by a clear explanation that all Gambling Act 2005 premises licences are subject to mandatory and default conditions which are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives.

The draft Statement of Principles should be clear that additional conditions will only be imposed where there is evidence of a risk to the licensing objectives in the circumstances of a particular case that requires that the mandatory and default conditions be supplemented.

The evidential basis for the imposition of additional conditions is extremely important and the draft Statement of Principles should be clear that additional conditions will not be attached simply where it is “considered to be appropriate” (paragraph 13.1) or where there is “a perceived need” (paragraph 13.8.2).

Paragraph 13.9 deals with the requirement for licensees to conduct risk assessments. This paragraph should be re-drafted so that it is clear that the social responsibility code provision applies to all licensees, not just applicants for new premises licences.

Paragraph 17 explains the ability of the Licensing Authority to restrict the number of betting machines. These paragraphs would be assisted if a clear distinction was made between betting machines (where there is the ability to limit numbers) and gaming machines where there is no such ability to restrict numbers. The holder of a betting premises licence may make available for use up to four gaming machines of categories B, C or D.

Conclusion

The ABB and its members are committed to working closely with both the Gambling Commission and local authorities to continually drive up standards in regulatory compliance in support of the three licensing objectives: to keep crime out of gambling, ensure that gambling is conducted in a fair and open way, and to protect the vulnerable.

Indeed, as set out, the ABB and its members already do this successfully in partnership with local authorities now. This includes through the ABB Responsible Gambling Code, which is mandatory for all members, and the Safe Bet Alliance (SBA), which sets voluntary standards across the industry to make shops safer for customers and staff.

We would encourage local authorities to engage with us as we continue to develop both these codes of practice, which are in direct support of the licensing objectives, as well as our processes around local area risk assessments.

Yours faithfully,

GOSSCHALKS

COUNCIL	AGENDA ITEM No. 9(c)
12 DECEMBER 2018	PUBLIC REPORT

EXECUTIVE AND COMMITTEE RECOMMENDATIONS TO COUNCIL

(c) COUNCIL TIMINGS AND STANDING ORDERS

The Constitution and Ethics Committee at its meeting on 29 October 2018, received a report on Council Timings and Standing Orders.

The Constitution and Ethics Committee considered the report and recommendations contained within the report to Full Council.

IT IS RECOMMENDED that Council amend the Council’s Standing Orders to reflect that questions at Council were to relate to broader council matters. Questions relating to Ward specific issues would receive a written response and be published as part of the minutes.

The original Constitution and Ethics Committee report and appendices follow, along with the updated Council Standing Orders.

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CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 4
29 OCTOBER 2018	PUBLIC REPORT

Report of:	Fiona McMillan, Director Law and Governance and Monitoring Officer	
Cabinet Member(s) responsible:	Councillor Seaton, Cabinet Member Resources	
Contact Officer(s):	Fiona McMillan, Director Law and Governance and Monitoring Officer	Tel. 452321

COUNCIL MEETINGS - TIMINGS AND STANDING ORDERS

R E C O M M E N D A T I O N S	
FROM: Fiona McMillan, Director Law and Governance and Monitoring Officer	Deadline date: N/A
<p>That the Constitution and Ethics Committee recommend to Full Council to amend the Council's Standing Orders:</p> <ol style="list-style-type: none"> 1. To include a time limit on the debate of motions on notice to not exceed 30 minutes per motion and to reduce the entire time for motions on notice to two hours. 2. To reflect that questions at Council are to relate to broader council matters. Questions relating to Ward specific issues will receive a written response and be published as part of the minutes. 3. To include a 20 minute time limit allocated to Questions on Executive Decisions. 4. To allow Members to remain seated while addressing the Chairman. 4. To note that these changes will take effect at the following meeting. 	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Constitution and Ethics Committee as part of the Committee's work programme for 2018/19 and as a request from the Interim Director of Law and Governance.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to seek approval from the Constitution and Ethics Committee to recommend to Full Council to alter the Council's Standing Orders or to keep the Standing Orders as current.
- 2.2 This report is for the Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.1

Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution (including the codes and protocols) subject to the receipt and consideration of a

report prepared by the Monitoring Officer, with the exception of those matters under the remit of the Executive.

3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
---	-----------	----------------------------------	------------

4. **BACKGROUND AND KEY ISSUES**

4.1 Over the past two years a number of motions have not been able to be debated due to the guillotine of the meeting falling before all items have been discussed. This has resulted in potentially important areas for debate, affecting the citizens of Peterborough, to not be discussed in detail.

4.2 In order to preserve the flow of the meeting and ensure that all items are able to be discussed in a meeting, it is proposed to add the following time limits to debates on motions on notice:

- 30 minutes for each individual Motion on Notice
- 2 hours for debate of all Motions on Notice

This will allow for a far greater number of motions to be debated fully at Full Council meetings.

4.3 A number of other authorities have included within their Standing Orders a time limit for motions to be debated. These include:

South Cambridgeshire District Council	2 Hours in total for motions on notice, 30 minutes per motion
Brighton and Hove Council	Three largest parties maximum of 2 motions, any other group or individual member 1 motion per ordinary meeting of the Council
Adur and Worthing Council	Three largest parties maximum of 2 motions, any other group or individual member 1 motion per ordinary meeting of the Council
York City Council	No more than 5 motions can be submitted at an ordinary meeting
Croydon Council	A maximum of 2 Motions shall be debated at a Council Meeting. In the event that more than 2 motions are submitted, the Mayor shall have discretion to select 2 for debate and to determine the order in which they are taken.
Liverpool Council	6 motions per meeting from any members and 1 motion from the Mayor.
Preston City Council	Maximum of 3 motions per meeting.

4.4 Members can alter the proposed recommendations should a preferable option be presented by the Committee.

4.5 Questions on Notice to Full Council and Executive Decisions:

In order to help the business of the meeting run smoothly, it is suggested that questions asked orally at Full Council be limited to broader council matters. Any Ward specific matters would still receive a written response and be published as part of the minutes.

In addition to further help the running of the meeting it is suggested that questions relating to executive decisions be given a twenty minute time limit.

4.6 It should be noted that this matter was brought to the attention of the now defunct Governance Board, where it was agreed that this be reviewed at a later date.

4.7 It is important to note that these are the decisions of Members and that there is the option of doing nothing and keeping the current systems, whereby there are no time limits to either the questions on executive decisions or motions on notice.

4.8 Remaining Seating While Addressing the Chairman

Standing Orders currently require Members to stand when addressing the Mayor at a Full Council. Following a request from a Member and discussion at by Group Leader's, it is suggested that this be amended to allow Members to remain seating. It is considered that this may allow the microphone system to work more effectively.

5. CONSULTATION

5.1 The Constitution and Ethics Committee are the nominated consultees for recommending substantive changes to the Council's Constitution to Full Council.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 It is anticipated that a final report, should changes be agreed, will be presented to Full Council on 12 December 2018. Should Option A be agreed by the Committee it is anticipated that debates at meetings of Council will run more smoothly and that all motions submitted will be given a fair opportunity to be debated.

7. REASON FOR THE RECOMMENDATION

7.1 To enable a fuller debate on motions on notice at Full Council and to keep the business of the meeting flowing.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 To keep the Standing Orders as currently agreed. Although there are no implications from doing so there would remain the possibility that motions on notice are not debated fully at the meeting.

9. IMPLICATIONS

Financial Implications

9.1 None.

Legal Implications

9.2 None

Equalities Implications

9.3 None.

10. BACKGROUND DOCUMENTS

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

10.1 Part 4 Section 1 of the Council Constitution (Standing Orders)

- Adur and Worthing Council Constitution
- Liverpool City Council Constitution
- South Cambridgeshire District Council Constitution
- Preston City Council Constitution
- Croydon Council Constitution
- York City Council Constitution
- Brighton and Hove Council Constitution

11. APPENDICES

11.1 Appendix 1 - Proposed track changes to the Council Standing Orders

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1. ANNUAL MEETING OF THE COUNCIL

1.1. Timing and business

In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place in March, April or May.

1.1.1 The Ceremonial Meeting (Mayor Making)

The Meeting will:

- i. elect a person to preside if the chair of Council (the Mayor) is not present;
- ii. elect the chair of Council (the Mayor);
- iii. elect the vice chair of Council (the Deputy Mayor); and
- iv. receive the retiring mayor's report.

1.1.2 The Business Meeting

The Meeting will:

- i. approve the minutes of the last meeting;
- ii. receive any announcements from the Mayor;
- iii. receive a report from the Returning Officer on the outcome of City Elections;
- iv. upon retirement of the previous Leader, which shall be at least once every four years, elect the Leader of the executive (the Cabinet)
- v. be notified by the Leader of the number of members to be appointed to the Cabinet, those Members' names and their intended portfolio of responsibilities;
- vi. appoint a licensing committee, a health and wellbeing board, at least one overview and scrutiny committee and such other committees as are required or the Council considers appropriate to deal with matters that are neither reserved to the Council nor are executive functions (as set out or will be set out in Part 3(2) of this Constitution). No member of the Executive will be allowed to be a member of a Scrutiny Committee or Commission;

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- vii. receive the Leader’s scheme of delegation of executive functions (as set out at Part 3(3) of this Constitution);
 - viii. approve a programme of ordinary meetings of the Council for the year; and
 - ix. consider any business set out in the notice convening the meeting.
- 1.1.3 Unless otherwise determined by statute, the Mayor may vary the order of the agenda at his/her absolute discretion and may allocate or re-allocate an appropriate time for the transaction of each item.
- 1.2. Selection of Councillors on Committees
- 1.2.1 At the annual (business) meeting, the council meeting will:
- i. decide which committees to establish for the municipal year;
 - ii. decide the size and terms of reference for those committees;
 - iii. decide the allocation of seats to political groups in accordance with the political balance requirements;
 - iv. receive nominations of councillors to serve on each committee and other authorities;
 - v. appoint to those committees, standing sub-committees and other authorities except where appointment to those bodies has been delegated by the Council or is exercisable only by the executive; and
 - vi. appoint the Chairs and Vice-Chairs of all the Council’s committees, other than those which the Council has decided should be appointed by the committee itself.
- 1.2.2 The Council may decide at subsequent meetings to dissolve committees, alter their terms of reference or to appoint new committees.
- 1.2.3 The Council shall always have the power to exercise any power delegated to a committee, sub-committee or an officer.

2. ORDINARY MEETINGS OF COUNCIL

- 2.1 Ordinary meetings of the Council will take place in accordance with a programme decided at the Council’s annual meeting. The order of business at ordinary meetings will be as follows:

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- i. elect a person to preside if the Mayor and Deputy Mayor are not present;
- ii. approve the minutes of the last meeting;
- iii. receive any declarations of interest from members;
- iv. receive any announcements from the Mayor and Leader (which, with the exception of the Mayor, will normally be limited to five minutes), followed by any question on the announcement from a leader of an opposition group (which will normally be limited to one minute);
- v. receive questions from, and provide answers to, the public in accordance with Standing Order 15;
- vi. receive petitions from the public and Members in accordance with Standing Order 16;
- vii. consider petitions in accordance with the Council's petition scheme;
- viii. Receive questions from, and provide answers to, Members in accordance with Standing Order 17.2;
- ix. deal with any business from the last Council meeting;
- x. receive reports from the Cabinet for consideration, including consideration of proposals from the Cabinet in relation to the Council's budget and policy framework and receive questions and answers on any of those reports;
- xi. receive any reports from the Council's committees and overview and scrutiny committees for consideration and receive questions and answers on any of those reports;
- xii. receive reports about and receive questions and answers on decisions made by members of the Cabinet since the last meeting of Council;
- xiii. receive any reports about and receive questions and answers on the business of joint arrangements and external organisations, including the Combined Authority;
- xiv. consider motions; and

- xv. consider any other business specified in the summons to the meeting.

3. ORDINARY MEETINGS OF COUNCIL AND COMMITTEES

3.1 Business

Unless otherwise determined by statute, the Mayor/Chairman may vary the order of the agenda at his/her absolute discretion and may allocate or re-allocate an appropriate time for the transaction of each item.

3.2 Urgency

The Mayor/Chairman may determine that an item of business that has not been open to public inspection, both as an item set out in the agenda and any accompanying published report, may be considered because he or she is of the opinion that, by reason of special circumstances, which shall be specified in the minutes, the item should be considered at the meeting as a matter of urgency.

4. EXTRAORDINARY MEETINGS AND VARIATIONS

4.1. Calling extraordinary meetings of Council

Those listed below may request the proper officer to call Council meetings in addition to ordinary meetings:

- (a) the Council by resolution;
- (b) the Mayor (or the Deputy mayor if the mayor is unable to act);
- (c) the Monitoring Officer; or
- (d) any five members of the Council if they have signed a requisition presented to the Mayor and he or she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

4.2 Calling an Extraordinary Meeting of a Committee or Sub-Committee

In the case of Committee meetings, the Chairman of a Committee or Sub-Committee can, in consultation with the political group representatives, call an extraordinary meeting of the Committee at any time. A special meeting will also be called if three Members of the Committee or Sub-Committee ask the Chief Executive in writing to call a meeting.

4.3 Business at an Extraordinary Meeting of Council or a Committee or Sub-Committee

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The business to be conducted at an extraordinary meeting shall be restricted to the item of business contained in the request for the extraordinary meeting and there shall be no consideration of previous minutes or reports from committees etc. except that the Mayor/Chairman may at his/her absolute discretion permit other items of business to be conducted for the efficient discharge of the Council's business.

- 4.4 Variation to the meeting schedule, timings and cancellation of meetings
 - 4.4.1 Variations to the meeting schedule will be determined by the Chairman after prior consultation with the Group representatives. The Mayor determines any variation to the Council schedule, in consultation with Group Leaders.
 - 4.4.2 If there is disagreement about the timing of an additional meeting between the Chairman and Group representatives, the meeting will start at the normal time for meetings of that Committee as identified within the Annual Calendar of meetings approved by Council.
 - 4.4.3 Any meeting may be cancelled if there is insufficient business to consider. This will be determined by the Chairman after prior consultation with the Group representatives. For Council, the Mayor will determine in consultation with Group Leaders.

5. PRIVATE MEETING TO NOMINATE THE MAYOR ELECT

- 5.1 The Chief Executive will invite Members to hold a private meeting each year to nominate the Mayor Elect. This meeting will usually be held in February or March. The notice of the meeting will not be published and the proceedings will have no legal effect.
- 5.2 There is a written protocol for the nomination of the Mayor Elect and this can be found within Part 5 Section 8 of the Council's Constitution.

6. APPOINTMENT OF MEMBERS OF COMMITTEES AND SUB-COMMITTEES IN YEAR INCLUDING SUBSTITUTE MEMBERS

- 6.1 Appointment of Chair or Vice Chair in year vacancy

The Council may remove the Chairman or Vice-Chairman or they can resign. In the event that the Chairman or Vice-Chairman resigns or for some other reason becomes permanently incapacitated, the Council may appoint another Chairman or Vice-Chairman at its next meeting following the resignation or permanent incapacity and in the meantime the Committee may elect a temporary Chairman or Vice-Chairman until a new appointment is made by the Council. Unless otherwise stated in

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the Constitution, the Chair and Vice-Chair of a Committee or Sub-Committees shall be a Councillor.

6.2 Appointment of Members to Committees in year vacancy

If a vacancy arises on a Committee or Sub-Committee because a Member of a Committee or a Sub-Committee has resigned their seat by sending a written notice to the Chief Executive or because a Member has resigned, died or otherwise ceased to be a Member, the Chief Executive will appoint a Member to fill the vacancy if the relevant political group asks him or her to do so, in accordance with the seat allocations approved by Council under the Local Government and Housing Act 1989 and the Regulations made thereunder.

6.3 Substitute Members

6.3.1 Number

For each Committee or Sub-Committee, the Council may appoint the same number of substitutes in respect of each political group as that group holds ordinary seats on that committee or sub-committee, however the total number of substitutes made by a political group at a meeting may not exceed 50% of the political group's seat allocation on that committee.

6.3.2 Powers and duties

Substitute members will have all the powers and duties of any ordinary member of the committee when attending a meeting but will not be able to exercise any special powers or duties exercisable by the person they are substituting.

6.3.3 Substitution

Substitute members may attend meetings in that capacity only:

- (a) to take the place of the ordinary member for whom they are the designated substitute;
- (b) where the ordinary member will be absent for the whole of the meeting; and
- (c) after notifying the monitoring officer by noon on the day of the meeting of the intended substitution.

- 6.3.4 When the ordinary member and a designated substitute are unable to attend a meeting, a nominated substitute member of the same group may attend the meeting after notifying the Monitoring Officer by 12 noon.

7. ATTENDANCE AT COMMITTEES OR SUB-COMMITTEES

- 7.1 The Mayor and the political group leaders can join the debate at any meeting of a Committee but they cannot vote at them.
- 7.2 A Cabinet Member can attend any meeting of a Scrutiny Committee or Scrutiny Commission at which a report under their portfolio is being considered, Cabinet Members can also be invited to attend a Scrutiny Committee meeting at the request of the Committee. The Member will not be allowed to vote.
- 7.3 A Member who has moved a motion at a Council meeting which has been referred to any Committee or Sub-Committee will have notice of the meeting when the motion will be considered, at which they will be entitled to introduce the motion. The Member will not be allowed to vote.
- 7.4 A Committee or Sub-Committee can invite any member who is not a member of the Committee to attend and speak at any one of their meetings. The Member will not be allowed to vote.
- 7.5 Members representing wards in respect of which a report containing exempt or confidential information relates, can attend the meeting at which the report is considered, unless the Chief Executive or the Monitoring Officer advises that the report must remain confidential and it is not necessary for Members (other than Members of the Committee or Sub-Committee) to be at the meeting in order to carry out their duties as a ward member.

8. COMMITTEE AND SUB-COMMITTEE POWERS AND DUTIES AND DELEGATION TO COMMITTEES AND SUB-COMMITTEES

- 8.1 The Monitoring Officer is responsible for maintaining and updating the terms of reference of all the Council's Committees.
- 8.2 All Committees can appoint a sub-committee from within its own membership and can delegate any of their powers and duties to the sub-committees, subject to any conditions the Committee sets for the Sub-Committee.

9. WORKING PARTIES FOR COMMITTEES

- 9.1 Committees can only appoint working parties where it would not be appropriate to refer the matter to a Scrutiny Committee or Scrutiny

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Commission. The Committee will decide how many Members and officers working parties will have, and their terms of reference which will be time limited. A working party will not have any powers, but will make recommendations and a report to the Committee that appointed it.

10. TIME AND PLACE OF MEETINGS

- 10.1 The time and place of meetings will be determined by the monitoring officer and notified in the summons.

11. NOTICE OF AND SUMMONS TO MEETINGS

- 11.1 The proper officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Standing Orders (Procedure Rules). At least five clear days before a meeting, the monitoring officer will send a summons signed by him or her by post to every member of the Council or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted (the agenda) and will be accompanied by the relevant reports.

12. CHAIR OF MEETING

- 12.1 The person presiding at the meeting may exercise any power or duty of the Mayor/Chairman.

13. QUORUM

- 13.1 The quorum of a meeting of Council will be one quarter of the whole number of members.
- 13.2 The quorum of an appointed Committee or Sub-Committee will be more than half of the Members present, apart from the Employment Committee and the Appeals Committee (Service Issues), where the quorum will be three.
- 13.3 During any meeting if the Mayor/Chairman counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Mayor/Chairman. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting.

14. DURATION OF MEETING

- 14.1 Meeting recess

The Mayor/Chairman will adjourn the meeting for a period of ten minutes at a convenient time after two hours.

14.2 Interruption of the meeting

Where four hours have elapsed after the commencement of any Council meeting (and in the case of an Extraordinary meeting when two hours have elapsed since commencement of the meeting) the Mayor/Chairman shall interrupt the meeting and call for the vote immediately on the item under discussion. Any Member speaking must immediately cease doing so and sit down. The vote will be taken without further discussion. This rule will not apply to meetings of a quasi-judicial or regulatory nature.

14.3 Motions and recommendations not dealt with

If there are other motions or recommendations on the agenda that have not been dealt with within the four hour period (or two hour period in the case of an Extraordinary meeting), they are deemed formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way. This rule will not apply to meetings of a quasi-judicial or regulatory nature.

14.4 Recorded vote

If a recorded vote is called for during this process it will be taken immediately.

14.5 Motions which may be moved

During the process set out in Standing Order 14.2 above, the only other motions which may be moved are that a matter be withdrawn or that a matter be delegated or referred to an appropriate body or individual for decision or report.

14.6 Close of the meeting

When all motions and recommendations have been dealt with, the Mayor/Chairman will declare the meeting closed.

15. POSTPONEMENT OR CANCELLATION OF MEETINGS

15.1 Postponement or cancellation of the meetings in extenuating circumstances

Once the proper officer has given notice and summons of a meeting, the meeting may be postponed or cancelled in extenuating circumstances.

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Any postponement or cancellation must be with the agreement of Mayor/Chairman and in consultation with Group Leaders/Group Representatives. Any meeting may be cancelled if there is insufficient business.

16. QUESTIONS BY THE PUBLIC AT MEETINGS OF COUNCIL

16.1 General

16.1.1 Members of the public who are residents of the City may ask questions of Members of the Cabinet, the Chair of a Committee, the Chair of an Overview and Scrutiny Committee/Commission or a leader of a political group on the Council at meetings of the Council, other than the Annual Meeting and, except at the discretion of the Mayor, Extraordinary Meetings.

16.1.2 The total time allocated for Questions by the Public shall be limited to 30 minutes.

16.2 Order of questions

The order in which questions shall be presented to the meeting shall be determined by a draw for each section of the meeting. The draws shall be conducted by the monitoring officer (or senior officer appointed for this purpose). The draws may be attended by any Member of the Council by prior notice delivered in writing to the monitoring officer before the deadline for submission of questions.

16.3 Notice of questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the monitoring officer no later than midday five working days before the day of the meeting. Each question must give the name and address of the questioner and must name the member of the Council to whom it is to be put. Notice must be provided at this time of any accompanying preamble to be given when putting the question to Council.

16.4 Number of questions

At any one meeting no person may submit more than two questions and no more than two such questions may be asked on behalf of one organisation.

16.5 Scope of questions

If the monitoring officer considers a question:

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- is not about a matter for which the local authority has a responsibility or which affects the City;
- is illegal, improper, defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information

he or she will inform the Mayor who will then decide whether or not to reject the question.

16.6 Record of questions

The monitoring officer will enter each question in a book open to public inspection and will immediately send a copy of the question to the member to whom it is to be put. Rejected questions will include reasons for rejection.

Copies of all questions will be circulated to all members and will be made available to the public attending the meeting.

16.7 Asking the question at the meeting

The Mayor will invite the questioner to put the question to the member named in the notice. Three minutes are allowed for putting the question. If a questioner who has submitted a written question is unable to be present, they may ask the Mayor to put the question on their behalf. The Mayor may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

16.8 Supplemental question

A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Mayor may reject a supplementary question on any of the grounds in Standing Order 15.5 above. One minute is allowed for putting the supplementary question.

16.9 Answers

Three minutes are allowed for answering a question and two minutes are allowed for answering a supplementary question. Any question which cannot be dealt with, either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer.

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16.10 Reference of question to the Cabinet or a committee

Unless the Mayor decides otherwise, no discussion will take place on any question, but any member may move that a matter raised by a question be referred to the Cabinet or the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

16.11 There are no speaking rights at committee meetings other than those laid out in the Planning Speaking Scheme, which is available to view within the Committees terms of reference at Part 3 Section 2 of the Constitution.

17. PETITIONS PRESENTED AT COUNCIL

17.1 Petitions may be presented to the Council. The person presenting the petition will be allowed to address the meeting briefly (not exceeding one minute) to outline the aims of the petition. The Mayor will refer the matter to another appropriate body of the Council within whose terms of reference it falls without discussion and in accordance with the Council's petition scheme, detailed in Part 5 Section 9 of the Constitution, unless a relevant item appears elsewhere on the Agenda.

18. QUESTIONS BY MEMBERS AT COUNCIL

18.1 On reports of Cabinet or Committees

At a meeting of the Council, other than the Annual Meeting, a Member of the Council may ask the Leader or the chair of a committee or any representative of the Council on the Combined Authority any question without notice upon an item of the report of the Cabinet or a committee or from the Combined Authority when that item is being received or under consideration by the Council.

18.2 Questions on notice at full Council

18.2.1 Subject to Standing Order 17.4, a member of the Council may ask:

- the Mayor;
- the Leader or member of the Cabinet;
- the chair of any committee or sub-committee; or
- any representative of the Council on the Combined Authority.

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up to two questions on any matter in relation to which the Council has powers or duties or which affects the City and one question on any matter in relation to which the Combined Authority has powers or duties.

18.2.2 The total time allocated for Questions under this item shall be limited to 30 minutes for questions to the Mayor, Leader or member of the Cabinet, or the chair of any committee or sub-committee, and 15 minutes for questions to any representatives of the Council on the Combined Authority.

18.3 Questions on notice at committees and sub-committees

Subject to Standing Order 17.4, a member of a committee or sub-committee may ask the chair of it a question on any matter in relation to which the Council has powers or duties or which affect the City and which falls within the terms of reference of that committee or sub-committee.

18.4 Notice of questions

A member may only ask a question under Standing Order 17.2 or 17.3 if either:

- a) they have given at least five working days notice in writing of the question to the monitoring officer;
- b) the question relates to urgent matters, they have the consent of the Mayor to whom the question is to be put and the content of the question is given to the monitoring officer by noon on the day of the meeting;
- c) the question is not substantially the same as a question which has been put at a meeting of the Council in the past six months.

18.5 Response

An answer may take the form of:

- a) a direct oral answer of up to three minutes;
- b) by reference to published material of the Council which is readily available to Members; or
- c) where the reply cannot conveniently be given orally, a written answer will be circulated later to the questioner.

18.6 Supplementary question

Every question, which will be limited to one part, will be asked and answered without discussion. Upon receiving the answer, the Member who put the question shall be allowed one supplementary question, of up to one minute, provided that it arises directly out of the original question or the reply and does not introduce any new subject matter.

The supplementary question will be asked and answered orally, but the person to whom the supplementary question has been asked will have up to two minutes to answer or may decline to answer.

18.7 Questions received should relate to broader matters that affect the Council. Any Ward specific questions will still receive a written response and be published in the minutes.

19. MOTIONS ON NOTICE

19.1 Notice

Except for motions which can be moved without notice under Standing Order 19, written notice of every motion, must be delivered to [the proper officer] by ten o'clock six clear working days before the date of the meeting (not including the day of the meeting). These will be entered in a book open to public inspection.

19.2 Motion set out in agenda

Motions for which notice has been given will be listed on the agenda in the order in which notice was received, unless the member giving notice states, in writing, that they propose to move it to a later meeting.

19.3 Scope

If the monitoring officer considers that a motion:

- is not about a matter for which the local authority has a responsibility or which affects the City;
- is illegal, improper, defamatory, frivolous or offensive;
- is substantially the same as a motion which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information

he or she will inform the Mayor who will then decide whether or not to reject the motion.

20. MOTIONS WITHOUT NOTICE

20.1 The following motions may be moved without notice:

- a) to appoint a chair of the meeting at which the motion is moved;
- b) in relation to the accuracy of the minutes;
- c) to change the order of business in the agenda;
- d) to refer something to an appropriate body or individual;
- e) to appoint a committee or member arising from an item on the summons for the meeting;
- f) to receive reports or adoption of recommendations of committees or officers and any resolutions following from them;
- g) to withdraw a motion;
- h) to amend a motion;
- i) to proceed to the next business;
- j) that the question be now put;
- k) to adjourn a debate;
- l) that the meeting continue beyond 4 hours in duration (2 in the case of an extraordinary meeting);
- m) to suspend a particular standing order;
- n) to exclude the public and press in accordance with the Access to Information Standing Orders;
- o) to not hear further a member named under Standing Order 27.3 or to exclude them from the meeting Standing Order 27.4; and
- p) to give the consent of the Council where its consent is required by this Constitution.

21. STANDING ORDERS OF DEBATE

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21.1 No speeches until motion seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

21.2 Right to require motion in writing

Unless notice of the motion has already been given, the Mayor may require it to be written down and handed to him/her before it is discussed.

21.3 Secunder's speech

When seconding a motion or amendment, a member may reserve their speech until later in the debate.

21.4 Content and length of speeches

Speeches must be directed to the question under discussion or to a personal explanation, statement of accuracy or point of order.

No speech may exceed five minutes by the mover of the motion or by three minutes in all other cases without the consent of the Mayor.

21.5 Budget Meetings

Rule 20.4 above, in respect of the length of speeches, shall not apply to a debate on the Budget where speeches shall not be subject to any time limit.

21.6 When a member may speak again

A member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- a) to speak once on an amendment moved by another member;
- b) to move a further amendment if the motion has been amended since he or she last spoke;
- c) if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he or she spoke was carried);
- d) in exercise of a right of reply;
- e) on a point of order;

- f) by way of personal explanation and
- g) statement of accuracy.

21.7 Amendments to motions

- a) An amendment to a motion must be relevant to the motion and will either be:
 - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (ii) to leave out words;
 - (iii) to leave out words and insert or add others; or
 - (iv) to insert or add words.

as long as the effect of (ii) to (iv) is not to negate the motion.

- b) Except in relation to motions that can be moved without notice under Standing Order 19, written notice of every intended amendment to a motion or to recommendations from Cabinet or the Council's committees:
 - (i) must be delivered to the monitoring officer in its initial form not later than noon two working days before the date of the meeting (not including the day of the meeting) at which the motion is to be considered; and
 - (ii) must be delivered to the monitoring officer in its intended final form not later than noon one working day before the date of the meeting (not including the day of the meeting) at which the motion is to be considered. If no withdrawal, confirmation or change is received by the monitoring officer, it will be assumed that the amendment is to be considered in its initial form.

No other amendment may be moved at the meeting except where the Mayor may permit, at his or her absolute discretion and to ensure the efficient or proper discharge of the Council's business, a further amendment or amendments to be moved.

- c) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.

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- d) If an amendment is not carried, other amendments to the original motion may be moved.
- e) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- f) After an amendment has been carried, the Mayor will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

21.8 Alteration of motion

- a) A member may alter a motion of which he or she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- b) A member may alter a motion which he or she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- c) Only alterations which could be made as an amendment may be made.

21.9 Withdrawal of motion

A member may withdraw a motion which he or she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

21.10 Right of reply

- a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- c) The mover of the amendment has no right of reply to the debate on his or her amendment.

21.11 Motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- a) to withdraw a motion;
- b) to amend a motion;
- c) to proceed to the next business;
- d) that the question be now put;
- e) to adjourn a debate;
- f) that the meeting continue beyond 4 hours in duration (or two hours if an extraordinary meeting);
- g) to exclude the public and press in accordance with the Access to Information Standing Orders;
- h) to not hear further a member named under Standing Order 27.3 or to exclude them from the meeting under Standing Order 27.4; and
- i) that a specific standing order be suspended

21.12 Closure motions

- a) A member may move, without comment, the following motions at the end of a speech of another member;
 - (i) to proceed to the next business;
 - (ii) that the question be now put;
 - (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.
- b) If a motion to proceed to next business is seconded and the Mayor thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- c) If a motion that the question be now put is seconded and the Mayor thinks the item has been sufficiently discussed, he or she will put the procedural motion to the vote. If it is passed he or she will give the mover of the original motion a right of reply before putting his/her motion to the vote.

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- d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Mayor thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he or she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

21.13 Point of order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Council Standing Orders or the law. The member must indicate the Standing Order or rule of law and the way in which he or she considers has been broken. The ruling of the Mayor on the matter will be final.

21.14 Personal explanation

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the admissibility of a personal explanation will be final.

21.15 Statement of accuracy

A member may make a request to the Mayor to make a statement of accuracy at any time. If permitted, the statement will be limited to the accuracy of a fact cited by the member speaking and may not exceed thirty seconds. The ruling of the Mayor on the admissibility of a statement of accuracy will be final.

22. STATE OF THE CITY DEBATE BY COUNCIL

22.1 Calling of debate

The Leader may call a state of the City debate annually on a date and in a form to be agreed with the Mayor.

22.2 Form of debate

The Leader will decide the form of the debate with the aim of enabling the widest possible public involvement and publicity. This may include holding workshops and other events prior to or during the state of the City debate.

22.2 Chairing of debate

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The debate will be chaired by the Mayor.

22.3 Results of debate

The results of the debate will be:

- (a) disseminated as widely as possible within the community and to agencies and organisations in the area; and
- (b) considered by the Leader in proposing the budget and policy framework to the Council for the coming year.

23. PREVIOUS DECISIONS AND MOTIONS

23.1 Motion to rescind a previous decision

A motion to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least five members.

23.2 Motion similar to one previously rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least five members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

24. VOTING

24.1 Majority

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those members voting and present in the room at the time the question was put.

24.2 Mayor's/Chairman's casting vote

If there are equal numbers of votes for and against, the Mayor/Chairman will have a second or casting vote. There will be no restriction on how the Mayor/Chairman chooses to exercise a casting vote.

24.3 Electronic Voting

For meetings of Full Council in the Council Chamber, voting will be by electronic voting. Should the electronic voting system be unavailable or

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breakdown, voting will revert to being undertaken by a show of hands as outlined in paragraph 23.4 below, unless a Recorded Vote is called for under 23.5. Other meetings in the Council Chamber may also choose to use electronic voting and should follow the same procedure.

Electronic voting will be undertaken by Members operating the individual control panel on their microphone sets which allows Members to vote 'yes', 'no', or 'abstain'.

The Council has adopted an Electronic Voting Procedure which will be followed at all times when using electronic voting. Individual voting results will be displayed on screens in the Chamber and a record will be subsequently published alongside the meeting minutes on the Council's website.

24.4 Show of hands

Unless a recorded vote is demanded under Standing Orders 23.4 and 23.5, the Mayor/Chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

24.5 Recorded vote

If one quarter of members present and entitled to vote at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be recorded in writing by calling a roll and entered into the minutes.

24.6 Budget decision

At a budget decision meeting of the Council the names of the persons who cast a vote for the decision or against the decision or who abstained from voting will be recorded in writing or via the electronic voting system and entered into the minutes of the proceedings of that meeting

For the purposes of this Standing Order:

- (a) “budget decision” means a meeting of the Council at which it—
- (i) makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992; or
 - (ii) issues a precept under Chapter 4 of Part 1 of that Act,
- and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting; and

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(b) references to a vote are references to a vote on any decision related to the making of the calculation or the issuing of the precept as the case may be.

24.7 Right to require individual vote to be recorded

Where any member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

24.8 Voting on appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

25. MINUTES

25.1 Signing the minutes

The Mayor/Chairman will sign the minutes of the proceedings at the next suitable meeting. The Mayor/Chairman will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

25.2 There is no requirement to sign minutes of previous meeting at extraordinary meeting

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of Schedule 12 relating to signing of minutes.

25.3 Form of minutes

Minutes will contain all motions and amendments in the exact form and order the Mayor put them.

26. RECORD OF ATTENDANCE

26.1 All members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

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27. EXCLUSION OF PRESS AND PUBLIC

- 27.1 Members of the public and press may only be excluded either in accordance with the Access to Information Standing Orders in Part 4 of this Constitution or Standing Order 28 (Disturbance by Public).

28. MEMBERS' CONDUCT

- 28.1 Speaking and address system

When a member speaks at full Council they must stand and address the meeting through the Mayor. If more than one member stands, the Mayor will ask one to speak and the others must sit. Other members must remain seated whilst a member is speaking unless they wish to make a point of order, a point of personal explanation or a statement of accuracy. This rule will not apply to Committee or Sub-Committee meetings.

- 28.2 Mayor/Chairman

When the Mayor/Chairman speaks or stands during a debate or otherwise indicates that the meeting should come to order, any member speaking at the time must stop and sit down. The meeting must be silent.

- 28.3 Member not to be heard further

If a member persistently disregards the ruling of the Mayor/Chairman by behaving improperly or offensively or deliberately obstructs business, the Mayor/Chairman or another Member may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

- 28.4 Member to leave the meeting

If the Member continues to behave improperly after such a motion is carried, the Mayor/Chairman or another Member may move that either the Member leaves the meeting or that meeting is adjourned a specified period. If seconded, the motion will be voted on without discussion.

- 28.5 General disturbance

If there is a general disturbance making orderly business impossible, the Mayor/Chairman may adjourn the meeting for as long as he or she thinks necessary.

- 27.6 Conflicts of Interest

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Members of the Council are under a duty to base their decision making on a consideration of the public interest. Members must avoid conflict between personal interest and the public interest, declare any personal interest when it arises and resolve any conflict between the two interests, at once, and in favour of the public.

29. DISTURBANCE BY PUBLIC

29.1 Removal of member of the public

If a member of the public interrupts proceedings, the Mayor/Chairman will warn the person concerned. If they continue to interrupt, the Mayor/Chairman will order their removal from the meeting room.

29.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Mayor/Chairman may call for that part to be cleared.

30. SUSPENSION OF COUNCIL PROCEDURE STANDING ORDERS

30.1 Suspension

All of these Council Standing Orders of Procedure except Standing Order 23.5 and 24.2 may be suspended by motion on notice or without notice if at least one half of the whole number of members of the Council are present. Suspension can only be for the duration of the meeting.

31. PHOTOGRAPHY AND AUDIO/VISUAL RECORDING OF MEETINGS

31.1 Any member of the public may film, audio record, take photographs and use social media to report the proceedings of any meeting that is open to the public.

COUNCIL	AGENDA ITEM No. 9(d)
12 DECEMBER 2018	PUBLIC REPORT

EXECUTIVE AND COMMITTEE RECOMMENDATIONS TO COUNCIL

(d) PETITIONS SCHEME

The Constitution and Ethics Committee at its meeting on 29 October 2018, received a report on the Petitions Scheme.

The Constitution and Ethics Committee considered the report and recommendations contained within the report to Full Council.

IT IS RECOMMENDED that Council:

1. amend the Petitions Scheme and Council Standing Orders to allow urgent petitions to be considered at the Annual Council meeting; and
2. adopt the updated Petitions Scheme as set out in Appendix 1 to the report.

The original Constitution and Ethics Committee report and appendices follow.

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CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 5
29 OCTOBER 2018	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	Councillor David Seaton, Cabinet Member for Resources	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Manager	Tel. 452460

PETITIONS SCHEME - MATTERS THAT CAN BE DEALT WITH

R E C O M M E N D A T I O N S	
FROM: <i>Director of Law and Governance</i>	Deadline date: <i>N/A</i>
<p>It is recommended that the Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> 1) recommend to Council the adoption of the updated Petitions Scheme as set out in Appendix 1 to the report, 2) consider making a recommendation to Council to change the petition threshold levels for Council, Cabinet and Scrutiny debate, 3) consider the impact of Purdah on the debate of petitions at council, cabinet or scrutiny committee meetings and time critical petitions. 	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Constitution and Ethics Committee following a referral from the Interim Director of Law and Governance and Monitoring Officer.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to set out proposed amendments to the Petitions Scheme to restrict the remit of petitions that would be accepted under the scheme. This will ensure that all petitions received and considered by officers and/or Members cover areas in which the Council has the ability to take action and will avoid any debate that cannot be acted upon.

2.2 This report is for the Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.1, 'Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution (including the codes and protocols) subject to the receipt and consideration of a report prepared by the Monitoring Officer, with the exception of those matters under the remit of the Executive.'

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

- 4.1 The Local Democracy, Economic Development and Construction Act 2009 introduced a statutory duty for local authorities to adopt a scheme setting out how it would manage and respond to petitions and also required local authorities to set up facilities for e-petitions. This was supported by statutory guidance which set out a model petition scheme and required council to set thresholds for triggering a full council debate.
- 4.2 The Local Authorities (Petitions)(England) Order 2010 stipulated that the maximum threshold which can be set is 5 percent of the local population. The maximum figure should be calculated using the estimate of the population of the area of the authority contained in the Office of National Statistics population estimates for England and Wales. In 2017 the population estimate for Peterborough was 198,914 and 5% of this is 9,945.7. However the statutory guidance stated that *“we expect that in most cases a much lower figure will be considered locally appropriate.”*. The model scheme given was based on an authority with a population of 150,000 and it stated that if a petition contains more than 1500 signatures it will be debated by the full council. It required 750 signatures for a debate at scrutiny committee and it also said that a petition should be debated for a maximum of 15 minutes at full council plus five minutes for the petitioner to speak.
- 4.3 Chapter 10 of the Localism Act 2011 repealed this part of the 2009 Act and specifically removed the following requirements:
- the need for the Council to make a scheme for the handling of petitions
 - the need for the Council to be able to accept petitions electronically
 - the need for the Council to comply with its own petition scheme
 - the need to publish the Council’s petition scheme on its website
 - the need to acknowledge petitioners, tell petitioners what we intend to do with their petitions or place their petitions on the website
 - the need for the Council to do one of the list of required steps when considering a petition
 - the need for thresholds to determine how to process petitions, for those thresholds to be reasonable and the requirement for petitions reaching those thresholds to be debated at Council and or Overview and Scrutiny
 - the power of review by the Secretary of State
 - the specified reasons for the rejection of a petition
- 4.4 Therefore the Council has the discretion to manage petitions in any way it considers appropriate, including having no provision at all. However, in order to maintain good governance and strengthen public trust and confidence councils have generally continued to retain petition schemes.
- 4.5 The Council’s Petition Scheme sets out the criteria the any petition has to meet in order to be valid for submission to the Council. At current, these are:
- Clearly state the concern or problem to be addressed.
 - Clearly state what the Council is being asked to do.
 - State who the lead petitioner is and include their contact details.
 - Must not concern a planning or licensing application.
 - Must not be similar to, or a duplicate of a petition submitted within the previous 12 months.
 - Contain at least 20 names, address and signatures of people living, working or studying in the area.
- 4.6 The Scheme also sets out the cases where a petition would be disqualified, as follows:
- Abusive.
 - Vexatious (intending to cause only annoyance, frustration or worry).
 - Presented for the purpose of making mischief.
 - Otherwise inappropriate.

4.7 In 2018 a number of petitions have been submitted that have been eligible for debate at either Council or Full Cabinet. It was considered that several petitions received requested action that was either not within the Council's power, or related to matters where there was no course for appealing a decision.

4.8 As such, research was undertaken by officers into the Petitions Schemes of a number of other local authorities. Each of the six authorities that were reviewed included a requirement in their scheme that petitions be limited to areas with the Council's remit or that directly affect inhabitants.

Therefore, it is recommended that the below wording is added in the Council's Petitions Scheme.

4.9

Additional petition criteria:

- Must be relevant to a function that the Council has a responsibility for and/or directly affects Peterborough inhabitants.

Additional disqualification criteria:

- Relates to a function the Council is not responsible for and/or could not influence.

It is also suggested, however, that a further criteria be added for those petitions that are eligible for debate at Scrutiny Committee, Cabinet, or Full Council. This being that:

"7.8 Any petition to be debated at a Scrutiny Committee, Cabinet or Full Council meeting must relate to a matter on which the Council can take action, to be determined by the Monitoring Officer."

All proposals are set out within **Appendix 1**.

Threshold Levels

4.10 The current threshold levels for petition debate at Peterborough are 50 valid signatures to trigger a debate at Cabinet or Scrutiny Committee, and 500 valid signature to trigger a debate at Full Council. There is currently a 45 minute time limit on the discussion of an individual petition.

4.11 For comparison, the threshold level for a number of other authorities are set out below:

- Central Bedfordshire Council - 600 for debate at Scrutiny, 1,250 for debate at Council
- Elmbridge Borough Council - 50 for debate at Cabinet, 2,600 for debate at Scrutiny, 3,900 for debate at Council
- Swale Borough Council - 500 for debate at Cabinet, 1,500 for debate at Council
- Milton Keynes Council - 1,000 for debate at Council
- Swindon Borough Council - 1,500 for debate at Council
- Huntingdonshire District Council - 500 for debate at Council
- East Northamptonshire Council - 4,000 for debate at Council
- Medway Council - 2% (4,000) for debate at Scrutiny or Cabinet, 5% (10,000) for debate at Council

4.12 Should the Committee wish to make a recommendation to amend the threshold level for Peterborough City Council, this would be considered by Full Council.

Impact of Purdah

At the meeting of Full Council on 17 October 2018 it was requested that the Constitution and Ethics Committee consider and discuss the impact of Purdah on the debate of petitions and how

time critical petitions may be dealt with.

The recent petition regarding the Manor closure raised concerns over the length of time taken from the submission of the petition on 7th March (confirmed by the petitioner for debate at full council on 26 April) until it was debated at full council in October. The May council meeting is annual council and is largely a ceremonial meeting with no substantive business. The petition was due to go to the July council meeting but once a by-election was called it fell with the pre-election "purdah" period. In accordance with the Local Government Act 1986, the Code of Practice on local authority publicity, and LGA guidance, councils must *'ensure that any published information by them during the Purdah period should not contain controversial material that might form part of political campaigning during the pre-election period.'* The guidance also says: *'Do not publish any publicity on controversial issues or report views on proposals in a way which identifies them with individual councillors or groups of councillors.'* and that *'You should not: produce publicity on matters which are politically controversial'*. This is because there is a risk they will impact on public opinion for or against any political party. Publicity is defined very widely as *"any communication, in whatever form, addressed to the public at large or to a section of the public"*. As well as covering the more obvious forms such as press releases, speeches, leaflets and newspaper articles issued by or on behalf of the Council, it can include sponsorship and council meetings.

The Council's current petition scheme specifically states that *"3.6 During the period before an election or referendum, known as Purdah, it could be necessary for a petition to be dealt with differently. Should this happen a full explanation will be given including any anticipated timescales."* In this case officers considered that it was necessary to consider this petition differently because of its sensitive political nature and therefore it was deferred to the next Council meeting in October.

It is suggested that the Committee consider any changes they may want to recommend to the Petitions Scheme in light of this discussion.

5. CONSULTATION

- 5.1 Consultation has been undertaken with relevant internal officers prior to the proposals being submitted to the Committee for consideration and debate.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 It is anticipated that amending the Petitions Scheme as recommended would ensure that only petitions that requested action the Council could in fact take were discussed. This would, therefore, mean that the Petitions Scheme was of greater value and more effective.

7. REASON FOR THE RECOMMENDATION

- 7.1 To align Peterborough City Council's Petition Scheme with other local authority petition schemes. The recommendation would also ensure that all petitions received and considered by officers and/or Members covered areas in which the Council has the ability to take action and would avoid any debate that could not be acted upon.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 To make no changes. This option was dismissed as a recommendation as to maintain the status quo would continue to provide for petition debates in which no possible action could be taken by the Council.

9. IMPLICATIONS

Financial Implications

- 9.1 There are no financial implications arising from this report.

Legal Implications

9.2 There are no legal implications arising from this report.

Equalities Implications

9.3 There are no equalities implications arising from this report.

10. BACKGROUND DOCUMENTS

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

- Central Bedfordshire Council Constitution
- Elmbridge Borough Council Constitution
- Oxfordshire County Council Constitution
- Guildford Borough Council Constitution
- Essex County Council Petitions Policy
- Brighton and Hove City Council Constitution

11. APPENDICES

11.1 Appendix 1 - Petitions Scheme

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Petition Scheme

Peterborough City Council

Part 5 Section 9 – The Petition Scheme

1. Introduction

- 1.1 Peterborough City Council is always interested in feedback on our services and ideas for improvement.
- 1.2 There are local public consultations into matters affecting our city and details can be found on our website <https://www.peterborough.gov.uk/council/consultations/>.
- 1.3 Our public meetings are published on our website at <https://www.peterborough.gov.uk/council/council-meetings/> and displayed in the noticeboards outside the Town Hall and Bayard Place. Please contact Democratic Services on 01733 747474 or email democratic.services@peterborough.gov.uk for further information.
- 1.4 Often a telephone call or email is all it takes to get a matter investigated and our Customer Services Team can be contacted on 01733 747474 or by email at customer.services@peterborough.gov.uk. Your enquiry will be directed to the relevant department. They will listen to your concerns or suggestions, try to resolve them and explain the current situation. This will achieve the fastest response.
- 1.5 A petition to the council should only be considered when all other avenues have been exhausted. This section of the constitution sets out what makes a valid petition, how to get the petition to the Council and what the Council will do once a petition is received.

2. Petitions that Cannot be Dealt with Through this Scheme – Planning and Licensing Decisions

- 2.1 The following matters are excluded from this petition scheme:
- Any matter relating to a planning decision, including a development plan document or community infrastructure levy (a new local levy that authorities can choose to introduce to help fund infrastructure in their area.)
 - Any matter relating to an alcohol, gambling or sex establishment licensing decision.*

* A 'Licensing Decision' is:

- Any decision in relation to an application for the grant, variation or review of any authorisation under Part 3 or 4 of the Licensing Act 2003 (premises licences and club premises licences) or any hearing or appeal in respect of any such application.
- Any decision in relation to the application for the grant, renewal or transfer of a licence under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (control of sex establishments), a request for the variation of any term, condition or restriction contained in such a licence or the revocation of such a licence.
- Any decision in relation to any application for a licence, permit or registration under the Gambling Act 2005, a request for a variation of any term, condition

or restriction associated with any such licence, permit or registration or the revocation of any such licence, permit or registration.

2.2 However, a petition that alleges a systematic failure to deliver services in the above areas is within the scope of this scheme (e.g. while a petition on an individual planning application could not be taken, a petition about the Council's failure to deliver an effective service for planning applications would be within the scope of this scheme).

2.3 Comments and inquiries on licensing and planning applications including appeals should be made to licensing@peterborough.gov.uk and planningcontrol@peterborough.gov.uk respectively or by telephone to 01733 747474 and asking for either the Licensing or Planning Department.

3. Guidelines for Preparing a Petition

3.1 To qualify as a petition the submission must meet certain criteria. The petition must:

- Clearly state the concern or problem to be addressed.
- Clearly state what the Council is being asked to do.
- Must be relevant to a function that the Council has a responsibility for and/or directly affects Peterborough inhabitants.
- State who the lead petitioner is and include their contact details.
- Must not concern a planning or licensing application.
- Must not be similar to, or a duplicate of a petition submitted within the previous 12 months. Past petitions can be viewed on our website <https://www.peterborough.gov.uk/council/consultations/petitions/>.
- Contain at least 20 names, address and signatures of people living, working or studying in the area.

3.2 If the petition does not contain 20 signatures it can still be considered if the issue relates to a small local area and is signed by the majority of people affected. Further information is available from Democratic Services, Town Hall, Bridge Street, Peterborough PE1 1HG 01733 747474 or by emailing petitions@peterborough.gov.uk

3.3 The address given by those signing the petition must be within the Peterborough City Council area. People who work or study in Peterborough and are affected by the subject of the petition must use the address of their place of work or study to be counted. Email address are also required for online petitions. More information on e-petitions submitted online via the Peterborough City Council website can be found in section 4.

3.4 Petitions will not be considered if they are:

- Abusive.
- Vexatious (intending to cause only annoyance, frustration or worry)
- Presented for the purpose of making mischief.
- Relates to a function the Council is not responsible for and/or could not influence.
- Otherwise inappropriate.

3.5 Reasons for rejection will be given to the lead petitioner in writing or by email where possible.

- 3.6 During the period before an election or referendum, known as Purdah, it could be necessary for a petition to be dealt with differently. Should this happen a full explanation will be given including any anticipated timescales.

4. E-petitions

- 4.1 Online petitions are the easiest way to submit a petition and can be created online via our website using the link:
<https://www.peterborough.gov.uk/council/consultations/petitions/>.
- 4.2 The petition organiser will need to register using their own name, address and email address.
- 4.3 The petition must give a clear indication of the issue and the action required by the Council and comply with the petitions criteria set out in item 3.
- 4.4 The lead petitioner will decide how long the petition will remain open and available for signature.
- 4.5 The petition will be published on the Council website within five working days.
- 4.6 Should the petition not be suitable for publication the Council will contact the lead petitioner and will give advice on how the petition could be adapted and re-submitted. If the petition is not re-submitted within ten days the details will appear on our website and the status classified as “Rejected” or “Invalid”.
- 4.7 Once an e-petition has closed for signature Democratic Services will automatically be notified. There is no need for the lead petitioner to contact them separately.
- 4.8 E-petitions are signed by visiting our website <https://www.peterborough.gov.uk/council/consultations/petitions/> where current e-petitions are available to sign online. A name, postcode and email address will be required and an email will be sent to the email address given to complete the process. It is important the information given is accurate.

Caution: there are some online petitions which will not be accepted by this Council as they do not comply with the terms of our scheme. If you are in any doubt and require advice please contact us at petitions@peterborough.gov.uk or 01733 747474 and ask for Democratic Services and we will be happy to help.

5. Paper Petitions

- 5.1 Petitions can be collected on paper and a template is included at Appendix 1. Using the template will ensure all relevant information is included.

6. Delivering a Petition to the Council

- 6.1 E-petitions created through our website are automatically sent to us once the time limit set for the petition has expired and there is no need for you to take further action at this stage as we will contact you within 5 days of the petition closing.
- 6.2 A paper petition can be presented to the Council in several ways:
- It could be delivered by post to Democratic Services, Town Hall, Bridge Street, Peterborough PE1 1HG.
 - It could be handed in at the Town Hall.
 - It could be handed to a Councillor.
The contact details of all Councillors can be found on our website at: <http://democracy.peterborough.gov.uk/mgMemberIndex.aspx?bcr=1>
 - It could be emailed to petitions@peterborough.gov.uk.
 - It could be delivered in person at a meeting of the Full Council or Cabinet. *Dates of the Council meetings are on the Council's website and displayed on the notice boards outside the Town Hall and Bayard Place. Council meetings take place approximately every six weeks. Details can be found at <http://democracy.peterborough.gov.uk/ieDocHome.aspx?bcr=1>. Democratic Services must be informed 10 working days before the meeting of your intention to present a petition. Full details must be received in writing or by email to petitions@peterborough.gov.uk by 12:00 noon on the working day before the meeting.*
- 6.3 If delivered a meeting the lead petitioner can present the petition themselves or ask someone else, such as a Councillor, to do so on their behalf. An officer in Democratic Services will be available to talk through the process beforehand.
- 6.4 The lead petitioner or their representative will have one minute to present the petition to the Council. The petition will be received without comment.

7. What Will the Council do when a Petition is Received?

- 7.1 An acknowledgment will be sent to the lead petitioner by letter or email within five working days of receipt. This will provide details of what we intend to do with the petition and when further information can be expected.
- 7.2 If the petition does not comply with the criteria set out in section 3 and the Council is unable to proceed, an explanation will be given in the acknowledgment letter. The petition will be published on the website with the status "Invalid" or "Rejected" together with a copy of the letter to the lead petitioner explaining why this decision has been taken.
- 7.3 The petition will be published on the Council's website unless it is inappropriate to do so.

- 7.4 A response will be provided to the lead petitioner within 15 working days of the acknowledgment being sent and a copy will be published on our website.
- 7.5 A petition containing over 50 validated signatures will be eligible for submission to the Cabinet or Scrutiny Committee alongside or in advance of the business the petition is seeking to influence. This option will be offered after the response letter is received as it might not be necessary if the Council is able to comply fully with the wishes of the petitioners.
- 7.6 A petition containing over 500 validated signatures will be eligible to be discussed at a meeting of the Full Council, Cabinet or Scrutiny Committee. This option will be offered after the response is received as it might not be necessary if the Council is able to comply fully with the wishes of the petitioners.
- 7.7 The lead petitioner will be contacted after the response has been sent and asked if they wish to take one of these options.
- 7.8 Any petition to be debated at a Scrutiny Committee, Cabinet or Full Council meeting must relate to a matter on which the Council can take action, to be determined by the Monitoring Officer.

8. Full Council Debates

- 8.1 If a petition contains more than 500 signatures from people who live, work or study in the Peterborough area, it is eligible for debate at a meeting of the Full Council. If the lead petitioner chooses this option the petition will be discussed at the next Council meeting. The following protocol will apply:
- 8.2 The Mayor will lead the debate. There is a 45 minutes time limit on the discussion of an individual petition. At the end of this period Council will move immediately to the remaining votes without debate.
- 8.3 The lead petitioner, or their representative, will have five minutes to present their petition to the meeting to begin the debate. Times are strictly controlled and it is recommended to have a speech prepared in advance to ensure all relevant points are expressed.
- 8.4 The relevant Cabinet Member will be offered the opportunity to propose a course of action (propose a motion) which could be one of the following:
- To take the action requested in the petition if it is possible to do so.
 - To refer the petition to either Cabinet, a Cabinet Member or the relevant Scrutiny Committee for consideration having regards to the comments made in the debate.
 - To note the petition and comments but take no action for the reasons given in the debate.
- 8.5 The Mayor will ask for a seconder for the proposed motion.

- 8.6 The Mayor will then ask if there is an alternative course of action and each proposed alternative will need to be seconded.
- 8.7 All proposals must be provided in advance by Members to Democratic Services by 12noon on the day before the meeting.
- 8.8 Members will then debate the first proposal moved by the Cabinet Member, following the normal rules of debate.
- 8.9 When the debate has finished the Mayor will offer the lead petitioner, or their representative, the “right of reply”. They can respond to any matters raised, speaking for up to three minutes.
- 8.10 The Mayor will then offer the “right to reply” to the relevant Cabinet Member.
- 8.11 If only one motion has been proposed and seconded the Mayor will call for a vote on that motion which can be either carried or defeated.
- 8.12 When more than one motion has been proposed and seconded, the Mayor will only move on to the debate for subsequent motions if the first motion is defeated in the vote. Each subsequent motion will be debated in the format set out above and voted on in turn until a motion is carried and an outcome achieved.
- 8.13 If no proposals are agreed, the Mayor will move that the petition be noted.
- 8.14 The lead petitioner will be notified of the outcome of the debate in writing or by email within five working days.

9. Outcome

- 9.1 The lead petitioner will receive a written response by letter or email confirming the action the Council intends to take with a full explanation.
- 9.2 The Council’s website will be updated to indicate that a decision has been taken and the petition status will be updated to reflect this.
- 9.3 A copy of the response will be published on the council website.

Further information about the Council, its services and meetings are available on our website at www.peterborough.gov.uk

Appendix 1
Peterborough City Council Petitions Scheme Template

Those signing this petition must live, work, or study in the Peterborough area to be validated as a signatory. Those living outside the area can also sign the petition and will be taken into consideration but will not be counted. Further details can be found on the Peterborough City Council website

<https://www.peterborough.gov.uk/council/consultations/petitions/>

Petition Subject:
By signing this form we ask that the Council take the following action:
Lead petitioner (who must live, work or study in Peterborough) Name: Address: Telephone number: Email address:

	Name	Address	Signature
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COUNCIL	AGENDA ITEM No. 9(e)
12 DECEMBER 2018	PUBLIC REPORT

EXECUTIVE AND COMMITTEE RECOMMENDATIONS TO COUNCIL

(e) WHISTLE BLOWING POLICY

The Constitution and Ethics Committee at its meeting on 29 October 2018, received a report on the Council’s Whistle Blowing Policy.

The Constitution and Ethics Committee considered the report and recommendations contained within the report to Full Council.

IT IS RECOMMENDED that Council amend the constitution to pass the delegated responsibility for the council’s whistleblowing policy and oversight from the Constitution and Ethics Committee to the Council’s Audit Committee.

The original Constitution and Ethics Committee report follows.

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CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 6
29 OCTOBER 2018	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance and Monitoring Officer	
Cabinet Member(s) responsible:	Councillor Seaton, Cabinet Member for Resources	
Contact Officer(s):	Fiona McMillan, Director of Law and Governance and Monitoring Officer	Tel. 452361

TRANSFER OF DELEGATED RESPONSIBILITY FOR THE COUNCIL'S WHISTLEBLOWING POLICY

R E C O M M E N D A T I O N S	
FROM: Fiona McMillan, Director of Law and Governance and Monitoring Officer	Deadline date: N/A
It is recommended that the Constitution and Ethics Committee recommend to Full Council that the constitution is amended to pass the delegated responsibility for the council's whistleblowing policy and oversight from the Constitution & Ethics Committee to the Council's Audit Committee.	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Constitution and Ethics Committee following a referral from the Monitoring Officer.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to Consider the transfer of its current constitutional responsibility for the council's whistleblowing policy to the council's Audit Committee.

2.2 This report is for the Constitution & Ethics Committee to consider under its Terms of Reference No. 2.7.2.4

Authority to approve any changes regarding the Council's Whistle-Blowing policy and arrangements.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

4.1 There is currently an overlap in the Council's constitution regarding responsibility for whistleblowing reports and oversights of the whistleblowing policy.

4.2 The Constitution and Ethics Committee has '**Authority to approve any changes regarding the Council's Whistle-Blowing policy and arrangements**' (Part 3, section 2.7.2.4 of the constitution) whilst the Audit Committee's delegated authority includes (Part 3, section 2.2.2.13) '**To monitor council policies on "raising concerns at work" and anti-fraud and anti-corruption policies, including the Council's complaints process**'.

4.3 The Council's current Whistle-Blowing policy was last updated in January 2017 and is reported upon annually by the Audit Committee as part of the Annual Fraud and Investigations report. This falls as part of the remit for the Chief Internal Auditor and the directorate of Acting Director Corporate Resources.

4.4 It appears there is an overlap between the remit of two committees on 'raising concerns at work' and 'whistleblowing'. It would be logical for any reports to be presented to the Audit Committee instead of Constitution & Ethics Committee. This will reflect the new policy and procedures and the current working practice and avoid an overlap of roles in future. This also the policy followed at Cambridgeshire County Council.

5. CONSULTATION

5.1 Consultation with the Chairman of the Audit Committee has taken place to inform him of the suggested approach.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 That the streamlining of reporting will be simplified and reporting will be presented to the correct forum.

7. REASON FOR THE RECOMMENDATION

7.1 If the Committee is in agreement the recommendation is to delete the delegated authority in Part 3, Section 2.7.2.4 Responsibility for Functions in the constitution relating to the Constitution and Ethics Committee's in relation to "Authority to remove any changes regarding the Council's Whistle-blowing policy and arrangements".

7.2 The delegation can then be added to the delegated authority for Audit Committee in Part 3, Section 2.2.2 after "to monitor council policies on "raising concerns at work".

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 The alternative would be to keep the Whistle-blowing policy as part of the remit of the Constitution & Ethics Committee, however this would likely result in an overlap of reporting on the policy.

9. IMPLICATIONS

Financial Implications

9.1 None.

Legal Implications

9.2 Although there is no legal impact, the policy will be presented to a more appropriate Committee going forward.

Equalities Implications

9.3 None

10. BACKGROUND DOCUMENTS

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

10.1 Cambridgeshire County Council Constitution

11. APPENDICES

11.1 None

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COUNCIL	AGENDA ITEM No. 9(f)
12 DECEMBER 2018	PUBLIC REPORT

EXECUTIVE AND COMMITTEE RECOMMENDATIONS TO COUNCIL

(f) CIVIC PROTOCOLS

The Constitution and Ethics Committee at its meeting on 29 October 2018, received a report on updates to the Civic Protocol.

The Constitution and Ethics Committee considered the report and recommendations contained within the report to Full Council.

IT IS RECOMMENDED that Council approves the updated Civic Protocols as attached at Appendix 2 subject to the correction of typographical errors and the alteration of wording around companions to the Mayor to refer to male companions as ‘Consort’ and female companions as ‘Mayoress’.

The original Constitution and Ethics Committee report and appendix follow.

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CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 7
29 OCTOBER 2018	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance and Monitoring Officer	
Cabinet Member(s) responsible:	Cllr David Seaton - Cabinet Member for Resources	
Contact Officer(s):	Rachel Edwards, Head of Constitutional Services	Tel. 452277

CIVIC PROTOCOL - UPDATES

RECOMMENDATIONS	
FROM: Fiona McMillan, Director of Law and Governance and Monitoring Officer	Deadline date: N/A
<p>It is recommended that the Constitution and Ethics Committee agree to recommend to Full Council the updated Civic Protocols as attached at Appendix 1.</p>	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Constitution and Ethics Committee following a request from the Director of Law and Governance and Monitoring Officer.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to update the existing Civic Protocol (attached at **Appendix 1**) to bring it in line with other updates to existing codes of practice and changes to the Council's constitution.
- 2.2 This report is for the Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.1

Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution (including the codes and protocols) subject to the receipt and consideration of a report prepared by the Monitoring Officer, with the exception of those matters under the remit of the Executive.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	
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4. BACKGROUND AND KEY ISSUES

- 4.1 The Civic Protocol was last updated in 2010, it is therefore appropriate to undertake a review in order to bring the Protocol up to date.

4.2 As part of the drive to modernise and make the Constitution more easily understandable for Members and the Public the Civic Protocol is deemed in need of review.

5. CONSULTATION

5.1 The Mayors Office and Head of Constitutional Services have been notified.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 The Committee will recommend to Full Council to adopt the updated Civic Protocol.

7. REASON FOR THE RECOMMENDATION

7.1 To ensure that the Civic Protocol is up-to-date.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 Do nothing but that would leave the Protocol in an outdated format.

9. IMPLICATIONS

Financial Implications

9.1 None

Legal Implications

9.2 None

Equalities Implications

9.3 None

10. BACKGROUND DOCUMENTS

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

10.1 Council's Constitution.

11. APPENDICES

11.1 Appendix 1 - Part 5, Section 6 Council Constitution



Peterborough City Council
Civic Protocol

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Contents

Section

- 1 The importance of the Council's mayoralty and civic service
- 2 The Mayor's statutory role
- 3 The Mayor's civic role
- 4 How the Mayor is appointed
- 5 The Mayoress or Consort
- 6 The Deputy Mayor and Deputy Mayoress or Consort
- 7 The Mayor's Chaplain and Cadet, and the Town crier
- 8 Civic insignia
- 9 Formal address and orders of precedence
- 10 The Council's programme of civic events
- 11 Civic hospitality
- 12 Civic dinners
- 13 Civic gifts
- 14 European and other overseas links
- 15 Freedom of the City of Peterborough
- 16 The Mayor's charities and the Charity Committee
- 17 The Mayor's and Deputy Mayor's allowance
- 18 Administration and funding of the mayoralty and civic service

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Issue date March 2011
Version 003

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Civic Protocol

1. The importance of the Council's mayoralty and civic service

1.1 Peterborough City Council plays an important part in providing community leadership. The City Council recognises two key aspects to this: political leadership is provided through the Leader of the Council and other Cabinet Members who together form the Executive; while civic leadership is focussed upon the mayoralty, provided through the Council's civic service.

1.2 As Peterborough's 'first citizen', the Mayor acts as ambassador for the City Council, and also for Peterborough itself on the wider regional, national and international stage. By being an impartial figure, he or she can represent the whole community, regardless of differences. The Mayor can visit communities and business interests both in Peterborough and farther afield, representing the Council and the City, and he or she can also welcome delegates and visitors to the City Council on the community's behalf.

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1.3 The civic function provides an element of continuity in the community, even though the incumbent of the mayoralty may ~~change~~changes annually. It can act as a focal point for community celebrations and pride and also commemorations and shared sorrow. Civic events and hospitality are an important part of community life, enhancing its social fabric and helping to attract confidence in the City ~~as the place to be in the Eastern region~~—which brings benefits in terms of inward investment. The Council's ~~Civic~~Mayoral Services Team usually reviews with the Mayor ~~and~~ Chief Executive ~~and~~ Head of Constitutional Services annually, the content of the Council's civic programme to ensure that it retains its important traditions and continuity, while also adapting where appropriate so that it remains attractive and relevant to the community.

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2 The Mayor's statutory role

2.1 The primary duty of the Mayor is to act as chairman of Peterborough City Council and thus preside over meetings of the Council, in accordance with the Local Government Act 1972 which states:

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s3(i) - "The chairman (mayor) of a principal council shall be elected annually by the Council from among the councillors";

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s4(i) - "The election of the chairman (mayor) shall be the first business transacted at the annual meeting of a principal council".

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2.2 As chairman of Council, the Mayor's role is to ensure proper conduct of the Council meeting in compliance with the law and the Council's procedural rules for meetings. He or she is also required to:

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- determine whether urgent items may be considered at a Council meeting without prior notice;
- determine whether or not to call an extraordinary meeting of Council; and exercise, if they wish to, a second or 'casting vote' at Council in the event of an equal vote upon any issue.

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2.3 The Mayor is advised, in this function, by the ~~Solicitor to the Council and the~~ Chief Executive ~~or~~ Director of Legal and Governance ~~and the~~ Head of Constitutional Services.

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2.4 The Mayor is expected during their term of office to remain politically impartial. Councillors will support the Mayor in this, and respect his or her neutral position.

3 The Mayor's civic role

3.1 In fulfilling the role of Peterborough's first citizen, the Mayor is expected to speak and act for all of the diverse communities represented in Peterborough.

3.2 The Mayor will usually lead each of the civic events in the Council's annual programme. He or she also attends all events, wherever possible, to which the Council has been invited to send a civic representative. In particular, priority will be given to events involving the Lord-Lieutenant and those arranged by nearby local authorities to which the Council is invited to send a civic representative. the Council's key priorities is on supporting communities and promoting the City rather than merely attending other authorities "chain-gang" events. Where it is not possible for the Mayor to attend such an event, the Deputy Mayor will attend in his or her place. When considering attendance, the Mayor and Mayor's Officer Mayoral Services Manager will balance civic priorities against the need to honour prior engagements where possible.

3.3 When the Council requires a leading figure to be present at an event which it has organised in connection with the services which it delivers within the community – such as to open a new service or a festival – the Mayor will usually be invited to fulfil that role. If this is not possible, the Deputy Mayor will be invited. Where events are community-based, the officers arranging the event will usually invite ward councillors to attend. This would typically be undertaken by the organisers of the event not Mayoral Services.

3.4 If the Mayor accepts an invitation to attend a function in another local authority, it is courtesy to seek the consent of the Mayor or Chairman of that local authority if the invitation did not come from their civic office and to request permission for the wearing of chains at the event.

3.5 The Mayor is frequently invited to attend events in the community, such as openings and fund-raising events organised by voluntary organisations. There are also invitations to attend lectures, social events and so forth. Where possible the Mayor or Deputy will attend. However, the mayoral calendar is busy and this will not always be possible. The Mayor will, in deciding whether or not to accept an invitation, give priority to events described at section 3.2 above, and to those which promote Peterborough. He or she will also have regard to advice from the Mayor's Officer Mayoral Services Manager and to the date order in which invitations are received into the Mayor's Mayoral Office.

3.6 Once the Mayor is elected, he or she will discuss with the Civic Team Mayoral Services Manager and Head of Constitutional Services the coming year to plan ahead for civic events. The Mayor may also meet the Council's Corporate Management Team for the same purpose. He or she, and will take officers' advice about any issues or events arising that year which would particularly benefit from the Mayor's involvement, and it is usual for the Mayor to select one or more themes which they would like to focus upon during their mayoral year. These discussions will guide officers in identifying those events which the Mayor should participate in, and also help the Mayor and Mayor's Officer Mayoral Services Manager to assess which external invitations the Mayor should accept.

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3.7 ~~Where neither~~ ~~In addition to~~ the Mayor or Deputy Mayor ~~are able to attend~~ attending an event, ~~the organisers may be asked if the Council should be represented by another leading councillor or a chief officer.~~ ~~In such cases, the Leader of the Council, relevant~~ ~~it is also noted that other~~ Cabinet Member, Chief ~~Officer, Leader of the Council or Chief Executive~~ ~~or relevant Director may have been invited by the organisers of the event,~~ ~~and in some cases,~~ may be asked to ~~take their place~~ deliver speeches.

3.8 The Council's role in extending civic hospitality is described at section 11 below.

4. How the Mayor is appointed

4.1 The procedural rules set out in the Council's Constitution, governing the conduct of Council business, describe the procedure for identifying a 'Mayor-Elect' each year, to allow the person selected sufficient time to make adequate preparations for the year of office well in advance of actual election at the Annual Council Meeting. Councillors remain after the closure of a Council meeting early each New Year, for a private meeting of all members. The usual practice is for the Chief Executive to facilitate the meeting by inviting councillors to propose a candidate. This is usually done with a short speech, and duly seconded. Any further nominations are made in the same manner. The Chief Executive then invites councillors to vote for each candidate in turn. Thus the candidate most likely to receive Council's formal support at the Annual Council Meeting is identified, but the resulting nomination has no official status, no minutes are taken and the result is not binding upon the Annual Meeting.

4.2 ~~Prior to 1974, the former Peterborough~~ City Council ~~appointed~~ appoints Mayors on the basis of their length of service with the Council. ~~There is now no formula or pattern for the selection of Mayor.~~ The Council may take into account factors such as experience at chairing meetings, the need for the Mayor to have time to attend many day-time as well as evening appointments, and the range of duties which the Mayor will be required to undertake. It is also usual for the Mayor and Deputy Mayor to represent two different political parties, although this is not obligatory. ~~The Deputy Mayor may become Mayor the following~~ ~~Mayors serve a one year term of office.~~ ~~year, but again this is not obligatory.~~ ~~Mostly, a Mayor serves only one term but some Mayors at Peterborough have served for two consecutive years.~~

4.3 A Mayor's Induction pack is provided by ~~the Mayor's Office,~~ ~~Mayoral Services Manager~~ which explains the full range of issues with which the Mayor will become involved. ~~It is available for prospective candidates, and also for the newly appointed Mayor's guidance.~~

5. The Mayoress or Consort

5.1 It is usual for the Mayor to identify the person who will accompany them to all or most of the civic and social activities which they attend in their official capacity as Mayor. The choice of companion is entirely at the Mayor's discretion. A male Mayor's female companion is designated Mayoress, while a female Mayor's male companion is designated the Mayor's Consort.

5.2 The position of Mayoress or Consort is not provided for in law and therefore has no legal status. The Mayoress or Consort cannot represent the Mayor at city events; their role is to accompany and assist the Mayor. In the absence of the Mayor, this duty would fall to the Deputy Mayor.

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6. The Deputy Mayor and Deputy Mayoress or Consort

- 6.1 The Deputy Mayor will deputise whenever the Mayor is unable to carry out a mayoral duty. In particular, if the Mayor is not able to present at a Council meeting, the Deputy Mayor will take the chair. When the Mayor is present at Council, the Deputy Mayor will sit to the Mayor's side upon the dais in order to help the Mayor in chairing the meeting (for example, identifying councillors who wish to speak about an item under discussion).
- 6.2 The Deputy Mayor will also attend each of the events in the Council's annual civic events programme, forming part of the mayoral party. He or she will deputise for the Mayor at such events, in the Mayor's absence.
- 6.3 The Deputy Mayor will attend council-run or external events where possible, if the Mayor is unable to do so. In deciding whether or not to accept such invitations, the Deputy Mayor will have regard to the same advice and priorities as are indicated for the Mayor at paragraph 3.4 above.
- 6.4 Like the Mayor, the Deputy Mayor usually identifies a companion to accompany them to civic and social events attended in their official capacity as Deputy Mayor. A male Deputy's female companion is designated Deputy Mayoress, while a female Deputy's male companion is designated the Deputy Mayor's Consort.

7. The Mayor's Chaplain and Cadet, and the Town Crier

- 7.1 It is custom and practice for the Mayor to appoint a Chaplain. The appointment is honorary, is at the Mayor's discretion and has no official status. The Chaplain acts as spiritual adviser to the Mayor, says prayers before each Council meeting and attends major civic functions and dinners where he or she will be expected to say grace. The Chaplain will also make arrangements for the Mayor's Civic Service, held each year in the Mayor's own ward.
- 7.2 The Mayor may also consider appointing a Mayor's Cadet for their term of office. This will be young person from the army, naval-or, air force or police cadets, selected by the Mayor following nominations from the local defence force organisations. Like the Chaplain, the position of Mayor's Cadet is honorary, at the Mayor's discretion and has no official status. The Cadet, where appointed, will accompany and assist the Mayor at official functions, enabling a young representative to be present at civic events and also providing good opportunities for personal development for the cadet.
- 7.3 Peterborough's Town Crier is an honorary position. The Crier is chosen from candidates who come forward after public advertisement or notice, and is selected by the Leader of the Council usually after a public 'crying' competition. The appointment is generally continued from year to year, until the current incumbent stands down. ~~At the start of each municipal year the Mayor is asked to confirm whether or not he or she wishes to retain the Town Crier's services. If so, a small honorarium (determined by the Solicitor to the Council) is paid towards the Crier's expenses, and in return the Crier cries, upon request from the Mayor's Office, public information about council or civic events and the Mayor's charity events.~~ The Crier is expected to uphold the dignity of his or her office, but may also engage in other crying activities provided that these do not bring the office of Town Crier into disrepute.

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8. **The civic insignia**

8.1 Mayors in Peterborough wear a robe of office, together with a chain ~~and badge~~ of office on all formal ceremonial occasions. If the ceremony is out of doors, the Mayor will wear a hat, which in the case of a man is a black cocked hat and for a lady a black tri-corn hat. On normal day to day civic occasions, the Mayor and Mayoress will wear only the chain ~~and badge~~ of office. The Mayor is expected to wear the ~~roberobe~~ and chain of office for Council meetings, but if it is particularly hot, the ~~robe need not be worn~~ Mayor can adjourn the meeting and remove the robe.

8.2 If the Mayor accepts an invitation to attend a function in another local authority, it is courtesy to seek the consent of the Mayor or Chairman of that local authority to wear the chain of office if this is required.

9. **Formal address and orders of precedence**

9.1 In writing, and on formal occasions, the Mayor should be addressed as 'The Right Worshipful the Mayor of the City of Peterborough'. At all other times the correct form of address is 'Mr Mayor' if the holder of office is a man or 'Madam Mayor' if the holder of office is a woman (the use of Madam Mayor is at the Mayor's choice).

9.2 The precedence of the Mayor is set down under Section 3(4) of the Local Government Act 1972 which states "The Chairman of the District Council shall have precedence in the District, but not so as prejudicially to affect Her Majesty's royal prerogative."

9.3 The Lord Lieutenant, when present at a civic procession or royal occasion, takes precedence over the Mayor as the monarch's representative. The Deputy Lord Lieutenant of the County does not take precedence over the Mayor, unless he is deputising for the Lord Lieutenant. There are no clear rules in respect of the precedence of the High Sheriff, but general advice is that the High Sheriff's duties are largely restricted to judicial functions, so he or she does not represent the monarch in the same way as does the Lord Lieutenant. Therefore, if the High Sheriff is present at a city occasion, he or she should yield precedence to the Mayor. The precedence of other office holders is very much based upon guidance available in books of etiquette, together with local tradition.

9.4 ~~The Chief Constable~~Where possible a Police Representative will normally lead the Mayoral Party processions and the order of precedence for the City of Peterborough for civic processions and royal occasions is as follows (see also paragraph 9.6 below):

The Lord Lieutenant The Mayor and Mayoress/Consort The Chief Executive and Leader of the Council The Deputy Mayor and Mayoress/Consort Any Minister of the Crown present* The High Sheriff Members of Parliament (Privy Councillors have precedence)** <u>Elected Mayor</u>	(This group forms the mayoral party)
<u>Serving Military Representatives</u> <u>Police & Crime Commissioner</u> <u>Police and Fire</u>	

<p>Honorary Freemen of the City (representatives of organisations which have received this honour will follow individual freemen)</p> <p><u>Past Mayors</u></p> <p>Chief Constable and Chief Fire Officer</p> <p>Visiting Chairmen</p> <p>Visiting Mayors (these may come later in the procession, after city councillors, in cases where a large number of visitors are present)</p> <p>Past Mayors</p> <p>Leader of the Council</p> <p>Cabinet Members</p> <p>Group Leaders</p> <p>Other city councillors and city council officers</p> <p>Other guests</p>	
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* Where it is customary to include local Members of Parliament (MPs) in the order of precedence for a civic procession, most local authorities place them between the mayoral party and councillors. This is the case in Peterborough. However, if an MP is a Minister of the Crown, he or she is included in the mayoral party.
** Where an MP is a Privy Councillor, he or she takes precedence over other MPs.

9.5 Any civic procession is led by the Mayor's Attendant Services Assistant carrying the mace, preceded by a police representative where necessary.

9.6 During a royal visit to Peterborough, the order of presentation to the royal visitors by the Lord Lieutenant shall be determined by Her Majesty the Queen. The City Council will usually be consulted by the Lord Lieutenant's office prior to the visit in order to advise Her Majesty. The City Council will usually recommend the following:

<p>Lord Lieutenant and partner</p> <p>High Sheriff and partner</p> <p>Mayor and Mayoress/Consort</p> <p>Chief Executive and partner</p> <p>Deputy Mayor and Mayoress/Consort</p> <p>MPs and partners (Privy Councillors have precedence)</p>	(This group forms the mayoral party)
<p>MEP & partner</p> <p>Leader of the Council</p> <p>Chief Constable and partner and Chief Fire Officer and partner</p> <p>(After these presentations, the Lord Lieutenant will present the principal organiser of the event)</p>	

Apart from the lead from the Lord Lieutenant & High Sheriff – other order to be same as above.
On the occasion of a royal visit to Cambridgeshire, which includes Peterborough, then the Cambridgeshire County Council chairman will also be presented.

10. The Council's programme of civic events

10.1 The Council organises or participates in a series of major civic events which occur each municipal year. These are indicated below:

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Part 5, Section 6 – Civic Protocol

Annual programme of civic events	Usual time of year	Principal organisation(s)
<p>Mayor Making and Annual Council Meeting</p> <p>(This includes the ceremonial investiture of the Mayor, and an event in honour of the retiring <u>retiring Mayoral Party</u> and new Mayors).</p>	May	<p><u>Peterborough City Council</u> <u>Mayoral Services liaising with Democratic Services</u></p>
<p><u>Past Mayor's Dinner</u></p> <p>(There is an expectation that all Members of the Council will support the Past Mayor's Dinner and if unable to attend, will be encouraged to make a financial contribution).</p>	May	<p><u>City Council</u></p>

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Annual programme of civic events	Usual time of year	Principal organisation(s)
Cathedral Civic Service (To install the Mayor in his/her seat in the Cathedral. Also an opportunity to formally seek spiritual blessing and guidance for the new Mayor throughout their term of office.)	June	Cathedral Peterborough City Council Mayoral Services liaising with Cathedral
Town Hall 'Open Day' (An opportunity for any member of the public to visit the Town Hall, meet the Mayor and see displays about the Council's role and services. Light refreshments are served, where possible by pupils from a senior school in the Mayor's ward.)	June	Peterborough City Council Mayoral Services
The Mayor's Civic Service (A service at a place of worship in the Mayor's own ward.)	Usually September, but timing is at the Mayor's discretion	Peterborough City Council/the Mayor's selected place of worship Mayoral Services in liaison with nominated Church
Traditional opening of Bridge Fair (The Mayor opens the fair at Pleasure Fair Meadow The Embankment, and the fair master takes the mayoral party and guests – including mayors from other local authorities in the area - on a tour of the fair; afterwards, guests are traditionally invited to join a 'sausage supper' at the Town Hall, the proceeds of the tickets for which go to the Mayor's charity fund.)	First Tuesday in October	Peterborough City Council Mayoral Services

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Annual programme of civic events	Usual time of year	Principal organisation
<p>Remembrance Sunday Service and Parade</p> <p>(The service is preceded by a military and civic procession from the Town Hall to the cathedral, where wreaths are laid at the war memorial prior to the service, and followed by a military parade with a march past the Town Hall at which the mayoral party takes a salute outside the Town Hall. The civic procession follows back to the Town Hall, and a wreath above the Town Hall front door is unveiled. The service and parade are organised by the Royal British Legion and the cathedral, but the City Council is also an important participant and hosts the planning meetings required for each event.)</p>	<p>November</p>	<p>The wreath laying service and civic procession is organised by the Mayoral Services Team in liaison with the Royal British Legion/ and the Cathedral/ City Council.</p>
<p>Two Minutes' Silence</p> <p>(A short service takes place at 11am on Armistice Day at the Guildhall and Cathedral Square War Memorial. It is preceded and followed by a civic procession to and from the Town Hall. The vicar of St John's Church presides at the service, and is joined on the Guildhall steps by the mayoral party and the President of the Royal British Legion. Rocket maroons mark the silence. As with Remembrance Sunday, the service is organised by the Royal British Legion and the cathedral, but the City Council is an important participant and provides the rocket maroons for the event.)</p>	<p>November</p>	<p>Organised by the Mayoral Services Team in liaison with Royal British Legion/ Cathedral/ City Council representatives</p>
<p>Katherine of Aragon's Memorial</p> <p>(A service based around Katherine's tomb in the cathedral, involving schools and International Links.)</p>	<p>January</p>	<p>City Council.</p>
<p>Holocaust Memorial Day</p> <p>(A local event linked to this national day, often comprising a museum exhibition and an outdoor service representing as many of Peterborough's communities as possible. Remembering past tragedies and promoting harmony and tolerance.)</p>	<p>January</p>	<p>Peterborough City Council, in partnership with community representatives There is an organising committee but all organisation via Mayoral Services</p>

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<p>The Mayor's Ball</p> <p>(This is the Council's major civic social event of the year, open to anyone upon purchase of a ticket. The proceeds go to the Mayor's charity fund. Fund raising activities associated with the Ball are the responsibility of the Mayor's voluntary Charity Committee, but the Mayor's Office Mayoral Services Team organises the Ball itself.)</p>	<p>March Now generally scheduled as the Mayor's Finale Ball</p>	<p>City Council Organised by Mayoral Services and supported by the Mayor's Charity Committee (jointly) Charities.</p>
<p>ANZAC Day</p> <p>(Visit to Sgt Hunter's grave to commemorate the involvement of the Australian & New Zealand Army Corps in World War 1.)</p>	<p>April</p>	<p>Royal British Legion/ City Council</p>

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10.2 Other civic events may be arranged during the year and include Fly the Flag events for the Commonwealth, Armed Forces, Red Ensign (Navy). This can include, for example, parades or civic receptions for visitors or events of major significance (such as a visit from the civic party representing one of the Council's twinned authorities), or associated with the opening of a major festival. It is usual for any significant funding of such events to be provided by the relevant service department of the City Council, depending upon which department is the lead organiser of the occasion. However, the Mayor's Office will assist with ensuring The Mayoral Services Team will ensure that the Mayor and guests are invited and will also arrange any reception required at the Town Hall.

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10.3 A Freedom Parade may be requested by a military organisation which holds the freedom of the city of Peterborough, when it wishes to exercise its right to march through the city. Such a parade would be organised by the organisation, but hosted by the Peterborough City Council which will join in the planning of the event. If the City Council decides to award the honorary freedom of the city or alderman status to a person or organisation, this will involve a special Council meeting to determine whether or not to award the honour, followed later by a ceremony to make the award which will be arranged by the Council's Mayoral Services Team in conjunction with the recipient of the honour.

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11. Civic hospitality

11.1 Civic hospitality, such as light refreshments, may be offered to councillors and guests after council meetings and civic events, and when the Mayor receives visitors in the Mayor's Parlour. This would usually arise on occasions such as those which promote Peterborough, or which reciprocate civic hospitality extended to Peterborough's representatives upon an earlier visit elsewhere, or which recognise important voluntary work for the benefit of Peterborough's citizens.

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11.2 Such hospitality will usually be organised and funded by the Council's civic Mayoral Services budget, but significant commitments instigated by a service department would require support and contributions from the lead service department. The civic Mayoral hospitality budget and programme are managed by the Solicitor to the Council, Head of

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Constitutional Services and Mayoral Services Manager, in consultation with the Leader of the Council and the Chief Executive, who may be requested to approve funding for special events over and above the civic hospitality cash limited budget when this would be in the best interests of Peterborough. Any other civic hospitality commitments that the Mayor wishes to incur will be met by the Mayor personally.

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11.3 Members of the public are able to write and request a tour of the Town Hall public rooms. ~~Council officers~~The Mayoral Services Team will accommodate such requests wherever reasonably possible. Upon such occasions, the ~~Mayor's Attendant or his/her nominee~~Mayoral Services Assistant will ~~act as host, accompanying~~ accompany the visitors and explaining the history of the public rooms and the Council's civic procedures. This activity is often associated with educational visits, by students or younger children. A small charge may be levied, to cover the Council's reasonable costs.

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12. Civic dinners

12.1 At formal civic dinners, guests are received at an opening reception by the Mayor and his or her consort, accompanied by the Deputy Mayor and his or her consort. ~~The Mayor's Attendant announces guests as they arrive.~~

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12.2 After the reception, guests are invited to the dining room. A seating plan will be pre-arranged by the Mayoral Services Team. At the top table, the principal guest will be seated at the Mayor's right while the Mayoress/Consort is placed at the Mayor's left. The principal guest's partner takes the seat next to the Mayoress/Consort.

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12.3 If the Mayor and Deputy Mayor are robed, while guests are moving from the reception to their seats the Mayor and Deputy may remove their robes. They will retain their chains of office, as will the Mayoress/Consort and Deputy Mayoress/Consort. When the Mayor and Mayoress/Consort are ready, the ~~Mayor's Attendant~~Mayoral Services Assistant will announce their arrival to the assembled guests and they will then be 'clapped' to their places.

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12.4 Prior to the guests being invited to sit down, the ~~Mayor's Attendant~~Mayoral Services Assistant will announce that the Mayor's Chaplain or other designated person will say grace. Guests will then sit and dinner will be served. Following the meal, ~~at about the coffee time,~~ toasts will be called. The first will be the 'Loyal Toast' to the monarch, proposed by the Mayor or the Leader of the Council. All present should be asked to stand and the Mayor/Leader will say "The Queen". No other names or persons are added to the 'Loyal Toast'. Other toasts will follow as listed in the printed menu.

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13. Civic gifts

13.1 It is common practice for the Mayor and Deputy Mayor to be given gifts when attending external functions in their official capacity. Gifts are also often exchanged when delegates visit Peterborough. It is custom and practice that the Mayor or Deputy Mayor receives such gifts on behalf of the City Council, and they are forwarded to the ~~Mayor's Attendant~~Mayoral Services Assistant for entry on the civic inventory and displayed as appropriate.

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13.2 Small gifts, such as badges or pens which are clearly indicated as a personal gift for the Mayor or Deputy Mayor, may of course be kept. They Mayor and Deputy should have regard to the Code of Conduct for Councillors when deciding whether to receive and keep such gifts, and should ensure that they are recorded in the hospitality register

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Part 5, Section 6 – Civic Protocol

as required by the code (currently, this requires as a minimum that all gifts valued at £25 or over should be recorded). Gifts which the Mayor or Deputy receive in their official capacity are recorded in a register held by the ~~Mayor's Officer~~ Mayoral Services Manager; any gifts received in their capacity as an elected councillor are recorded in the register applicable to all councillors, held by the ~~Solicitor to the Council~~ Director of Legal and Governance.

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13.3 The ~~Mayor's Officer~~ **Mayoral Services Manager** obtains civic gifts, as required, with agreement from the Head of Constitutional Services. These are used upon the following types of occasion:

Gift purpose	Typical example of a gift which may be given (this list is for guidance only)
To recognise the contribution of retired and non-elected councillors who have served for a considerable length of time or have served as Mayor;	Possibly a glass paperweight, crystal glasses, china plate or a crystal bowl bearing an inscription such as "For services to Peterborough City Council". The type of gift will reflect the length of service. For a particularly long-serving councillor, a specific gift with a personal engraving might be appropriate. The Mayor will be consulted about the gift to be offered.
Ambassadors and other visiting dignitaries representing a city elsewhere and gifts taken to the City Council's twinned and friendship cities during official visits	Possibly a clock or other suitable item, engraved with the Peterborough crest. The International Links Officer can advise about the appropriateness of the gift.
Presentations upon an occasion such as the wedding of an important local dignitary	Possibly a glass paperweight, crystal glasses, china plate or a crystal bowl bearing an inscription.
Small gifts for visitors such as volunteer organisations, youth organisations, etc	Badges, pens, Peterborough pennant, Peterborough literature, etc. Mayors Badges

13.4 The list above is not exhaustive. ~~Gifts are selected bearing in mind the appropriateness. The Head of the occasion, the Mayor's view, knowledge of gifts offered or received previously, current trends~~ **Constitutional Services** and so on. ~~The Council ensures~~ **Mayoral Services Manager ensure** that expenditure is controlled carefully, while ensuring that the dignity of the occasion and/or the contribution of the recipient is properly reflected.

14. **European and overseas links**

14.1 Peterborough has official 'twinning' (partnership) links with Bourges in France, Viersen in Germany, Alcalá de Henares in Spain, Forlì in Italy and Vinnitsa in the Ukraine. The Council also has a number of friendship links.

14.2 The Mayor, as the representative of the City, is often invited to attend civic ceremonial functions, business conventions, events and exhibitions in Peterborough's partner cities. ~~The Mayor is authorised to accept one civic/partnership invitation during the municipal year, from a twinned town (Bourges, Viersen, Forlì, Alcalá de Henares or Vinnitsa). These visits are able to be funded by the Council only when this is possible through the Council's twinning/international links budget, and the corporate civic budget does not cover this expenditure. (Although, a contribution from the civic budget could be sought in exceptional circumstances where insufficient funding is not available from the international links budget). Council funding will provide for appropriate transport to and from the event, for the Mayor and Mayoress/Consort, together with appropriate officer(s). The Council car and chauffeur will only travel abroad with the mayoral party if this would prove more cost-effective (taking into account all vehicle and officer costs) than travel by public transport or the accompanying officer's car. The Mayor may~~

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~~accept additional invitations to visit Peterborough's twin towns if they incur the costs personally and not through the twinning/international links budget or civic budget. The Mayor may be offered the opportunity to undertake a visit to one of the twinning Towns, which is determined by budget constraints. This is to be discussed with the Head of Constitutional Services and Mayoral Services Manager. The Mayor may accept additional invitations to visit Peterborough's twin towns if they incur the costs personally.~~

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14.3 In the event that the Mayor is unable to attend a civic/partnership invitation, reference should be made to Part 3 – paragraph 3.7: The Mayor's Civic Role, for the procedure to be followed.

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14.4 If an invitation to visit Peterborough is extended to a Mayor or other delegates from any of Peterborough's partner cities, on behalf of the Council, the general expenses of the visit will be funded from ~~both the budget approved for that purpose by the department or organisation delegated to deal with twinning issues-Mayoral Services Budget and other partner organisations.~~ On such occasions, the Mayor ~~is expected to may~~ host a civic reception for the visitors ~~and, the corporate civic-Mayoral Services budget will may~~ provide the funding ~~for one such reception per year – although a significant cost commitment may still require support - subject to budget constraints and contributions approval~~ from the ~~twinning budget~~Head of Constitutional Services and ~~officers-Mayoral Services Manager.~~

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15. Freedom of the City of Peterborough

15.1 Freedom of the City may be offered in accordance with the provisions of section 248 and 249 of the Local Government Act 1972. ~~This should be recommended to the Honour's Panel for a decision to be made.~~

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15.2 The freedom may be awarded to an individual or an organisation such as a local branch of a military organisation or a locally-based volunteer emergency service. It is awarded where the person or organisation has made a significant contribution to the social fabric or well-being of the citizens and city of Peterborough.

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15.3 Persons awarded the freedom, including leading representatives of organisations so honoured, are invited to all civic events organised by the Council and also to Mayor's charity events. They are invited to participate in civic processions, in the order of precedence indicated earlier in this protocol.

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15.4 In order to award the freedom, the Council must hold an extraordinary meeting convened for that purpose only. Should the Council receive a request or nomination for the freedom to be awarded, it is ~~usual for the Solicitor to the Council to first check informally with political Group Leaders whether such a proposal is likely to be supported in a formal Council meeting-the role of the Honours Panel to make the recommendation to Full Council.~~ The decision to award the freedom must, as a legal requirement, be supported by a majority of those present and voting. Once the decision has been made by Council, a separate ceremony will be arranged later to mark the presentation of the honour. This may include a freedom march, in the case of a military honour. ~~A scroll may be presented in a casket, or other suitable form of presentation adopted. A reception will be provided in the person or organisation's honour. The names of all freemen are recorded in a special book, held in the Mayor's Parlour. All recipients are noted on the plaque outside of the Council Chamber.~~

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Part 5, Section 6 – Civic Protocol

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15.5 Military organisations awarded the freedom may exercise the right to march through Peterborough. On such occasions, the Council will offer civic hospitality – referred to earlier in this protocol.

16. The Mayor’s charities and the Charity Committee

16.1 At the Annual Council Meeting, the Mayor will announce the charity or charities for which he or she will support and promote fundraising activities during the year. It is usual for these to be locally-based charities which are able to supply a small number of dedicated volunteers who can form the Charity Committee during that mayoral year together with a larger number of volunteers who can devote time to running ~~monthly coffee mornings and raffles and other fund raising events.~~ ~~An alternative can be for the Mayor to form a Charity Committee of volunteers who will support a ‘Mayor’s Community Chest’, which can then allocate the money which it raises to smaller local charities less able to provide volunteers for a fuller commitment and mayoral programme fundraising events.~~ ~~The Mayor of Peterborough Charities is now registered as a charity with the Charity Commission and Trustees need to be identified from the Committee and registered with the Commission.~~

16.2 It is the Mayor’s responsibility to convene his or her Charity Committee at the start the mayoral year – preferably, the committee members will have been identified earlier, once the Mayor-Elect is identified in January. At the inaugural meeting, the committee will appoint its chairman and secretary. The ~~Mayor’s Officer~~Head of Constitutional Services will give guidelines as to what is expected of the charity members and the ~~Mayor’s Officer~~Mayoral Services Team during the mayoral year.

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16.3 ~~The Mayor’s Officer will act as treasurer for the committee, and be the central co-ordinator for the committee’s charity events (including help with: booking caterers for events at the Town Hall; arranging for tickets and posters to be printed through the Council’s printing service; advertising the event by means of media releases, direct invitation to the civic address list and circulating event posters to councillors, staff and media; and issuing some event tickets).~~ ~~The Mayor’s Officer will not act as Charity Committee Secretary and cannot act~~The Mayoral Services Manager will act as ~~treasurer for the committee but cannot act as Charity Committee Secretary or~~ as lead organiser, as their focus is upon the Council’s civic programme and mayoral support rather than upon the Mayor’s charities. The ~~exception is~~Mayoral Services Team can provide assistance with printing of posters and tickets for charity event. However, the Mayor’s Ball ~~and~~ the Sausage Supper, ~~both and the Proms Concert~~, all of which are civic events planned, organised and co-ordinated by the ~~Mayor’s Officer~~Mayoral Services Team, even though the proceeds of them go to the Mayor’s charities.

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16.4 The Charity Committee will: organise and run their ~~coffee morning~~events; collect tombola and raffle prizes ~~for events; help to organise;~~ and ~~run events;~~ actively help to promote ~~events, seek sponsorship,~~ sell tickets and ~~promote events.~~ ~~seek sponsorship.~~

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16.5 The ~~Mayor’s Officer~~Mayoral Services Manager banks all monies received from ~~fund-raising~~fundraising events in the charity bank account, reports a statement of the account at each committee meeting and presents cheques to the Mayor’s chosen charities at the end of the ~~financial~~Mayoral Municipal year, usually at an informal presentation in the Mayor’s Parlour.

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17. The Mayor’s and Deputy Mayor’s allowances

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17.1 Sections 3(5) and Sections 3(4) of the Local Government Act 1972 provide for the Council to pay to the Mayor and Deputy Mayor respectively an allowance to help with the expenses incurred in fulfilling their office. The allowance is determined by Council, and the amount currently in force is stated in the Members' Allowances Scheme. Although not required by law, the Council may consult its independent **Members Allowances Remuneration** Panel as to the level of payment which is appropriate in each case; ~~this is not obligatory.~~

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17.2 The types of expenditure which Peterborough City Council expects its mayor's allowance, retained by the Mayoral Services Office to cover are: ~~clothing; travel (although the Mayor's car is used for official duties wherever possible); telephone calls and postage undertaken outside the Mayor's office; their consort's expenses; the provision of any free tickets which the Mayor wishes to offer to visiting mayors, charity committee helpers or other mayoral guests at Charity Committee events and the Mayor's Ball; any refreshments which the Mayor wishes to offer helpers at charity events; tickets for meals purchased for the Mayor and his or her consort as part of functions attended in the capacity of mayor (such as for a dinner); any other charity expenses not covered by the Charities Committee; the Mayor's tickets to his/her own charity events and the Mayor's Ball; the cost of their ward civic service and refreshments (but not: Any unused balance in this account at the cost of the cathedral civic service, which year-end is returned to the Council's hospitality budget would general fund); donations, raffle tickets, and prizes; and such like.~~

17.3 The Deputy Mayor's allowance is to cover their personal expenses, and those of their consort, similarly to the Mayor's allowance.

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17.4 An element of the allowance to the Mayor and Deputy Mayor is paid to them directly via their members' allowance, and this is intended to cover expenditure (such as clothing, ~~travel, telephone and items) which would be overly bureaucratic to administer through the Mayor's and Deputy Mayors' Account. The remainder is provided through the Mayor's and Deputy Mayor's Account; any unused balance in this account at the year-end is returned to the Council's General Fund-dry cleaning, travel, telephone, postage and purchase of items (i.e. raffle tickets when attending events).~~

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17.5 The Mayor's and Deputy Mayor's Allowances are identified at Part 6, paragraph 4, of the Constitution (Members' Allowances Scheme).

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18. Administration and funding of the mayoralty and civic service

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18.1 ~~The Solicitor to the Council is~~**The Head of Constitutional Services and Mayoral Services Manager** are responsible for civic and ceremonial matters, with the Chief Executive retaining an important leading role as Council's most senior officer.

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18.2 ~~The Mayor's Officer~~**Mayoral Services** runs the Mayor's office. This includes arranging civic and ceremonial events, keeping the Mayor's diary and accounts, assisting with the organisation of the Mayor's Charities, liaising with organisations and individuals on the Mayor's behalf and generally briefing, advising and supporting the Mayor and Deputy Mayor in carrying out their duties.

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18.3 The Mayor is also assisted by the ~~Mayor's Attendant~~ Mayoral Services Assistants who acts as City Mace Bearer. ~~The Mayor's Attendant accompanies~~ They also accompany the Mayor at Council meetings and ~~major~~ civic events, and when guests are received in the Mayor's Parlour. He or she is responsible for civic regalia, assists the ~~Mayor's Officer~~ Mayoral Services Team in providing civic hospitality and also hosts visitors such as students who visit the Town Hall on educational visits to learn about its history and the Council's civic procedures.

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18.4 The ~~Mayor's Attendant~~ Mayoral Services Assistant is responsible for transporting the Mayor in the mayoral car for official ~~mayoral~~ duties. Every effort is made to make maximum use of the vehicle so, as far as is possible, the mayoral car is also used for transporting the Deputy Mayor upon official business - although the Mayor's use takes precedence and alternative transport is sometimes necessary for the Deputy Mayor. The car is not used by the Mayor or Deputy Mayor's consorts, except when associated with accompanying the Mayor or Deputy on official business. Wherever possible, the mayoral party travels together in order to avoid the need for several separate journeys to and from events. It is the ~~Mayor's Officer's~~ Mayoral Services Manager's responsibility to schedule the use of the car, ~~in consultation with the Mayor's Attendant as necessary.~~ The Chief Executive is authorised to replace the vehicle every five years, or ~~at a shorter interval,~~ in accordance with the leasing arrangements and this should ~~this~~ be the most cost effective option for the Council. The following guidelines will be applied in respect of procuring a replacement:

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~~a) The vehicle will be commensurate with the status of the First Citizen;~~

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~~b)a) _____ The vehicle will be at the lower end of the emissions scale for cars of that type;~~

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~~e)b) _____ The vehicle will, if possible, be generally regarded as 'British' or with British connections;~~

~~d) Any extra features of the vehicle will be relevant to the position and status of the Mayoral car as appropriate.~~

18.5 At major events, assistance is also provided by the Beadles. In particular they assist with security and also civic hospitality.

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18.6 The Council's corporate civic budget is controlled by the ~~Solicitor to the Council~~ Head of Constitutional Services and managed on a daily basis by the ~~Mayor's Officer~~ Mayoral Services Manager. The account covers civic hospitality as described at section 11 above, the Mayor's and Mayor's Office expenses, funding of ~~major~~ civic events, civic gifts, maintenance of civic insignia and other such civic expenses. ~~Other civic receptions are funded by the relevant lead service department. The use of civic funds and other resources is controlled by officers in consultation with the Mayor where this is appropriate and in accordance with these protocols and the Council's procedural rules, because the mayor has no legal 'executive' authority to determine such matters. For example, the Mayor's Officer will book caterers for civic events after seeking quotations as required by financial procedural rules, while the Mayor's Attendant controls the supply of drinks or food made available for civic hospitality. The Mayor may not make any executive decisions other than those connected with the statutory functions described at section 2 above. In the event of any uncertainty about an appropriate course of action, or the availability of funding for a requested civic event or expense, the Solicitor to the Council will consult the Leader of the Council as necessary.~~

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~~car parking space is required to be cordoned off in the Car Haven car park for civic guests, the cost of lost parking income will be charged to the civic account and road closures.~~ In order to minimise such costs, use of cordoned car parking space permits will be restricted to major civic events ~~only, and usually only those which occur in working hours (namely the annual Open Day, and any mid-week freedom parade).~~ Other civic expenses will be kept to a minimum consistent with maintaining appropriate standards.

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18.8 At the close of each mayoral year, the ~~Mayor's Officer~~ Mayoral Services Manager will arrange for the Mayor's name to be engraved on the plaque upon the wall outside the Mayor's Parlour. A portrait photograph of the Mayor, and his or her consort at the Mayor's discretion, will also be obtained and hung in the Parlour. ~~Where a Mayor serves more than one year, only one engraving will be made and portrait hung, to cover the full term of office.~~

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18.9 Every year a full Council photograph will be taken prior to ~~the Annual~~ the Annual Council meeting; ~~the date being identified in consultation with the Mayor.~~ The current photograph will be displayed in the Town Hall and on the Council's ~~web site~~ website, and a selection of past photographs will also be displayed where space allows. ~~Other past photographs may be kept in an album in the Mayor's Parlour.~~

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COUNCIL	AGENDA ITEM No. 9(g)
12 DECEMBER 2018	PUBLIC REPORT

EXECUTIVE AND COMMITTEE RECOMMENDATIONS TO COUNCIL

(g) CORPORATE PARENTING CHAMPION PROPOSED NEW CHAMPION

The Corporate Parenting Committee at its meeting on 21 November 2018, received a report on the proposed new Champion for Corporate Parenting.

The Corporate Parenting Committee considered the report and recommendations contained within the report to Full Council.

IT IS RECOMMENDED that Council agree that the Committee's terms of reference is updated to allow the Committee to create and appoint to Corporate Parenting Champion positions on a yearly basis.

The original Corporate Parenting Committee report follows.

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CORPORATE PARENTING COMMITTEE	AGENDA ITEM No.
	PUBLIC REPORT

Report of:	Corporate Director People and Communities	
Cabinet Member(s) responsible:	Councillor Sam Smith, Cabinet Member for Children's Services.	
Contact Officer(s):	Myra O'Farrell, Head of Service	Tel. 864391

CORPORATE PARENTING CHAMPIONS REPORT

R E C O M M E N D A T I O N S	
FROM: Corporate Parenting Committee Chair	Deadline date:
<p>It is recommended that the Corporate Parenting Committee:</p> <ol style="list-style-type: none"> I. Recommend to Council that the Committee's terms of reference is updated to allow the Committee to create and appoint to Corporate Parenting Champion positions on a yearly basis; and II. Subject to Council approving the updated terms of reference, to create a new Champion position to support Effective Care Planning and appoint Councillor Dennis Jones to the position for the remainder of the 2018/2019 municipal year. 	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Corporate Parenting Committee following the recent request by the Committee to adopt a further Corporate Parenting Champion position for Effective Care Planning at its informal meeting held on 12 September 2018.

2. PURPOSE AND REASON FOR REPORT

- 2.1 This report asks the Committee to recommend to Council that the terms of reference are amended to allow the Committee to set their own Corporate Parenting Champion roles and appoint to those positions accordingly on a yearly basis.

- 2.2 Currently the Corporate Parenting Committee terms of reference 2.4.3.6 states that the Committee would appoint elected members as Champions for Children in Care in respect of the following strands:

- i) Housing
- ii) Employment and training opportunities within council departments and with partner agencies
- iii) Health
- iv) Educational Attainment and access to Higher Education
- v) Recreation and Leisure activities
- vi) Finance and benefits

2.3 The proposed change to the Corporate Parenting Committee terms of reference 2.4.3.6 states: That the Committee would appoint elected members to Champions for Children in Care, with the roles being decided and approved by the Committee at the first formal meeting of the municipal year.

2.4 Following the request by Committee, officers investigated the options and it was felt appropriate to recommend that the terms of reference be changed to allow the Committee to set its own Champion roles and appoint to those roles on an annual basis. The Committee's terms of reference would need to be updated to permit the positions and appointments.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

4.1 In July 2018 the Corporate Parenting Committee Champions for 2018 – 19 were confirmed as:

Champion Role	Councillor
Housing	Cllr Stokes
Employment and Training Opportunities within the Council Departments and Partner Agencies	Cllr Ayres
Health	Cllr Aitken
Education Attainment and access to higher education	Cllr Ayres
Recreation and Leisure activities	Cllr Smith
Finance and benefits	Cllr Bond

4.2 In between each Committee the Corporate Parenting Champion are responsible for the following:

- a) Meeting with the Lead Officer
- b) Undertaking a site visit
- c) Meeting with a child in care / young person / service user / other officers and discuss their experience of the service for Children in Care
- d) Contributing to a brief report back to the Committee, jointly between Champion and Lead Officer

Key Issues

4.3 Following a request to create an additional Champion position to support children in care and their families experiencing breakdown issues within foster placements; the Committee agreed that officers should explore the options to create a new position.

4.3.1 Officers explored the options and felt that it would be of more benefit to the Committee if they had the opportunity to set and appoint its own Champion positions, in order for the roles to effectively support children in care and care leavers where most needed.

5. CONSULTATION

- 5.1 Consulted with officers Corporate Parenting Committee at the informal meeting, which included the prospective nominee.
- 6. ANTICIPATED OUTCOMES OR IMPACT**
- 6.1 Ensure there is a more robust approach to supporting the experiences of children and young people in order to improve their lives.
- 7. REASON FOR THE RECOMMENDATION**
- 7.1 Champion appointments were requirement under the Committee's terms of reference.
- 8. ALTERNATIVE OPTIONS CONSIDERED**
- 8.1 To not appoint an 'Effective Care Planning' Champion - this was dismissed as it would not support children in care, care leavers and their foster families.
- 9. IMPLICATIONS**
- Financial Implications**
- 9.1 There are no financial implications arising from this report.
- Legal Implications**
- 9.2 There are no legal implications arising from this report.
- Equalities Implications**
- 9.3 There are no equalities implications arising from this report.
- Other Implications**
- 9.4 The appointment of Corporate Parenting Champions provides an opportunity to ensure that the level of service provided to Children in care and care leavers is to the highest standard.
- 10. BACKGROUND DOCUMENTS**
Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985
- 10.1 None
- 11. APPENDICES**
- 11.1 Appendix 1 - Corporate Parenting Committee terms of reference amendment.

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COUNCIL	AGENDA ITEM No. 9(h)
12 DECEMBER 2018	PUBLIC REPORT

EXECUTIVE AND COMMITTEE RECOMMENDATIONS TO COUNCIL

(h) PETERBOROUGH CITY COUNCIL BIODIVERSITY STRATEGY

Cabinet at its meeting on 19 November 2018, received a report on Peterborough City Council's Biodiversity Strategy.

Cabinet considered the report and recommendations contained within the report to Full Council.

IT IS RECOMMENDED that Full Council approve the Biodiversity Strategy.

The original Cabinet report and appendices follow.

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CABINET	AGENDA ITEM No. 8
19 NOVEMBER 2018	PUBLIC REPORT

Report of:	Simon Machen - Corporate Director of Growth and Regeneration	
Cabinet Member(s) responsible:	Councillor Peter Hiller - Cabinet Member for Growth, Planning and Economic Development	
Contact Officer(s):	Richard Kay – Head of Service - Sustainable Growth Strategy James Fisher – Wildlife Officer	Tel. 863795 Tel. 453543

PETERBOROUGH CITY COUNCIL BIODIVERSITY STRATEGY

RECOMMENDATIONS	
FROM: Corporate Director of Growth and Regeneration	Deadline date: N/A
It is recommended that Cabinet recommends the Biodiversity Strategy to Full Council for approval.	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet following consideration by the Growth, Environment and Resources Scrutiny Committee on 10 January 2018 and Cabinet 15 January 2018, prior to four weeks public consultation from 2 March to 29 March 2018.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to present the City Council's updated Biodiversity Strategy for the Cabinet to consider and if appropriate to refer it to Full Council for consideration as part of the major policy framework.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.1, '*To take collective responsibility for the delivery of all strategic Executive functions within the Council's Major Policy and Budget Framework and lead the Council's overall improvement programmes to deliver excellent services.*'

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	YES	If yes, date for Cabinet meeting	19 November 2018
Date for relevant Council meeting	12 December 2018	Date for submission to Government Dept.	N/A

4. BACKGROUND AND KEY ISSUES

- 4.1 The current Strategy was adopted at Full Council in 2010 and now is considered to be an

appropriate time to review the Strategy.

The new strategy aims to:

- Retain the existing Vision and Approach;
- Revise actions already completed and add new actions where appropriate;
- Provide a clearer structure to the strategy (helped by Defra's recommendations as to how public authorities can show regard for biodiversity) under four key headings:
 - 1) Promoting Biodiversity in Planning;
 - 2) Showing Regard for Biodiversity on Public Authority Managed Land & Buildings;
 - 3) Protected Sites;
 - 4) Green Infrastructure.

Of particular note in terms of proposed revisions since the 2010 version, Members attention is drawn in particular to:

- The strategy is now more closely aligned with that set out in the new draft Green Infrastructure & Biodiversity SPD
- Greater emphasis on habitat connectivity, reflecting current Government guidance and policies
- Seeking to expand areas of open space managed to benefit wildlife and bringing existing wildlife sites into more beneficial management
- Summary report setting out Council's progress against delivery of the objectives set out in the strategy to be included in, or linked to, the Council's Annual Monitoring Report (AMR)

5. CONSULTATION

5.1 A four week public consultation on the strategy was carried out in March 2018, following Cabinet approval in January 2018. A range of local organisations were invited to comment during this consultation period. These included:

- The Wildlife Trust
- Natural England
- Nene Park Trust
- Froglife
- Buglife

5.2 A total of 2 consultation responses were received. These comments and observations have been incorporated, where appropriate, within the revised Strategy presented. A summary of the consultation comments is included within Appendix A.

5.3 The objectives and actions set out in the draft strategy were widely supported by the Wildlife Trust, however a few minor revisions were recommended including the wording regarding biodiversity in planning to ensure the actions reflected the recently updated National Planning Policy Framework (NPPF) in relation to delivering biodiversity net gain.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 It is anticipated that Cabinet will recommend the adoption of the PCC Biodiversity Strategy to Full Council. The adoption of the revised Biodiversity Strategy will ensure the Council is meeting its legal requirements of having due regard to biodiversity whilst following a refreshed strategy which provides an updated framework from the current version adopted in 2010.

7. REASON FOR THE RECOMMENDATION

7.1 In exercising its functions, the Council has a duty under section 40 of the Natural Environment and Rural Communities Act 2006 to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. It is important therefore that the Council sets out a clear strategy to ensure biodiversity is considered in all Council strategies, plans, programmes and practices. The Council's constitution determines that the Strategy is a 'major policy item', and therefore can only be adopted by Full Council.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 Alternative options considered were:

Option 1 - do not update the 2010 Biodiversity Strategy. This which would represent a missed opportunity to: refresh the now outdated list of actions; present information in a clearer format; and reflect current Government advice. As such, this is not the preferred option.

9. IMPLICATIONS

Financial Implications

9.1 Adoption of the Strategy does not introduce any additional financial costs and does not require any additional investment. The Strategy is not intended to introduce financial implications for the Council, but instead to provide guidance to assist with meeting current legislative and policy requirements.

For information, delivery of the actions in the current adopted Biodiversity Strategy has been estimated to cost approximately £20k per year but has also brought in approximately £16k of income to the Council. It should also be noted that during the past five years, the delivery of the Strategy has secured approximately £185k of additional grants and funds.

Legal Implications

9.2 The Strategy is not intended to introduce legal implications for the council but instead to provide guidance to assist with meeting current relevant environmental legislation.

Equalities Implications

9.3 There are no anticipated equalities implications arising from this decisions.

10. BACKGROUND DOCUMENTS

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

10.1 Natural Environment and Rural Communities Act 2006 (Section 40)

The Biodiversity Duty for Public Authorities, Defra Guidance, 2014

Peterborough City Council Approach to Biodiversity submitted to the Environment Capital Scrutiny Committee in 2010

Biodiversity 2020: A strategy for England's wildlife and ecosystem services, Defra 2011

11. APPENDICES

11.1 Appendix 1 - PCC Biodiversity Strategy - Consultation Comments Appendix 2 - PCC Biodiversity Strategy - Final Version for Adoption

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PCC Biodiversity Strategy Responses to Consultation

Document section	Comments received	PCC response
Table 1 - Objective 1 Biodiversity in Planning (Pages 5-6)	<p>It is considered that the applicant should make significant efforts to go beyond the requirement to consult with Natural England (NE). There are many sites within the Fens which are not SSSI, Ramsar, SPA or SACs but, nonetheless, are of local importance forming an integral component of England's ecological network and have an important role to play in both the Middle Level Commissioners and Whittlesey and District IDBs biodiversity objectives.</p> <p>Development has been delayed because of the relevant parties' failure to consult with all the relevant bodies.</p>	Comments are noted, however it is not considered necessary to revise the text of the strategy based on the response submitted as IDB's are already consulted on planning applications where appropriate, and the value of ecological networks is adequately addressed elsewhere within the strategy.
Vision	Support the vision. We welcome the inclusion of aims to join up, buffer and enhance habitats as part of wider ecological networks, and to achieve a net gain in biodiversity, in line with Lawton review/Making Space for Nature and NPPF principles.	Noted.
Table1, Promoting Biodiversity in Planning,	The following should be added at the end of	Agree, objective should be revised to include

Objective 1 – Biodiversity in Planning	the paragraph: “as well as enhancement measures to deliver a net gain in biodiversity.”	reference to net gain.
Table1, Promoting Biodiversity in Planning, Objective 1 – Biodiversity in Planning, Specific actions for PCC to Deliver Objective	Support all actions listed, with two modifications. In line with the new NPPF “where possible” should be removed from the second action, so the action reads “All developments to demonstrate no net loss to biodiversity and achieve net gains.” The third action should refer to Natural Cambridgeshire’s “Developing with Nature Toolkit” to give it its official title.	Agree, action should be revised to reflect new NPPF. Agree, action should be revised to correctly reference toolkit.
Table1, Promoting Biodiversity in Planning, Objective 2 – Biodiversity Data	Support the objective and action	Noted.
Table1, Showing regard for biodiversity in managing PCC land, Objective 3 – Green Spaces, Specific actions for PCC to Deliver Objective	Support the actions listed.	Noted.
Table1, Showing regard for biodiversity in managing PCC land, Objective 4 – Non-native invasive species	Support, but note that for some species such as Japanese Knotweed there is a legal duty to control non-native invasive species irrespective of whether there is a threat to local habitats or species.	Agree, action should be revised to reference legal duty.
Table1, Showing regard for biodiversity in objective and actions. managing PCC land, Objective 5 – Priority Habitat and species targets.	Support objective and actions.	Noted.
Table1, Showing regard for biodiversity in	Support objective and actions.	Noted.

managing PCC land, Objective 6 – Local Wildlife Groups		
Table1, Showing regard for biodiversity in managing PCC land, Objective 6 – Local Wildlife Groups	Support objective and actions.	Noted.
Table1, Showing regard for biodiversity in managing PCC land, Objective 7 – Awareness Raising	Support objective and action.	Noted.
Table1, Showing regard for biodiversity in managing PCC land, Objective 8 – Wider Understanding	Support the objective and action. Could an additional action of working with partners such as conservation organisations and others to increase wider understanding be added?	Agree, actions should be revised to include reference to working with partners.
Table1, Showing regard for biodiversity in managing PCC land, Objective 9 – Involvement	Support the emphasis on taking action.	Noted.
Table1, Protected Sites and Areas, Objective 10 – Statutory Sites, Specific actions for PCC to Deliver Objective	We suggest rephrasing the second action to: “Assist Natural England with the conservation and enhancement of SSSIs, for example through supporting the creation of habitat links to connect SSSIs within the wider landscape”	Agree, actions should be revised to include more appropriate phrasing.
Table1, Protected Sites and Areas, Objective 11 – Non-Statutory Sites	Support.	Noted.
Table1, Protected Sites and Areas, Objective 11 – Non-Statutory Sites, Specific actions for PCC to Deliver Objective	Support the first three actions as written. We suggest rephrasing the fourth action to: “Maintain a regular programme of re-survey or monitoring visits to County Wildlife Sites in	Agree, actions should be revised to include more appropriate phrasing, however specific reference to an SLA with the Wildlife Trust is not to be included.

	the Peterborough area, partly through a service level agreement between the Wildlife Trust and City Council.”	
Table1, Protected Sites and Areas, Objective 12 – Nene Valley Nature Improvement Area	Support objective and actions.	Noted.

PETERBOROUGH CITY COUNCIL BIODIVERSITY STRATEGY

Version for Adoption by Council December 2018

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PETERBOROUGH CITY COUNCIL BIODIVERSITY STRATEGY**Contents**

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PETERBOROUGH CITY COUNCIL BIODIVERSITY STRATEGY**Our Vision**

The Council fully supports the vision set out in Peterborough's Green Infrastructure and Biodiversity SPD (2018) to create an ecological network across Peterborough that is rich in wildlife, providing connectivity of valuable habitats between areas of high quality natural green spaces, delivering multiple benefits to both people and wildlife, whilst enabling the city to grow sustainably and providing a high quality of life for all.

To achieve this vision the Council recognises that whilst Peterborough supports many valuable wildlife sites, these are often poorly connected to surrounding habitats and that significant enhancements may be required to better buffer, expand and join up these habitats.

The Council recognises that Biodiversity and the Natural Environment enhance wellbeing and quality of life by enhancing the places in which we live, work and play. It can provide economic benefits through tourism and the production of quality local produce. Natural habitats can absorb flood waters, help treat pollutants and act as windbreaks. There are also cultural and aesthetic aspects to Biodiversity, for example through the writings of John Clare.

The Council also recognises that Biodiversity is a truly cross-cutting theme. The Council will therefore, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity¹. As such it will be considered in all Council strategies, plans, programmes and practices.

The City Council recognises that biodiversity is under threat from habitat and population fragmentation, climate change, invasive non-native species as well as development and land pressures. The City Council will play its part in countering these threats, working to protect and enhance, sites, habitats and species of biodiversity importance, including the protection and provision of a network of wildlife corridors and stepping stones to establish links between sites and populations of known wildlife interest.

The City Council will work with partners to seek to achieve a net gain in Biodiversity in the Unitary Area by protecting these key habitats, species, and habitat networks; mitigating against potentially damaging impacts; seeking compensation where damage is unavoidable; and enhancing existing or creating new habitats of value wherever possible.

Our approach

To achieve this vision for Biodiversity, the City Council adopts the following broad approach to show how the Council is demonstrating progress against Defra's recommendations as to how public authorities can show regard for biodiversity. This approach sets out the Council's objectives under the four key headings of Promoting Biodiversity in Planning, Showing Regard for Biodiversity on Public Authority Managed Land & Buildings, Protected Sites and Green Infrastructure. Specific actions have then been identified to deliver these objectives as set out in Table 1 below.

¹ As required by section 40 of the Natural Environment and Rural Communities Act 2006.



Table 1

	Objective	Specific Actions for PCC to deliver objective
Promoting Biodiversity in Planning		
	<p>1) Biodiversity in Planning: Ensure that biodiversity is protected and enhanced within the planning system in Peterborough and deliver the key principles for biodiversity set out in national planning guidance. Where full protection is not possible mitigation and compensatory measures should be put in place as well as enhancement measures to deliver a net gain in biodiversity.</p>	<ul style="list-style-type: none"> • Planning Services department to seek advice of internal advisors, and relevant statutory and non-statutory conservation bodies with regard to specific development proposals as well as during the development of related planning policy documents. • All developments to demonstrate no net loss to biodiversity and achieve net gains. • Encourage all major (EIA) development schemes to adopt the approach to biodiversity and green infrastructure promoted by Natural Cambridgeshire’s Developing with Nature Toolkit. • Monitor net impacts to priority habitats, which are recorded for all EIA developments, seeking to ensure all schemes result in overall priority habitat gain. • Promote the protection, extension and creation of priority habitats via the planning system.

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	Objective	Specific Actions for PCC to deliver objective
	<p>2) Biodiversity Data: Ensure that up to date biodiversity data is available and used appropriately to support this approach.</p>	<ul style="list-style-type: none"> • Support CPERC via appropriate service level agreements to ensure up to date ecological data is provided to help inform planning decisions and to enable the Council to report annually on its progress of ensuring that Local Sites are in positive conservation management (i.e. those sites which are being managed in order to conserve their nature conservation interest).
<p>Showing Regard for Biodiversity on Public Authority Managed Land & Buildings</p>		
	<p>3) Green Spaces: Increase and diversify wildlife interest in green spaces and provide access to sites of wildlife interest for all sections of the community. Also to promote accessibility to wildlife by creating these new habitats in public areas and encourage their creation in private areas such as schools and Council-owned places of work.</p>	<ul style="list-style-type: none"> • Develop a Pollinator Action Plan for Peterborough in partnership with local environmental bodies to help deliver the Buglife B-Lines initiative locally (please see Glossary for further information) • Identify suitable additional green spaces where the frequency of grass cutting may be reduced to one or two cuts per year or where natural regeneration will be appropriate, expanding on existing ‘biodiversity areas’ network, seeking to remove arisings wherever feasible. • Modify management of selective green spaces to encourage wildflowers, using native wild-flower seeds/ plants to further enhance grassland as required. • Where PCC owned or managed land forms part of a wildlife corridor (e.g. road verges), its management will aim to facilitate its role as a part of the ecological network it is part of. • Continue to review the use of pesticides, including neonicotinoid insecticides (NNI’s) which are currently subject to a temporary moratorium banning the use of three major NNI’s, on Council managed land (including through external service providers), seeking to reduce or eliminate their use wherever possible, such that their use is consistent, minimised and very carefully targeted in line with COSHH regulations requirements. • The loss of hedges and shrubs will be resisted unless there are sound horticultural or other reasons to indicate otherwise e.g. the maintenance of highway safety, disease,

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	Objective	Specific Actions for PCC to deliver objective
		structural damage or the hedging or shrubs are at the end of their useful life expectancy.
	4) Non-native invasive species: Take action to deal with invasive non-native species, prioritising where these are present on sites of wildlife importance; or where these are on land in the authorities control and threaten habitats and species of importance or the coherence of habitat networks.	<ul style="list-style-type: none"> • Employ best practice procedures to deal with invasive non-native species (which locally include Japanese Knotweed, Giant Hogweed, Orange Balsam, New Zealand Pygmyweed and Parrots Feather) on sites of wildlife importance; or where these are on land in the authorities control and threaten habitats and species of importance or the coherence of habitat networks, noting the Local Authorities legal duty to control these species on all its land.
	5) Priority Habitat and Species targets: Contribute to the achievement of the Priority Habitats and Species Targets relevant to the authorities functions and area 2. To continue to support the Cambridgeshire and Peterborough Biodiversity Specialist Group.	<ul style="list-style-type: none"> • Seek to bring all Council-owned open spaces which support priority habitats and/ or species into positive management via appropriate habitat restoration and long term management techniques. Sites currently identified include Fletton Fields/ Melrose Drive balancing ponds, Cherry Orton Road Pond, Basil Green Pond, Botolph Green Pond, Tenterhill Recreation Ground, Cuckoos Hollow and Werrington Meadows. • Support city-wide initiatives to create new priority habitats e.g. Forest for Peterborough. • Support existing long-term monitoring and enhancement of key priority species including Peterborough's Barn Owl and Kestrel population and Four-spotted moth colony.
	6) Local wildlife groups: Assist local voluntary wildlife groups in their aims of protecting wildlife and promoting interest in conservation.	<ul style="list-style-type: none"> • Provide support and technical advice for small-scale community wildlife schemes, including encouraging community management of existing landscaping where appropriate. • Work with conservation bodies such as Peterborough Conservation Volunteers, Buglife, Froglife, Nene Coppicing and Crafts and the Wildlife Trust, as well as residents associations, to support their greater involvement in the management of Council-managed wildlife sites and informal green-spaces.

² www.cambridgeshire.gov.uk/environment/natureconservation/action/partnership

	Objective	Specific Actions for PCC to deliver objective
	7) Awareness raising: Make every attempt to ensure that employees and members of Peterborough City Council are aware of the importance of and need to safeguard, enhance and promote Biodiversity through the City Council's activities and thereby contribute to the achievement of this approach.	<ul style="list-style-type: none"> • PCC Wildlife Officer and Natural & Historic Environment Team to provide advice and guidance to all relevant Council departments with regards to green infrastructure and biodiversity.
	8) Wider understanding: Promote wider understanding and enjoyment of Peterborough's wildlife.	<ul style="list-style-type: none"> • Provide relevant information for residents on the Council's website to promote local wildlife such as wildlife-friendly gardening and general wildlife advice. • Work with partners such as conservation organisations to further explore opportunities to promote wider understanding of wildlife locally.
	9) Involvement: Promote active interest and involvement in wildlife issues at the local, national and international levels by all sections of the community at home, in the workplace, as a leisure activity and as part of the local economy.	<ul style="list-style-type: none"> • Promote opportunities for conservation volunteering on the Council's website.
Protected Sites & Areas		
	10) Statutory Sites: Take reasonable steps consistent with the proper exercise of the authority's functions, to further the conservation and enhancement of Sites of Special Scientific Interest, International Sites and Local Nature Reserves 3.	<ul style="list-style-type: none"> • Working in partnership with Froglife, seek to further enhance the only PCC owned SSSI & SAC (treebelt which runs along the southern edge of the Fletton Parkway), by managing the woodland and associated amphibian habitats for the benefit of great crested newts and other priority species in line with the wider site management plan. • Assist Natural England with the conservation and enhancement of SSSIs, for example through supporting the creation of habitat links to connect SSSIs within the wider landscape.

³ As required by Section 28G of the Wildlife and Countryside Act 1981 (as amended).

	Objective	Specific Actions for PCC to deliver objective
		<ul style="list-style-type: none"> • Continue to work with Natural England in their role as statutory advisor in planning and development matters pertaining to Nationally and Internationally designated sites. • Identify suitable locations that may be designated as new Local Nature Reserves (LNR's), seeking to meet The Council's Open Space Standards.
	<p>11) Non-Statutory Sites: Work with the Wildlife Trust, GeoPeterborough and Local Sites Partnership to further the conservation and enhancement of Local Wildlife and Geological Sites. Also to ensure that up-to-date information is available for all local sites in Peterborough and work with partners to deliver the targets of the Environment Action Plan with respect to Local Sites.</p>	<ul style="list-style-type: none"> • All PCC-managed County Wildlife Sites to be positively managed to conserve and where possible enhance the site for the criteria for which they are designated CWS. • PCC are responsible for 13 out of Peterborough's 106 wildlife sites: <ol style="list-style-type: none"> 1) Eye Green LNR 2) The Boardwalks LNR 3) Bretton Woods complex LNR 4) Pocock's Wood 5) Debdale pond 6) Broadway Cemetery 7) Holywell Fish Ponds 8) Stanground Newt pond (part of) 9) Protected Verges Network consisting of a) Southey Lodge verge (Langley Bush Road); b) Stamford Rd./Heath Rd./ Ailsworth Rd./King St. verges (Includes "Marholm road" west of King Street Crossroad); c) Barnack road verges; d) Bedford Purlieus-Wittering road verge and e) Highfield road • The Council will ensure that all protected road verges are managed using best practice techniques which involves mowing in late summer/ early autumn and all arisings removed. • Maintain a regular programme of re-survey or monitoring visits to County Wildlife Sites in the Peterborough area.
	<p>12) Nene Valley Nature Improvement Area: Support the objectives of the Nene Valley NIA within the Peterborough Unitary Authority area,</p>	<ul style="list-style-type: none"> • Continue to provide support and advice to the NIA Board and associated initiatives within Peterborough.

	Objective	Specific Actions for PCC to deliver objective
	aiming to create more and better-connected habitats which provide the space for wildlife to thrive and adapt to climate change.	<ul style="list-style-type: none"> • Work closely with the Nenescape Landscape Partnership Scheme to ensure successful delivery of HLF funded projects within Peterborough.
Green Infrastructure		
	<p>13) Peterborough Nature Partnership: Working with the emerging PNP, contribute towards delivery of the priority projects identified in the GI & Biodiversity SPD to help form a coherent and less fragmented green infrastructure network of habitats across the authority area; which will be robust to the effects of and facilitate adaptation to climate change by species and habitats.</p>	<ul style="list-style-type: none"> • The Council will work with partners to coordinate the monitoring and delivery of priority GI projects identified in the GI & Biodiversity SPD.

Monitoring & Reporting

Annual Report

At the end of each financial year, a summary report setting out the Council's progress against the delivery of the objectives described in Table 1 will be included in, or alongside, the Council's statutory Authority Monitoring Report (AMR). This will also assist in showing how the Council is meeting its statutory duties of having regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Single Data List 160-00 (Local Sites) Reporting

The Government requires all local authorities to report annually on their progress of ensuring that Local Sites are in positive conservation management (i.e. those sites which are being managed in order to conserve their nature conservation interest). Peterborough is currently in the top ten best performing local authorities in England and aims to maintain this situation during the period of this strategy. Please refer to the Glossary for further background information.

Glossary of Terms

B-Lines & Pollinator Action Plans:

B-Lines is an initiative from conservation charity Buglife which aims to establish a series of 'insect pathways' running through the countryside and towns, along which they are restoring and creating a series of wildflower-rich habitat stepping stones. They link existing wildlife areas together, creating a network, like a railway, that will weave across the British landscape. This will provide large areas of brand new habitat benefiting bees and butterflies, but also a host of other wildlife. Buglife has set up a B-Lines Hub:

They have also produced guidance for local authorities on producing pollinator action plans:

<https://www.buglife.org.uk/sites/default/files/Helping%20Pollinators%20Locally.pdf>

Local Sites & SDL 160-00:

The Single Data List is an ongoing project to measure the conservation and management of local sites. Local Sites are non-statutory areas designated at local level for their significant nature conservation value. They include both local wildlife sites (designated for significant biodiversity value) and local geological sites (designated for their significant geological value).

There are more than 40,000 Local Sites in England, covering contrasting landscapes in coastal, rural and urban situations. Although they do not have any statutory status, many are equal in quality to the representative sample of sites that make up the series of statutory Sites of Special Scientific Interest (SSSIs). They are an important component of England's ecological network and have an important role to play in meeting national biodiversity objectives. The single data list is an important tool for monitoring the trends in management of these sites. The data also contributes to the Biodiversity 2020 indicators which are used to measure the success of England's biodiversity strategy. Further information is available using the following link: <https://www.gov.uk/government/statistics/local-sites-in-positive-conservation-management--2>

Priority Habitats and Species:

UK Priority Habitats and Species are those which are of particular conservation importance throughout the UK. They are recognised in national and local planning policy. The Cambridgeshire and Peterborough Biodiversity Partnership has reviewed the Local Priority Species (formerly Local Species Action Plans). Over 200 UK Priority Species are found in Cambridgeshire and Peterborough. Further information can be found using [this link](#)

SSSI:

A Site of Special Scientific Interest (SSSI) is one of the country's very best wildlife and/or geological sites. Peterborough currently has 17 SSSI's either fully or partially within the unitary authority area. Further information can be found using [this link](#)

SAC:

Special Areas of Conservation (SACs) are sites designated under the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora). Peterborough currently has 3 SAC's either fully or partially within the unitary authority area. Further information can be found using [this link](#)

LNR:

Local Nature Reserves (LNRs) are for both people and wildlife. They are places with wildlife or geological features that are of special interest locally. They offer people special opportunities to study or learn about nature or simply to enjoy it. Peterborough currently has 5 LNR's within the unitary authority area. Further information can be found using [this link](#)

NIA:

The Nene Valley Nature Improvement Area (NIA) is one of 12 NIAs that were selected through a national competition announced in the Natural Environment White Paper in 2011. It seeks to re-create and re-connect natural areas along the Nene and its tributaries from Daventry to Peterborough. Further information can be found using [this link](#)

Peterborough Nature Partnership:

The desire to establish a Peterborough Nature Partnership (PNP) was recognised during the drafting of Peterborough's Green Infrastructure and Biodiversity SPD, as a successor to the Natural Networks Partnership. It is currently anticipated that the PNP will lead on the coordinated delivery of the priority projects identified in the GI & Biodiversity SPD, supporting the project lead organisations in addressing specific delivery issues as well as in seeking appropriate funding.

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COUNCIL	AGENDA ITEM No. 9(i)
12 DECEMBER 2018	PUBLIC REPORT

EXECUTIVE AND COMMITTEE RECOMMENDATIONS TO COUNCIL

(i) MEDIUM TERM FINANCIAL STRATEGY 2019/20 to 2021/22 – TRANCHE TWO

Cabinet at its meeting on 3 December 2018, received a report on the Medium Term Financial Strategy 2019/20 to 2021/22 – Tranche Two.

Cabinet considered the report and recommendations contained within the report to Full Council. In addition to the recommendations below, Cabinet also resolved to:

- Note the future strategic direction for the Council outlined in section 5.6 of the report.
- Note the forecast reserves position outlined in section 5.8 of the report.
- Note the feedback received on the budget proposals, received via the consultation detailed in Appendix G to the report.
- Approve the proposed methodology for reviewing the Bus Subsidy in order to achieve savings of £150,000 as put forward in the Council's Tranche Two savings proposals.
- Note that no changes would be implemented until consultation with end users had been completed. Progress on implementation would be reviewed at Cabinet on 3 February 2019. If consultation responses indicated that a different approach was required, this would be brought back to Cabinet and Council as part of the Council's Tranche Three proposals.

IT IS RECOMMENDED that Council agrees:

1. The Tranche Two service proposals, outlined in Appendix E to the report.
2. The updated budget assumptions, to be incorporated within the Medium Term Financial Strategy (MTFS) 2019/20- 2021/22. These are outlined in section 5.4 of the report.
3. The revised capital programme approach outlined in section 5.7 and referencing Appendix D to the report.
4. The Medium Term Financial Strategy 2019/20-2021/22 -Tranche Two, as set out in the body of the report and the following appendices:
 - Appendix A – 2019/20-2021/22 MTFS Detailed Budget Position -Tranche Two
 - Appendix B – Local Government Finance Event Timeline
 - Appendix C – Performance Data
 - Appendix D – Capital Programme 2018/19- 2021/22
 - Appendix E – Budget Consultation Document, including Budget Proposals
 - Appendix F – Equality Impact Assessments
 - Appendix G– Budget Consultation Feedback

The original Cabinet report is set out in the [budget book](#) for the Cabinet meeting on 3 December 2018 and the supplementary information pack follows.

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CABINET	AGENDA ITEM No. 5
3 DECEMBER 2018	SUPPLEMENTARY PUBLIC REPORT

Report of:	Peter Carpenter – Interim Director of Corporate Resources Annette Joyce – Service Director - Environment and Economy	
Cabinet Member(s) responsible:	Cllr Peter Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development & Environment Capital	
Contact Officer(s):	Annette Joyce, Service Director – Environment and Economy	Tel. 452280

BUS SUBSIDY REVIEW AND SAVINGS – SUPPLEMENTARY REPORT TO MTFS

ADDITIONAL RECOMMENDATION	
FROM: Annette Joyce	Deadline date: N/A
It is recommended that Cabinet approve the proposed methodology for reviewing the Bus Subsidy in order to achieve savings of £150,000 as put forward in the Council’s tranche II savings proposals.	

1. ORIGIN OF REPORT

This is a **SUPPLEMENTARY REPORT** to the MTFS report and comes to the Cabinet to help underpin the Council’s formal budget process as per the legislative requirements to set a balanced and sustainable budget for 2019/20 – 2021/22.

2. PURPOSE AND REASON FOR REPORT

- 2.1 To describe and seek approval to progressing a review of Bus Subsidy in order to achieve funding reductions.
- 2.2 This report comes to Cabinet as part of the council’s formal budget setting process following consideration by the Joint Meeting of the Scrutiny Committees on 28 November 2018.
- 2.3 *How does this report link to the Corporate Priorities?*
As per the legislative requirements to set a balanced and sustainable budget for 2019/20 – 2021/22.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

4.1 Background

The current Peterborough City Council Transport (Bus Subsidy) budgets are £3,715,000. Most of this (£3,000,000) is statutory reimbursement of concessionary fares with the balance funding 60s Services, Evening Citi Services and on demand services (Call Connect and Community Link).

As part of tranche two of the Council's 2019/20 budget setting process an option to reduce this budget by £150,000 was put forward for consultation. Specifically, Cabinet have asked officers to identify options for achieving this reduction, in consultation with Group representatives, without impacting 'demand responsive' services (i.e. Call Connect and Community Link). Instead to consider the £520,000 budget for the 60s services and the evening services that the Council supports on Stagecoach's Citi network.

In particular it was noted that £104,000 of additional investment into the 60s services made in 2017 did not result in a significant increase in user numbers (7077 additional journeys from the average between 2014-2016 – equivalent to 10 return journeys per day). These additional journeys were therefore costing £14.69 per additional journey which Cabinet did not believe represented value for money. It was therefore the 60s services where most of the proposed savings were to be sought with the balance to be found from the 60s service or a timetable redesign of lower used Citi Evening Services.

The majority of the city's Passenger Transport Services are provided on a commercial basis by bus operators. This means that they operate without financial support and have the commercial freedom to decide their own routes, vehicles and infrastructure, timetables and fare structures. To put this into context, Stagecoach reported to the Department for Transport that 8.8m bus journeys were undertaken in 2017/18, which when grossed up to take account of other smaller operators equates to approximately 10.1m commercial bus journeys. As approximately 300,000 journeys are supported by bus subsidy, this means that approximately 3% of journeys operate with subsidy from the Council.

In line with delegated powers passed to the Council, currently extending to the 31st of March 2019 from the Cambridgeshire and Peterborough Combined Authority, the Council support some passenger transport services, informed by a Cross Party working Group in 2013. The Combined Authority have commissioned a 'Strategic Bus Review' which the Council is supporting in terms of data provision etc. the output of which is expected by the end of 2018.

Summary of services:

Stagecoach 60s services - These services replaced some of the old 'Local Link' services in 2013 and were specifically designed to provide a bus service to those people who, due to location, are not served by a commercial bus service. In spring 2015 a working group was established to consider options to enhance bus provision in the city. The group subsequently agreed to invest an extra £100,000 annually to enhance the services already in place.

The number of passengers using this service for single trips over the last four years is broken down as follows:

Year	No. of trips	Yearly cost	Subsidy per trip*
2014/15	85,666	£216,742	£2.53
2015/16	83,497	£216,475	£2.59
2016/17**	83,265	£271,568	£3.26
2017/18	91,659	£320,549	£3.50

*It should be noted that the Council is responsible for reimbursing the operator for Concessionary Fare passes used on this route which is in addition to the price included in the table.

**The yearly cost for this service increased in 2016/17 following implementation of the working group recommendations part way through the year.

Passenger numbers provided by Stagecoach show that the 48% additional investment has resulted in just a 9.8% increase in the number of trips when comparing the original services (2015/16) to the revised services (2017/18).

Officers have undertaken initial discussions with Stagecoach to explore potential options to reduce the overall subsidy required for these services whilst ensuring that all residents receive at least some level of service provision, albeit potentially on a less frequent basis. As such Stagecoach have presented options which suggest that it would be possible to make amendments to the current services which would result in an annual budget reduction of £162,651. In order to understand the potential impact of these changes a copy of the existing timetable (appendix B) and the proposed changes (appendix C) are included. In summary the changes include:

- Route 60 provides links between the Ortons and Stanground to Hampton Tesco. The proposal is to withdraw service on Saturdays; provide an extra journey at 1539 on Mondays – Fridays.
- Route 61 provides links between the city centre, Eastern Industry and Showcase cinema. It is proposed to: withdraw the service on Saturdays; Withdraw the journey at 05:34; Retain current services between 06:02 and 18:39; Withdraw services after the 18:39 departure.
- Route 62 provides a link between Maxey, Newborough and Peterborough. It also provides a local link in the Paston and Dogsthorpe areas. It is proposed: To withdraw the journey at 05:09; Retain current services between 07:10 and 18:52; Withdraw journeys at 19:55 and 23:15.
- Route 63 links Peterborough city centre, Newark and Parnwell Quays. It is proposed to: Withdraw the service on Saturday; Retain existing journeys on Mondays to Fridays.

Stagecoach Evening and Weekend Services (previously known as the Voluntary Partnership Agreement (VPA)) - This agreement enables Stagecoach to offer an hourly evening and weekend bus service on their Citi network (the Citi network provides approximately 85% of Peterborough’s bus services). Without this support these services would not be commercially viable for Stagecoach to operate. Specifically, the Council supports bus services on routes Citi 1 to Citi 6 after 20:30 on Mondays to Saturdays, and after 17:30 on Sundays and Bank Holidays.

The number of passengers using this service for single trips over the last four years is broken down as follows:

Year	No. of trips	Yearly cost	Subsidy per trip*
2014/15	195,009	£200,000	£1.03
2015/16	172,746	£200,000	£1.16
2016/17	188,127	£200,000	£1.06
2017/18	198,569	**£200,000	£0.99

*It should be noted that the Council is responsible for reimbursing the operator for Concessionary Fare passes used on this route which is in addition to the price included in the table.

** Officers renegotiated this agreement for 2018/19 and have achieved a moderate saving of approximately £14k to £186k annually.

Officers have undertaken initial discussions with Stagecoach to explore potential options to reduce the overall subsidy for these services. At this stage this involves requesting and analysing data from Stagecoach to ascertain, for example, whether any of the routes could now be

considered commercially viable, stopped at an earlier time in the evening, delivered differently to reduce the operating cost. Stagecoach have so far proposed a revised timetable for the Citi 5 Service to provide some savings.

The Council currently supports a number of different demand responsive services. These are:

Demand responsive

Call Connect: Call Connect is a demand responsive service that operates in the rural areas of Peterborough where there is no provision of a regular commercial bus service. This service is operated on our behalf by Lincolnshire County Council and the cost is partly funded by BSOG, so any reduction in service or full withdrawal is only likely to achieve partial savings.

Cabinet decided not to look at this service to achieve Tranche II savings.

Accessible Transport

Community Link: Community link is a demand responsive service which is designed for residents from the urban area who are not able to access commercial services. To access the service individual users need to register as a member and book services as and when required.

Cabinet decided not to look at this service to achieve Tranche II savings.

Rural Dial-a-Ride: The annual cost of this service is currently unknown but a budget of approximately £35k is in place. This is basically the same as the Community Link service but operates across the rural area of the city. The cost of this service is partly covered by our Bus Service Operator Grant (BSOG).

Cabinet decided not to look at this service to achieve Tranche II savings.

Community Car Scheme: This service is operated by Royal Voluntary Service (RVS) from the Senior Stop on Cattle Market Road and uses volunteers to allow residents with accessibility issues to book a 'taxi' style service for appointments etc. Without a small subsidy from the Council it is likely that RVS would withdraw this service.

Cabinet decided not to look at this service to achieve Tranche II savings.

In Summary

With £150,000 of savings sought, Stagecoach have so far proposed revised timetables for the 6Os services that will save in excess of this (it would provide a £162,651 saving if agreed to amend timetable as per their proposal). The cost of operating the Citi Services has already been negotiated down by £14,000 without the need to reduce services.

Cross Party Consultation Group

In order to inform decision making it is necessary to gather more information about who may be affected by any proposed changes. In order to achieve this we propose to:

- Undertake an analysis of the ticket type purchased. This will provide an indication of the likely reason that somebody is travelling i.e. if a 'megarider' is used than it is a reasonable assumption that the passenger needs to undertake a number of trips during the week for work purposes or other commitments.
- Carry out surveys with passengers travelling on timetabled routes where changes are proposed. This will involve officers travelling on these particular services and asking a predetermined set of questions to passengers. It is unlikely that this will result in a large sample size but will add to our understanding of the impact of any changes.

- Work with Stagecoach to obtain and validate a robust data set to ensure all proposals are well informed and therefore the impacts of any changes understood. This will involve data requests to Stagecoach and meetings between them and officers, utilising specialist support as required, in order to validate data. The data requested will include the number of passengers on each timetabled journey,
- Explore other existing contracts to see if there is the opportunity to achieve additional savings without affecting service provision. For example, officers have negotiated a reduction for the current year of £14k from the Stagecoach Evening and Weekend Services. The Council have also been delivering the rural dial-a-ride service in house from the beginning of the 2018/19 year and current expenditure suggests that there may be an overall reduction in the budget required to deliver this service.
- Seek suggestions for other services, routes that could be considered and analysed further to ascertain the potential for change.
- Consider the Review methodology as proposed above
- Provide further information on bus subsidy
- Seek opinions on the service revisions so far proposed by Stagecoach
- Determine what further work is required

A further review meeting will be arranged once survey results and data analysis have been completed to agree the final details of delivering the savings required.

5. CONSULTATION

5.1 There is no requirement for formal consultation in relation to this matter.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 It is anticipated that this report will provide the committee with an overview of the proposed methodology for reviewing the Bus Subsidy.

7. REASON FOR THE RECOMMENDATION

7.1 It is recommended that Cabinet approve the proposed methodology for reviewing the Bus Subsidy in order to achieve savings of £150,000 as put forward in the Council's tranche Two savings proposals.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 None

9. IMPLICATIONS

Financial Implications

9.1 If approved the proposed methodology for reviewing the Bus Subsidy will help achieve savings of £150,000 as put forward in the Council's tranche II savings proposals.

Legal Implications

9.2 There are no legal implications arising from this report.

Equalities Implications

9.3 There are no equalities implications arising from this report.

Rural Implications

9.4 There are no rural implications arising from this report.

10. BACKGROUND DOCUMENTS

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

10.1 Medium Term Financial Strategy 2019/20 to 2021/22 – Tranche Two

11. APPENDICES

11.1 None

**DRAFT MINUTES OF THE JOINT SCRUTINY COMMITTEES MEETING
HELD AT 6.00PM ON
28 NOVEMBER 2018
IN THE COUNCIL CHAMBER, TOWN HALL PETERBOROUGH**

Committee Members Present: Councillors N Simons (Chairman), K Aitken, A Ali, S Bashir, R Brown, G Casey, A Ellis, M Farooq, J A Fox, J R Fox, C Harper, S Hemraj, C Hogg, A Iqbal, M Jamil, D Jones, S Lane, S Martin, E Murphy, D Over, B Rush, B Saltmarsh, N Sandford, L Serluca, J Stokes, S Warren

Also Present: Councillor Holdich, Leader of the Council and Member of the Cambridgeshire and Peterborough Combined Authority
Councillor Fitzgerald, Deputy Leader and Cabinet Member for Integrated Adult Social Care and Health
Councillor Ayres, Cabinet Member for Education Skills and University
Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development
Councillor Lamb, Cabinet Member for Public Health
Councillor Seaton, Cabinet Member for Resources
Councillor Smith, Cabinet Member for Children's Services
Councillor Walsh, Cabinet Member for Communities
Councillor Allen, Cabinet Advisor to the Leader
Councillor Fuller, Cabinet Advisor for Commercial Strategy and Investments

Officers Present: Gillian Beasley, Chief Executive
Peter Carpenter, Acting Corporate Director, Resources
Adrian Chapman, Service Director, Communities and Safety
Fiona McMillan, Interim Director of Law and Governance
Annette Joyce, Interim Corporate Director, Growth and Regeneration
Wendi Ogle-Welbourn, Executive Director, People and Communities, Cambridgeshire and Peterborough Councils
Will Patten, Service Director Commissioning
Dr Liz Robin, Director of Public Health
Lou Williams, Service Director, Children & Safeguarding
Jonathan Lewis, Service Director, Education
Paulina Ford, Senior Democratic Services Officer

9. APPOINTMENT OF CHAIRMAN

The Senior Democratic Services Officer opened the meeting and advised the Committee that in accordance with *Part 4, Section 8 – Scrutiny Committee Procedure Rules, section 13, Joint*

Meetings of Scrutiny Committees a Chairman would be required to be appointed from among the Chairmen of the Committees who were holding the meeting. Nominations were sought from those Chairmen present at the meeting which were Councillor Simons, Chairman of Adults and Communities Scrutiny Committee, Councillor Stokes, Chairman of the Health Scrutiny Committee and Councillor Harper, Chairman of the Growth, Environment and Resources Scrutiny Committee. Councillor Simons was nominated by Councillor Harper and seconded by Councillor Stokes. There being no further nominations Councillor Simons was therefore appointed Chairman.

The Chairman welcomed everyone present and explained that the purpose of the meeting was to provide an opportunity for all members of each Scrutiny Committee to scrutinise the Medium Term Financial Strategy, Budget 2019/20 to 2021/22 Tranche Two proposals document as part of the formal consultation process before being presented to Cabinet on 3 December 2018 for approval and recommendation to Full Council on 12 December 2018.

6. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Bisby, Councillor Barkham, Councillor Shaheed, Councillor Goodwin, Councillor Dowson and Councillor Joseph. Councillor Murphy was in attendance as substitute for Councillor Dowson. Councillor A Iqbal was in attendance as substitute for Councillor Joseph and Councillor Hogg was in attendance as substitute for Councillor Shaheed.

Councillor M Cereste, Cabinet Member for Waste and Street Scene also submitted his apologies.

The following co-opted members also sent apologies: Education Co-opted members Peter Cantley and Flavio Vettese. Independent Co-opted Members Dr Watson, Alistair Kingsley, Rizwan Rahemtulla and Parish Councillor Co-opted Member Henry Clark and Barry Warne substitute for Henry Clark.

7. DECLARATIONS OF INTEREST AND WHIPPING DECLARATIONS

There were no declarations of interest or whipping declarations.

8. Medium Term Financial Strategy (MTFS) 2019/20 - 2021/22 – Tranche Two Proposals

The Cabinet Member for Resources gave a short introduction to the Budget 2019/20 – 2021/22 Tranche Two proposals document accompanied by the Interim Corporate Director of Resources and went through a short PowerPoint presentation a copy of which can be found attached at Appendix 1 of the minutes.

Each section of the budget proposals document was then taken in order according to how it was presented in the Budget Book. The relevant Cabinet Member or Corporate Director were given the opportunity to introduce their section of the budget before taking questions from the Committee.

Questions and observations were made around the following areas:

Item / Section of the Budget	Questions / Comment	Response from relevant Cabinet Member / Corporate Director
<p>5. Presentation and Introduction of the Medium Term Financial Strategy Tranche Two Proposals Document</p> <p>Cabinet report dated 15 October 2018 (pages 1 to 37) of the MTFS 2019/20 to 2021/22 Tranche Two Proposals Document</p>	<p>Members sought clarification as to how much budget had been allocated to the ICT change in strategic direction.</p>	<p>The paper that went through Cabinet in July stated a total investment of £1.2m but this would vary year on year.</p>
	<p>Councillor Sandford commented that he had requested information on the cost of the transition between the Microsoft platform and google and the reverse from google to Microsoft on 1 October at the Budget Working Group and on several occasions since but had yet to receive the information.</p>	<p>The Cabinet Member for Resources apologised for the late response to Councillor Sandford's request for detailed information regarding the ICT transition between the Microsoft and google platforms. An email providing a response had been sent out to members of the Growth, Environment and Resources Scrutiny Committee of which Councillor Sandford was a member earlier in the day on 28 November.</p>
	<p>Councillor Sandford queried why the detail of the proposed public transport cuts had not been published in full as he had requested. The supplementary report on the Bus Subsidy Review and Savings published on 27 November had not contained full details. Concern was also raised that the proposed Cross Party Working Group had only been asked to meet on 27 November and not sooner.</p> <p>Concern was raised that the proposed savings would be pushed through at the next Council meeting on 12 December without proper consultation.</p>	<p>The Cabinet Member for Resources advised that there was still a lot of consultation work to be undertaken which included engaging with groups such as the Youth Council, Pensioners Association and the Cross Party Working Group. It was an ongoing process including negotiating with Stagecoach to achieve the £150K savings. Stagecoach had already indicated that they could identify where those savings might come from.</p>
	<p>Members sought clarification as to how the budget control and if there had been an improvement or if the</p>	<p>A budget control report was presented to every Cabinet meeting to provide a continuous update throughout the year and</p>

Item / Section of the Budget	Questions / Comment	Response from relevant Cabinet Member / Corporate Director
	<p>situation was worsening. Had there been any unexpected budget pressures which had previously not been taken into account. Had the Chancellor given any further detail on how the council may benefit from the increase in funding to public services?</p>	<p>the report indicated that the budget position was improving.</p> <p>The budget position at a high had shown an overspend of £6.4m in August, £5m of which was due to increases in Children’s Services. Approximately £3.9m had been built into the budget to go towards Children’s Services.</p> <p>The budget overspend as of last month had come down to £4.9m and further processes were being put in place to reduce this further.</p> <p>The major areas for funding to come out of the Chancellors speech was the additional funding for Winter Pressures and Adult Social Care. There was also additional funding of £1.5m for pot holing which would need to be spent before the end of the financial year.</p>
<p>The Committee RESOLVED to note this section of the budget.</p>		
<p>6. Appendix A Page 39 to 42 2019/2020 – 2021/22 MTFS Detailed Budget Position and Appendix B Page 43 Local Government Finance Event Timeline</p>	<p>What is the MRP Re – Provision listed under Table 2 Non repeatable One off Savings on page 3 of the report?</p>	<p>This item comes under Capital Financing Costs and is monies that can be offset against the Capital Financing Costs. Money that is set aside for debt.</p>
<p>The Committee RESOLVED to note this section of the budget.</p>		
<p>7. Appendix C Page 45 to 48 Performance Data</p>	<p>There were no questions or comments for this section of the budget.</p>	
<p>The Committee RESOLVED to note this section of the budget.</p>		

Item / Section of the Budget	Questions / Comment	Response from relevant Cabinet Member / Corporate Director
<p>8. Appendix – D Page 49 to 51</p> <p>Capital Programme 2018/19-2021/22</p>	<p>It was noted that the Community Leadership Fund listed at £860K was underspent last year and the question was posed as to whether it should be reduced, remain the same or be disposed of.</p> <p>Some Members advised that it was used fully in their wards and they would not want it to be taken away.</p> <p>After a short discussion Councillor Over seconded by Councillor John Fox recommended that the Community Leadership Fund remain at £1000 per councillor and that any Community Leadership funding not spent by February of the current financial year should be pooled and redistributed to Councillors who had already spent their allocation and could use it for further projects within their area.</p> <p>Councillor Murphy recommended that the Community Leadership Fund be reviewed.</p> <p>Some Members felt that the rules on how the money could be spent were quite restrictive.</p>	<p>The Cabinet Member for Resources advised that there was a Capital Programme Board in place which challenged the Capital Programme thoroughly to reduce the overall amount.</p> <p>The Leader of the Council commented that it was sometimes difficult to spend the total amount allocated within one year and it would be more helpful if the funding could be rolled over to the next financial year. This might then provide funding for more meaningful projects.</p>

Item / Section of the Budget	Questions / Comment	Response from relevant Cabinet Member / Corporate Director
	<p>Members sought clarification on whether the figure of £860K was accurate and if it had been listed in the correct area of the budget.</p> <p>Councillor Jamil, seconded by Councillor Hogg provided an alternative recommendation to Councillor Over's recommendation recommending that if the Community Leadership Fund was not used within the financial year then it is rolled over to the next year so that it remained within the same ward rather than being redistributed, providing this was allowed within the rules of the Community Leadership Fund.</p> <p>Councillor Over agreed to Councillor Jamil's recommendation and it was therefore put to the vote.</p> <p>(17 in favour, 7 against, 2 abstentions) The recommendation was therefore agreed.</p>	<p>The Acting Corporate Director, Resources advised that he would have to confirm the figure after the meeting and would look at the figure as a matter of urgency.</p> <p>The Cabinet Member for Communities requested that when considering the rules of the Community Leadership Fund consideration could also be given to how the fund is allocated within the ward if a Councillor should resign. Currently if a councillor resigned their portion of the Community Leadership Fund was lost.</p>
	<p>Members were concerned that putting £18m this year and £10m next year into the Housing Joint Venture was putting 'all our eggs in one basket'. Members requested that Cabinet look at other funding streams and review the current housing situation.</p> <p>Councillor Murphy seconded</p>	<p>The Leader responded that the government rules currently stipulate that the Combined Authority could not fund the housing associations however this was currently being looked at. Current funding was coming from the Department of Homes and Communities. The council were open to and bidding via every avenue possible to build and obtain housing.</p>

Item / Section of the Budget	Questions / Comment	Response from relevant Cabinet Member / Corporate Director
	<p>by Councillor Jamil recommended that Cabinet review the current housing financial situation and consider other funders and not put the £28m in to one vehicle for provision of homes.</p> <p>The recommendation was put to the vote. (17 in favour, 0 against, 3 abstentions)</p> <p>The recommendation was therefore agreed.</p>	
<p>The Committee RESOLVED to note this section of the budget and made the following recommendation.</p> <p>RECOMMENDATIONS</p> <ol style="list-style-type: none"> 1. The Joint Scrutiny Committee RESOLVED to recommend that Cabinet review the current housing financial situation and consider other funders and not put the £28m into one vehicle for provision of homes. 2. The Joint Scrutiny Committee RESOLVED to recommend to Cabinet that if the Community Leadership Fund was not used within the financial year then it is rolled over to the next year so that it remains within the same ward rather than being redistributed, providing this was allowed within the rules of the Community Leadership Fund. <p>AGREED ACTIONS</p> <p>The Joint Scrutiny Committee requested that:</p> <ol style="list-style-type: none"> 1. The Acting Corporate Director, Resources confirm if the figure of £860K listed against the Community Leadership Fund in Appendix D of the budget book is correct. 2. The Director of Law and Governance to review the rules around the Community Leadership Fund following the recommendation made. 		
<p>9. Appendix E Medium Term Financial Strategy 2019/20 Tranche Two Budget Proposals Document starting on page 53</p> <p>Introduction, Budget Process, Priorities,</p>	<p>There were no questions or comments for this section of the budget.</p>	

Item / Section of the Budget	Questions / Comment	Response from relevant Cabinet Member / Corporate Director
Funding and Council Service Expenditure, Overall Budget Position, and Budget Consultation Pages 55 to 63		
The Committee RESOLVED to note this section of the budget.		
10. Governance Budget Proposals Page 64	Members noted the proposals regarding HR – supplies and services and salary cost savings through reduction of hours and sought clarification as to which staff would be affected. Members also asked if the provision of service would be affected.	It was only HR staff who would be affected and they did not provide any HR services to other authorities.
The Committee RESOLVED to note this section of the budget.		
11. Growth and Regeneration Budget Proposals Pages 65 to 67 Including the supplementary report published yesterday on Bus Subsidy Review and Savings separately numbered pages 1 to 6	Members commented on the proposals to reduce the council's subsidisation of local bus routes and felt that the proposals targeted the evening and Sunday services on the core routes 1 to 6. The supplementary report mentioned that the detailed revised timetables were attached in appendix B and C however the appendices was not included with the report. Members therefore sought clarification as to what the savings entailed. <i>7.04pm Councillor Ali left the meeting.</i> Members were concerned that approval of the £150K savings might go through without any detailed analysis or public consultation. Some Members suggested	Stagecoach had provided the council with details of savings of approximately £164K relating to the 60's service. The Cross Party Working Group had therefore been formed to consult on all of the subsidised journeys. The recommendation in the report was to approve the methodology for reviewing the Bus Subsidy in order to achieve the savings put forward in the Tranche Two savings proposal. Stagecoach had responded to say that they had managed to find some savings across the 60's service however more detailed analysis would be required from Stagecoach. Members were informed that Stagecoach had provided initial proposals and timetables. The Cross Party Group would look at the full detail of the proposals before a decision was made.

Item / Section of the Budget	Questions / Comment	Response from relevant Cabinet Member / Corporate Director
	<p>that the savings be found elsewhere as there was concern that a cut in services would affect lifelines to rural communities.</p> <p>Confirmation was sought from the Cabinet Member for Growth, Planning, Housing and Economic Development that full details of the cost saving proposals would be revealed before the next council meeting in December.</p> <p>It was noted that the Combined Authority was now responsible for transport and that they might decide in the future to reinstate the bus services and charge the council for the services. It was suggested that the council and the Combined Authority should work together on the Bus Subsidy review.</p> <p>Members suggested that the council should look at providing its own bus transport.</p> <p>It was suggested that the Cross Party Working Group should meet in public.</p> <p>Councillor Hogg seconded by Councillor Sandford recommended that the decision on the Bus Subsidy review and savings be deferred to Tranche Three to allow the Cross Party Working Group to come back with detailed proposals.</p>	<p>The council were working with partners to rationalise the subsidised routes to make the savings.</p> <p>A consultant had already been engaged and a route and branch review was already being undertaken to look at the bus routes around the city which were being under used.</p> <p>Members were reminded that the council had lost over £55m of revenue support grant. The council had to make decisions on what services could be provided. Bus subsidy was one area of scrutiny. The details of the passenger numbers were known and the detail that had already been provided supported the proposed savings of £150k.</p> <p>The Cabinet Member for Growth, Planning, Housing and Economic Development advised that some of the information provided by the bus companies may be commercially sensitive.</p>

Item / Section of the Budget	Questions / Comment	Response from relevant Cabinet Member / Corporate Director
	<p>The recommendation was put to the vote (9 in favour, 13 against, 0 abstentions) The recommendation was defeated.</p> <p>Councillor Sandford seconded by Councillor Hogg recommended that in order to ensure transparency going forward that the Cross Party Working Group hold their meetings in public so that all details were made publically available subject to them not being commercially sensitive.</p> <p>The recommendation was put to the vote (9 in favour, 14 against, 0 abstentions) The recommendation was defeated.</p>	
<p>The Committee RESOLVED to note this section of the budget.</p>		
<p>12. People and Communities Budget Proposals Pages 68 to 75</p>	<p>Clarification was sought with regard to self-funders and elderly residents in nursing homes who may have dementia being moved from one home to another that would potentially be cheaper. Members were concerned that this could potentially put elderly residents at risk.</p>	<p>The Cabinet Member for Integrated Adult Social Care and Health gave a short introduction to areas within the budget which was covered by his portfolio.</p> <p>Self-funders. There was enormous pressure in the nursing market. Sometimes self-funders were misinformed with regard to the care home fees. When people ran out of funds it was the responsibility of the council to step in and provide suitable care. The Cabinet member advised that when this happened and the council had to provide assistance in funding care arrangements. This did not necessarily mean that the resident would have to move to alternative accommodation but</p>

Item / Section of the Budget	Questions / Comment	Response from relevant Cabinet Member / Corporate Director
	<p>Members were pleased to note the development of Care Suites across the city and wanted to know where they would be located.</p>	<p>if this was the case the council would ensure that the accommodation provided was equal to what was already being provided. The same type of accommodation would be provided at an affordable price. The council would not want to see people moved unnecessarily. Cheaper accommodation did not mean worse accommodation, often it would be the same accommodation that they were already in but at a cheaper rate.</p> <p>The location of the Care Suites were known but because of commercial sensitivity they could not be named. However they would be located in Peterborough.</p>
	<p>Home to School Transport – Catchment Areas. Members sought clarification regarding the proposed reduction in home to school transport costs by reviewing the catchment areas of primary and secondary schools.</p> <p>Will the children who are currently using the home school transport still be able to continue using it?</p> <p>Members commented that anything that could be done to encourage cycling and walking would assist the reduction in home to school transport costs. Adequate school places within the catchment areas would also assist this.</p>	<p>The Director for Education responded that the catchment areas within Peterborough were very old and over the years the schools had changed. Some schools no longer existed and there were many new schools the catchment areas therefore needed to be rebalanced to reduce home school transport costs.</p> <p>This proposal was about planning for the future and therefore those currently using home school transport would not be affected.</p> <p>Cycles were already in the scheme and the LEA already promoted cycling to school and where appropriate promoted parents providing transport to school as this could often be cheaper and more cost effective.</p>

Item / Section of the Budget	Questions / Comment	Response from relevant Cabinet Member / Corporate Director
	<p>National Living Wage. It was noted that next year there was nothing in the budget and a -£300 saving for the following two years which was based on intelligence from reviewing the latest information and legislation coming from central government. Why was nothing entered for next year?</p>	<p>At the time the decision was taken the legislation was not quite clear and therefore there was an over provision in the budget as it was uncertain as to the exact costs associated with the National Living Wage. Due to the over provision it is correct that there would be no savings next year and savings of -£300 over the next two years. The money saved would go back into reinvestment into the service.</p>
	<p>Housing Needs. It was noted that the report stated that the council had made significant gains by increasing the number of temporary accommodation units to meet homelessness demands. How many properties had been acquired and tenancies created or dwellings for homeless people so far? Members suggested that the figure of £223K savings needed to be revised as it was believed that the figures would not be achieved.</p>	<p>The budget figures were accurate and reviewed on a weekly basis. Offers had been accepted on 23 houses and by Christmas 35 will have been secured and were on target to have achieved 55 by March 2019. 8 properties had been acquired on Cromwell Road which had been empty for some considerable length of time and were being converted into general needs accommodation. Medesham Homes, Midland Road properties will be listed in the coming weeks. 22 properties had also been secured at Tysedale in Bretton and were currently being converted into general needs stock. Additionally the council had secured and signed up 32 lease properties from the private sector.</p>
	<p>Term time only working. Have staff been consulted with regarding staff moving to term time only contracts resulting in a lower salary.</p>	<p>This related to Education Staff only and individuals affected were being consulted with. The number of people affected related to one or two people only.</p>
	<p>Virtual School. Members were concerned about the savings identified with regard to the Virtual School as this affected children in care.</p>	<p>The Virtual School provision for looked after children's education was very important. The process and systems in place for the Virtual School has improved over the years and therefore some</p>

Item / Section of the Budget	Questions / Comment	Response from relevant Cabinet Member / Corporate Director
		efficiency savings could now be made. There was also an additional grant from government which would cover the shortfall.
	Delivery improved performance by the Adult Social Care Team. Would there be any staff redundancies incurred through the £200k savings?	This was about improving productivity and working smarter and more efficiently. There would not be any staff redundancies.
	Community Capacity - Community Asset Transfer (CAT) Programme. If any group did not have the capacity to take on the asset could the council assist the group?	Officers have taken extreme care and sensitivity in the handling and transfer of assets and in particular cases which have been particularly difficult to resolve. The time, care and effort that had been put into the process had been excellent and would continue.
	PES / Community Safety Operating Model. Will the remodelling of the PES service have an effect on other service areas?	The PES continued to grow and extend delivery to all communities across the city and was made up of a range of different interventions. Some of these interventions were about raising revenue through an increase in enforcement activity. There was also the new HMO licensing regulations. Revenue raised would be used to offset the staffing costs. A large amount of the £350K savings was linked to the fact that the CCTV service was now shared with Fenland District Council which would mean sharing the staff and costs.
The Committee RESOLVED to note this section of the budget.		
13. Public Health Budget Proposals Pages 76 to 77	Members were concerned with some of the proposed savings and in particular Public Health Staffing savings in respect of three vacant posts (Mental Health Promotion Officer, Senior	The savings for Public Health staff all related to posts in Cambridgeshire County Council. The Mental Health Promotion Officer post had been vacant for less than a year, the Public Health Analyst post had been vacant

Item / Section of the Budget	Questions / Comment	Response from relevant Cabinet Member / Corporate Director
	<p>Public Health Analyst and Drug and Alcohol Misuse Health Improvement Specialist. How long had the posts been vacant and how would the services provided by these posts be fulfilled.</p> <p>It was also noted that there would be a cut in sexual health and contraceptive services but recent public health indicators were concerning with regard to teenage pregnancies and sexual health. How can the cuts therefore be justified.</p>	<p>since December 2017 and the Health Improvement Specialist post went out to advert twice but it was not possible to appoint.</p> <p>In terms of cover for the posts the Mental Health Promotion Officer spent a lot of time working on the Keep Your Head mental health web site which consisted of an adult and children's section. The site has now passed to voluntary sector organisations.</p> <p>An agreement has been made with the NHS to appoint a full time person to the Analyst role which was a post that was originally only being funded for a part time role.</p> <p>The Health Improvement Specialist role was being covered by other areas of the team.</p> <p>It was acknowledged that there were some challenges in Peterborough with regard to teenage pregnancies and late diagnosis of HIV. In Tranche One of the budget the council invested heavily in the iCash service because the demand was so high. The council had now negotiated with the provider to mitigate some of that initial cost. Overall there was an investment in year. Consultation was underway with regard to making the savings and making a minimum impact to the service user.</p>
<p>The Committee RESOLVED to note this section of the budget.</p>		
<p>14. Resources Budget Proposals Pages 78 to 79</p>		<p>The Cabinet Advisor for Commercial Strategy and Investments gave a brief introduction with regard to the councils Commercial Strategy.</p>

Item / Section of the Budget	Questions / Comment	Response from relevant Cabinet Member / Corporate Director
	<p>ICT (Change of Strategy Direction). A request was made for a detailed breakdown of the budget pressure of £1,024m including costs relating to the transition to google from Microsoft and the reverse of this decision. Did the £1,024m include licences, training, equipment etc?</p> <p>Members requested information on what had been spent on contracts with Serco and Arcus over the past few years.</p>	<p>In 2013 / 2014 the direction of travel was to develop ICT solutions working with other partners. This had not quite developed as expected. The direction of travel had now changed to using solutions that were already on the market rather than developing our own. Part of the costs were for changing the strategy to deliver the new direction of travel and removing some of the targets that had been put in the original ICT strategy.</p> <p>The Acting Director of Resources advised that he would provide the information after the meeting.</p>
	<p>Increased Council Tax Collection. How did the council propose to raise the additional amount of money?</p>	<p>Peterborough had been moving up the league tables in terms of council tax collection and had been cited as the most improved Unitary authority. Peterborough were now in the top end of the league table with regard to the collection of council tax. More money was collected more efficiently at an increased rate of half a percent.</p>
<p>The Committee RESOLVED to note this section of the budget.</p> <p>ACTIONS</p> <p>The Joint Scrutiny Committee requested that the Acting Director of Resources provide information on how much money had been spent on contracts with Serco and Arcus over the past few years.</p>		
<p>15. Staffing Implications</p> <p>Page 80</p>	<p>There were no questions or comments for this section of the budget.</p>	<p>.</p>
<p>The Committee RESOLVED to note this section of the budget</p>		

Item / Section of the Budget	Questions / Comment	Response from relevant Cabinet Member / Corporate Director
<p>16. Appendix F Pages 81 - 154</p> <p>Equality Impact Assessments</p>	<p>Subsidised Transport Equality Impact Assessment (EIA). Members noted that the EIA stated that “It is not possible to identify which, if any individuals or groups will be affected until a review of the various supported services has taken place. A full assessment will be taken at that stage”. It also states that any positive or negative effects were unknown at this stage. Members had been advised that a comprehensive review would be undertaken and detailed information on the services would be submitted to the full council meeting on 12 December which left little time to carry out a detailed review and full equality impact assessment. Members sought assurance that a full equalities impact assessment would be carried out.</p>	<p>The Cabinet Member for Growth, Planning, Housing and Economic Development advised that an equalities impact assessment could only be carried out when it was known which bus routes would be affected. When the routes have been identified an impact equality assessment would be carried out.</p>
<p>The Committee RESOLVED to note this section of the budget</p>		
<p>17. General Comments, any overall recommendations and Conclusion:</p> <p>There were no further comments, questions or recommendations made.</p>		

CHAIRMAN
The meeting began at 6.00pm and ended at 8.17 pm

COUNCIL	AGENDA ITEM No. 10
12 DECEMBER 2018	PUBLIC REPORT

RECORD OF EXECUTIVE DECISIONS MADE SINCE THE LAST MEETING

1. CABINET MEETING HELD ON 15 OCTOBER 2018

i. Medium Term Financial Strategy 2019/20 to 2021/22

Cabinet considered the report and RESOLVED to approve:

1. The Tranche Two service proposals, outlined in Appendix E to the report as the basis for public consultation.
2. The updated budget assumptions, to be incorporated within the Medium Term Financial Strategy (MTFS) 2019/20- 2021/22. These were outlined in section 5.4 of the report.
3. The revised capital programme approach outlined in section 5.7 and referencing Appendix D to the report.
4. The Medium Term Financial Strategy 2019/20-2021/22-Tranche Two, as set out in the body of the report and the following appendices:
 - Appendix A – 2019/20-2021/22 MTFS Detailed Budget Position – Tranche Two
 - Appendix B – Local Government Finance Event Timeline
 - Appendix C – Performance Data
 - Appendix D – Capital Programme 2018/19 - 2021/22
 - Appendix E – Budget Consultation Document, including Budget Proposals
 - Appendix F – Equality Impact Assessments

Cabinet RESOLVED to note:

5. The future strategic direction for the Council outlined in section 5.6 of the report.
6. The forecast reserves position outlined in section 5.8 of the report.

ii. Budget Control Report August 2018

Cabinet considered the report and RESOLVED to note:

1. The Revenue Budgetary Control position for 2018/19 at August 2018 included a £6.482m overspend position on the revenue budget.
2. The key variance analysis and explanations that were contained in Appendix A to the report.
3. The estimated reserves position for 2018/19 as outlined in Appendix B to the report.
4. In year budget risks were highlighted in Appendix C to the report.
5. The Asset Investment and Treasury Budget Report as contained in Appendix D to the report.

2. CABINET MEETING HELD ON 19 NOVEMBER 2018

i. Petition for Debate – Herlington Post Office

Cabinet considered the report and **RESOLVED** to note the petition and comments but took no action.

ii. Peterborough Business Improvement District (Bid) Development

Cabinet considered the report and **RESOLVED** to approve the development of a Business Improvement District (BID) application for Peterborough City Centre.

iii. Council Tax and Care Leavers

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

1. Note the content of the report;
2. Agree that in the absence of any national scheme, it was not appropriate for the Council to exempt care leavers from Council Tax;
3. Support the Director of Children's Services in writing to Central Government to suggest the implementation of a national scheme that provides some exemption from Council Tax to all vulnerable young people and adults up to the age of 25 living away from home;
4. Support the Director of Children's Services in writing to colleague Directors and seeking support in lobbying for a national scheme; and
5. Support the Director of Children's Services in writing to the Local Government Association and local MP's seeking support in lobbying for a national scheme.

iv. Peterborough City Council Biodiversity Strategy

Cabinet considered the report and **RESOLVED** to recommend the Biodiversity Strategy to Full Council for approval.

v. Budget Control Report September 2018

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

1. The Revenue Budgetary Control position for 2018/19 at September 2018 includes a £4.910m overspend position on the revenue budget.
2. The key variance analysis and explanations are contained in Appendix A to the report.
3. The estimated reserves position for 2018/19 is outlined in Appendix B to the report.
4. In year budget risks were highlighted in Appendix C to the report.
5. The Asset Investment and Treasury Budget Report was contained in Appendix D to the report.

vi. Outcome of Petitions

Cabinet considered the report and **RESOLVED** to note the actions taken in respect of petitions.

3. CABINET MEETING HELD ON 3 DECEMBER 2018

Medium Term Financial Strategy 2019/20 To 2021/22 - Tranche Two

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

1. The Tranche Two service proposals, outlined in Appendix E.
2. The updated budget assumptions, to be incorporated within the Medium Term Financial Strategy (MTFS) 2019/20- 2021/22. These are outlined in section 5.4 of the report.
3. The revised capital programme approach outlined in section 5.7 and referencing Appendix D.
4. The Medium Term Financial Strategy 2019/20-2021/22-Tranche Two, as set out in the body of the report and the following appendices:
 - Appendix A – 2019/20-2021/22 MTFS Detailed Budget Position-Tranche Two
 - Appendix B – Local Government Finance Event Timeline
 - Appendix C – Performance Data
 - Appendix D – Capital Programme 2018/19- 2021/22
 - Appendix E – Budget Consultation Document, including Budget Proposals
 - Appendix F – Equality Impact Assessments
 - Appendix G– Budget Consultation Feedback

Cabinet **RESOLVED** to:

5. Note the future strategic direction for the Council outlined in section 5.6 of the report.
6. Note the forecast reserves position outlined in section 5.8 of the report.
7. Note the feedback received on the budget proposals, received via the consultation detailed in Appendix G.
8. Approve the proposed methodology for reviewing the Bus Subsidy in order to achieve savings of £150,000 as put forward in the Council's Tranche Two savings proposals.
9. Note that no changes would be implemented until consultation with end users had been completed. Progress on implementation would be reviewed at Cabinet on 3 February 2019. If consultation responses indicated that a different approach was required, this would be brought back to Cabinet and Council as part of the Council's Tranche Three proposals.

4. CALL-IN BY SCRUTINY COMMITTEE

Since the publication of the previous report to Council, the call-in mechanism has been invoked once:

- 1) This was in respect of the decision taken by the Cabinet Member for Resources on 24 October 2018 relating to an Executive Decision: Amendment of Loan Facility For Fletton Quays Hotel - OCT18/CMDN/47. The call-in request was considered by the Growth, Environment and Resources Scrutiny Committee on 7 November 2018. Following consideration of the reasons stated on the request for call-in and the response to the call-in, the Committee did not agree to the call-in of this decision on any of the reasons stated.

4. SPECIAL URGENCY AND WAIVER OF CALL-IN PROVISIONS

Since the publication of the previous report to Council the urgency, special urgency and waiver of call-in provisions have been invoked twice:

- 1) Award of Contract to HW Martin Waste Ltd. for the Management and Operation of Dogsthorpe Household Recycling Centre - KEY/12NOV18/08 - due to the nature of the construction and the potential for buried archaeology, there was some ambiguity on the exact date the replacement Fengate site would be ready to open to the public. It has only subsequently been possible to agree the terms of the extension period required and receive agreement from the operator of Dogsthorpe that they are willing to extend.
- 2) Amendment of Existing Loan Arrangements to Empower - NOV18/CMDN/57 - The urgent timescale is driven by external commercial factors. The Council had been reassured by Empower that full refinancing was progressing within agreed timescales. When it became clear that neither was the case the Council needed to spend time investigating and understanding why the outcome of Empower's refinancing process was not as expected, while considering the range of options now available to it. Those refinancing and other options currently under discussion with Empower LLP and external parties have only now reached a point at which specific recommendations and decisions can be made. The loan facility currently expires on 30 November 2018.

5. CABINET MEMBER DECISIONS

CABINET MEMBER AND DATE OF DECISION	REFERENCE	DECISION TAKEN
<p>Cabinet Member for Resources</p> <p>Councillor David Seaton</p> <p>22 October 2018 Date taken</p>	<p>OCT18/CMDN/46</p>	<p>Town Hall Lease and Remodelling Project - OCT18/CMDN/46</p> <p>The Cabinet Member:</p> <ol style="list-style-type: none"> 1. Authorised the Council to enter into an Agreement for Lease and Lease on the agreed Heads of Terms with Cambridgeshire & Peterborough NHS Foundation Trust (CPFT). 2. Authorised the Council to enter into a Pre-Construction Services Agreement (PCSA) to the value of £116,203.19 and an Early Works Agreement (EWA) to the value of £154,471.08 with RG Carter (Cambridge) Ltd to respectively undertake design and enabling works in advance of the main construction works. 3. Authorised the Council to enter into any other legal documentation on behalf of the council in relation to this matter, including a design and build contract for the main construction works subject to a full value for money report and Cabinet Member Decision Notice.
<p>Cabinet Member for Resource</p> <p>Councillor David Seaton</p> <p>30 October 2018</p>	<p>CT18/CMDN/47</p>	<p>Amendment of Loan Facility for Fletton Quays Hotel</p> <p>The Cabinet Member:</p> <ol style="list-style-type: none"> 1. Noted the change of ownership of Fletton Quays Hotel Ltd from Norlin Hotel Holdings Ltd to Propiteer Hotels Ltd and

		<p>a) approved the amendment of the terms of the facility of £15m to provide funding for the construction of a Hotel on the Fletton Quays site from Norlin Hotels Holdings Limited and its subsidiary Fletton Quays Hotel Limited, to Propiteer Hotels Ltd and its subsidiary Fletton Quays Hotel Ltd; and</p> <p>b) approved the amendment of the term of the facility from 24 months commencing the date of SEPT 17/CAB/41 to 24 months from the date of the first drawdown</p> <p>2. Authorised the Interim Director of Law and Governance and Interim Corporate Director of Resources to exercise delegated authority to finalise and agree all necessary additional due diligence and any amendments to the business case to reflect the change of ownership and company structure noted in 1. above.</p> <p>3. Authorised the Interim Director of Law and Governance and Interim Corporate Director of Resources to exercise delegated authority to finalise and agree all necessary legal agreements with Propiteer Hotels Ltd for the purposes of facilitating these arrangements.</p>
<p>Cabinet Member for Waste and Street Scene</p> <p>Councillor Marco Cereste</p> <p>5 November 2018</p>	OCT18/CMDN/48	<p>Award of Contract to HW Martin Waste Ltd for the Management and Operation of Dogsthorpe Household Recycling Centre</p> <p>With the approval of the Chairman of the Growth, Environment and Resources Scrutiny Committee Urgency, Special Urgency and waiver of call-in procedures have been invoked to suspend the requirement to advertise the decision for 28 days, publish the decision for 5 days prior to publication, and to suspend the 3 day call-in period.</p> <p>This is because until very recently, due to the nature of the construction and the potential for buried archaeology, there was some ambiguity on the exact date the replacement Fengate site would be ready to open to the public. It has only subsequently been possible to agree the terms of the extension period required and receive agreement from the operator of Dogsthorpe that they are willing to extend.</p> <p>The Cabinet Member approved the extension of contract for the management and operation of Dogsthorpe Householder Recycling Centre (HRC) to HW Martin Waste Ltd. for the period of 01 November 2018 to 17 February 2019. The total value of this extension and an estimation of the variable spend related to waste arising is £185,000.</p>
<p>Cabinet Member for Resources</p> <p>Cllr David Seaton</p> <p>21 November 2018</p>	NOV18/CMDN/49	<p>Extension of the Peterborough Serco Strategic Partnership Services Agreement</p> <p>The Cabinet Member authorised extension of the Peterborough Serco Strategic Partnership Services Agreement with Serco Limited for a period of ten years between 28 November 2021 to 27 November 2031. The estimated value of the ten year extension shall be up to a maximum of £105,000,000.</p>

<p>Cabinet Member for Education Skills and University</p> <p>Cllr Lynn Ayres</p> <p>15 November 2018</p>	<p>NOV18/CMDN/50</p>	<p>Decision to Award Compensation As Recommended By The Local Government Ombudsman</p> <p>The Cabinet Member authorised the payment of the recommended settlement amount.</p>
<p>Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>Cllr Peter Hiller</p> <p>28 November 2018</p>	<p>NOV18/CMDN/55</p>	<p>Care and Repair Framework Agreement - Award of Contracts Lots 1 to 5</p> <p>The Cabinet Member authorised the award of placement on the Council's new Care and Repair Framework Agreement to the successful contractors who have submitted tenders to the new framework for Care & Repair Works & Services due to commence on 1 January 2019. This Framework Agreement will be for a period of 3 years to 31 Dec 2021 with an option to extend for a further year until 31 December 2022 and a further year beyond that to December 2023. The Framework Agreement has been split into 5 Lots. These are detailed below with successful bidders and total estimated Lot values for 3 years</p>
<p>Cabinet Member for Waste and Street Scene</p> <p>Councillor Marco Cereste</p> <p>28 November 2018</p>	<p>NOV18/CMDN/56</p>	<p>Closure of the Waste Electrical and Electronic Equipment Reuse Facility</p> <p>The Cabinet Member agreed:</p> <p>a) In line with the proposed savings for the MTF5 2018 – 19 to close the Waste Electrical and Electronic Equipment (WEEE) reuse facility on 31 December 2018 currently operated by Amey Limited in fulfilment of the Council's service agreement with Enterprise managed Services Limited.</p> <p>b) To approve the variation of the services agreement with Enterprise Managed Services Limited to reflect the closure.</p>
<p>Cabinet Member for Resources</p> <p>Councillor David Seaton</p> <p>30 November 2018</p>	<p>NOV18/CMDN/57</p>	<p>Amendment of Existing Loan Arrangements to Empower</p> <p>The Cabinet Member:</p> <ol style="list-style-type: none"> 1. Approved the amendment of the terms of the Strategic Partnership with Empower Community Management LLP 2. Approved the amendment of the financing agreement with ECS Peterborough 1 LLP 3. Approved the Council entering into such further agreements with ECS Peterborough 1 LLP and any other body necessary to facilitate the arrangements set out in this report. 4. Delegated to the Corporate Director, Resources and Director of Law and Governance the ability to finalise matters 1 to 3 above.

		<p>5. Delegated to the Corporate Director, Resources the ability to extend the funding facility which will be included in the financing agreement at 3. above on a monthly basis for up to 4months based on the methodology for extending the facility set out in this report</p>
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COUNCIL	AGENDA ITEM No. 11
12 DECEMBER 2018	PUBLIC REPORT

RECORD OF CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY DECISIONS MADE SINCE THE LAST MEETING

1. MEMBER REPRESENTATIVES

Meeting	Dates of Meeting	Representative
Overview and Scrutiny Committee	29 October 2018	Councillors June Stokes Councillor Ed Murphy
Combined Authority Board	31 October 2018	Councillor John Holdich
Audit and Governance Committee	N/A	Councillor David Seaton

1.1 The above meetings have taken place in October.

2. OVERVIEW AND SCRUTINY COMMITTEE – Monday 29 October 2018

2.1 The Overview and Scrutiny Committee met on 29 October 2018 and the decision summary is attached at **Appendix 1**.

3. COMBINED AUTHORITY BOARD MEETING – Wednesday 31 October 2018

3.1 The Combined Authority Board met on 31 October 2018 and the decision summary is attached at **Appendix 2**.

4. THE AGENDAS AND MINUTES OF THE MEETINGS ARE ON THE COMBINED AUTHORITY WEBSITE

<http://cambridgeshirepeterborough-ca.gov.uk/meetings/overview-and-scrutiny/?date=2018-10-29>

<http://cambridgeshirepeterborough-ca.gov.uk/meetings/cambridge-and-peterborough-combined-authority/?date=2018-10-31>

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Overview and Scrutiny Committee -Decision Summary

Meeting: 29th October 2018

Minutes: [Overview and Scrutiny Committee- Decision Summary](#)

Chair: Cllr Lucy Nethsingha

Summary of decisions taken at this meeting

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
1.	Apologies	Apologies received from: Cllr Doug Dew substituted by Cllr Jon Neish. Cllr Tom Sanderson.
2.	Declaration of Interests	There were no declarations of interest.
3.	Minutes	The minutes of the meeting held on the 24th September were agreed as a correct record subject to the following amendments:

		Under point 6.2 that 'Reassurance was provided from the Interim Chief Executive that there had been issues around the shortlisting process and documentation available and that shortlisting would be recorded in the future.'
4.	Public Questions	There were no public questions received.
5.	Interim Transport Plan	<p>The Committee received the report from the Transport Programme Manager which outlined the Local Transport Plan that had been agreed by the Transport Committee on the 10th October 2018. The following points were discussed:</p> <ul style="list-style-type: none"> • Members were advised that district council officers and planning officers had been engaged by the project team and had been involved in two workshops that had taken place. • The officer agreed with members that it was important to tie in the programme of the Local Transport Plan to take into account the local plans for the district councils. • Members raised a concern that it appeared that only members would be consulted as they felt it was important that highways authority officers should be engaged with as they had a wealth of experience that should be utilised at each stage. • The Director for Strategic Planning who was in attendance at the meeting advised that all the strategies for the Combined Authority and local councils must tie into one another despite different timeframes and that the nonstatutory spatial plan would include the findings from the Local Transport Plan. • Members raised a concern that the HCV route map had not been taken into account in the Local Transport Plan and it was felt that this should be

		<p>integrated into the plan. Officers agreed to provide a written response to this query.</p> <ul style="list-style-type: none"> • Members were concerned around the assumption made about the north and south of the county rather than the east and west of the county and queried where these assumptions had come from. The officer advised that the assumptions that had been made so far had come from the engagement that had been received from the workshops. • Members felt it would be helpful to receive a list of organisations and officers involved in the steering group and working group for the Local Transport Plan and also for the remits of the groups to be circulated to the committee to enable them to fully understand the processes being undertaken. • The bus review was underway and would be brought to the Board in the early part of next year which in turn would lead to a bus strategy. Consultation on this would be before April. • A question was asked around whether the Combined Authority was resourced enough to deal with the feedback that would be received from the consultation once it had been sent out to the public, the officer advised that there was staff to deal with the feedback received. <p>The Committee agreed that the Chair should ask the following questions to the Board on Wednesday 31st October:</p> <ol style="list-style-type: none"> 1) The Committee requests that the HCV route map is taken into account and is integrated fully with the Local Transport Plan. 2) The Committee raised concerns around the assumptions made over the North - South priorities over the East - West within the report and
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		<p>wondered how this assumption had been reached? There were also concerns raised that there appeared to be no reflection of the issues raised in the CPIER report?</p> <p>3) The Committee wanted to know that the level of consultation with the district councils at the initial stages would be thorough to allow the councils to incorporate the Local Transport Plan into their local plans.</p> <p>4) The Committee wanted reassurance that the Combined Authority would have the resources to manage the interest that would be received once the Local Transport Plan went out for consultation to the public?</p> <p>5) If the consultation responses created a need for phase three to be re-written would the Combined Authority be prepared to adjust the Local Transport Plan?</p>
6.	Performance Reporting	<p>The Committee received the report from the Director for Strategy and Planning. The following points were discussed:</p> <ul style="list-style-type: none"> • The Committee were advised that the report was a proposal for the shape of future performance reporting; that the Board had requested something very clear, simple and transparent that had a small number of key performance indicators which would reflect the key commitments of the devolution deal for the Combined Authority. • The Director advised that there was always a trade-off between the need for clarity and the need for detailed information. The current form would be assessed and reviewed and if it needed to be amended in future then it would. • The Director advised that a more detailed version could be created for each individual committee to consider their own areas.

		<ul style="list-style-type: none"> • A member raised a concern that environmental factors were not one of the key indicators and that this should be included, officers agreed that they would consider this point. <p>The Committee agreed that the Chair should raise the following point at the Board meeting on the 31st October 2018:</p> <p>The Committee felt that the performance reports that would be sent to the new Committees should contain greater detail than the overview report that would be sent through to the Board.</p>
7.	Chief Executives Letter	<p>The Committee was invited to ask questions to the Interim Chief Executive regarding the letter that had been published in the media recently regarding concerns about the governance of the Combined Authority. The following points were raised and discussed with the Interim Chief Executive:</p> <ul style="list-style-type: none"> • Following receipt of the letter there has been engagement with CPSB to gain their views which had been fed into the review on the Combined Authority. • There was now a senior management team in place at the Combined Authority which had enabled the authority to move forward and as a result there was now active engagement with numerous stakeholders including the CPSB on a regular basis. • In response to a question raised about concerns on engagement in the investment and the skills and industrial strategies officers advised that the strategies were still in development and would need to go through the Board members before they could be discussed with the constituent councils. In terms of the investment strategy there was a process in place which needed to be set within the context of the Medium Term Financial Plan.

- The legal advice that had been provided to Mayor regarding the resignation of the Chief Executive Officer had been provided by an independent legal source and had not been provided in house.
- The previous Chief Executive Officer had requested that no further details around his personal data be released however, it could be looked into whether there was a non - disclosure agreement.
- Members queried who had made the decision to make the payment and when and were advised that the Mayor would have made the decision and there would have been a Mayoral decision notice which would be confidential, but officers could check and provide a date for the decision notice.
- Members queried if other staff contracts allowed for similar severance payments and were advised that it would depend on the conditions of the termination.
- Members were advised that the Audit and Governance Committee had requested that the external auditor look into the severance payment when the final year accounts were considered. The Chair advised she would discuss this with the Audit Chairman and report back to the committee on this.
- Members asked if it would be possible to view the contract of employment for the Chief Executive Officer post and were advised that this was a confidential document, but that legal advice would be taken to see if it could be disclosed to the committee members.
- The Chair asked whether the company that had been referenced in the letter released to the media had in fact been created and officers advised that no company had been formed.

		The members thanked the Interim Chief Executive Officer for attending and answering the committee's questions.
8.	Review of the Combined Authority Board Agenda	<p>The Committee reviewed the agenda due to come to the Board on Wednesday 31st October 2018.</p> <p>The Committee discussed the following items:</p> <p><u>Item 2.4 - Cambridge Autonomous Metro: Update</u> Members raised concerns around the quality of the report and queried what the purpose of the report was and asked whether the precise remit that had been provided to the consultants to write the report could be circulated to the committee.</p> <p>The Committee agreed that the following should be asked at the Board meeting:</p> <ol style="list-style-type: none"> 1) The Committee requested that more detail be included in future reports and asked if the remit that was provided to the consultants to produce this work could be provided to the Overview and Scrutiny Committee. 2) The Committee also requested that further information around financing be provided?
9.	Member Update on Activity of Combined Authority	<p>The Committee received a brief update from Cllr Sargeant as Acting Chair of the Task and Finish Group.</p> <p>The Group had met with the Director of Transport and Interim Chief Finance Officer and had interviewed a potential consultant. Following this meeting the members had raised some concerns that the work the consultant would do would replicate the exact work other advisors had already provided the Combined Authority and therefore would not add any value.</p> <p>The members had requested that the Scrutiny Officer contact Centre for Public</p>

		<p>Scrutiny to gain some advice and possible support and they would be discussing this at their next meeting which would be held at the close of this meeting.</p> <p>Cllr Sargeant proposed that the terms of reference for the Task and Finish Group be amended as below:</p> <ol style="list-style-type: none"> 1) To review the processes, evidence gathering, consultation and decision making in the development of the MRT project including comparing and contrasting with the development of any similar infrastructure initiatives and any lessons therein learnt 2) To ensure that the MRT project fits within an integrated transport network which will deliver against the broader objectives of the Combined Authority, the analysis and recommendations of the CPIER Report and will align with schemes being delivered by GCP, the emerging Local Transport plan and the Bus Strategy? <p>The Committee agreed to amend the terms of reference. No other member updates were received.</p>
10.	Constitution Update	<p>Members received the report from the Scrutiny Officer which outlined the changes to the constitution agreed by the Combined Authority Board on the 26th September.</p> <p>A member queried whether the new committees would be taking any key decisions for the Overview and Scrutiny Committee to call in and were advised that only key decisions which had been delegated by the Board would be made by the committees.</p> <p>Members requested that all dates for the Transport, Skills and Housing Committees be circulated to the committee.</p> <p>The Committee noted the report.</p>

11.	Combined Authority Forward Plan	The Committee considered the Combined Authority Forward Plan and requested that the Bus Strategy item that was being taken to the November Board meeting be brought to the Overview and Scrutiny Committee November meeting.
12.	Overview and Scrutiny Work Programme Report	<p>The Committee received the report which outlined the work programme for the committee for the municipal year 2018/19.</p> <p>The Committee requested that the Bus Strategy be added to their November agenda.</p> <p>The Committee requested that the Investment Strategy/MTF Plan be added to the November meeting.</p> <p>The Committee requested that the Scrutiny Officer extend the length of the meeting to accommodate the larger agenda for November's meeting.</p>
13.	Date of Next Meeting	The next meeting would be held on the 26th November 2018 at East Cambridgeshire District Council.

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**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

CAMBRIDGESHIRE & PETERBOROUGH COMBINED AUTHORITY

Decision Statement

Meeting: 31st October 2018

Minutes: [Cambridgeshire & Peterborough Combined Authority](#)

Summary of decision taken at this meeting

Item	Topic	Decision
	Part 1- Governance Items	
1.1	Announcements, Apologies and Declarations of Interest	<p>The Mayor welcomed Patrick Arran to his first meeting since his appointment as Interim Monitoring Officer.</p> <p>Apologies were received from J Ablewhite, Police and Crime Commissioner, substituted by R Bisby, Deputy Police and Crime Commissioner.</p> <p>There were no declarations of interest.</p>

1.2	Minutes – 25th July 2018	It was resolved to approve the minutes of the meeting of 26 September 2018 as a correct record.
1.3	Petitions	None received.
1.4	Public Questions	A question was received from Councillor Chris Boden, however he was not in attendance so his written question was read to the Board.
1.5	Forward Plan	<p>The Board reviewed the Forward Plan of Executive Decisions which was published on 29 October 2018.</p> <p>It was resolved unanimously to note the Forward Plan.</p>
1.6	Appointment to Business Board	<p>The Board considered a recommendation to appoint Councillor Wayne Fitzgerald as substitute for Councillor Charles Roberts on the Business Board in place of Councillor Anna Bailey.</p> <p>It was resolved unanimously to:</p> <p style="padding-left: 40px;">a) appoint Councillor Wayne Fitzgerald as substitute for Councillor Charles Roberts, Portfolio for Economic Growth on the Business Boar</p>

1.7	Membership of the Combined Authority and Committees - Amendments	<p>The Board considered changes to the substitute membership of the Combined Authority Board and Overview and Scrutiny Committee.</p> <p>It was resolved unanimously to note:</p> <ul style="list-style-type: none"> a) the appointment by Cambridgeshire County Council of Councillor Ian Bates temporarily as its substitute member on the Combined Authority Board b) the appointment by Peterborough City Council of Councillor Shaz Nawaz as one of its substitute members on the Overview and Scrutiny Committee for the remainder of the municipal year 2018/19
Part 2- Combined Authority Matters		
2.1	£100m Housing Programme - Scheme Approvals	<p>The Board considered a report detailing a new scheme to consider in the context of the overall investment pipeline for the Combined Authority's £100m programme.</p> <p>It was resolved unanimously to:</p> <ul style="list-style-type: none"> a) commit grant funding of £1.634m from the £100m Affordable Housing Programme to support delivery of new affordable housing scheme at Lion Works, Station Road, Whittlesford.
2.2	Commission of the Local Transport Plan	<p>The Board considered a report seeking confirmation of the scope and outputs proposed in the commission of the Local Transport Plan (LTP) for the Combined Authority area.</p> <p>It was resolved unanimously to:</p> <ul style="list-style-type: none"> a) agree the scope of the Local Transport Plan for the Combined Authority b) agree the stakeholder engagement strategy

2.3	East-West (North) Corridor – A47 Dualling Study – Strategy, Phasing and Prioritisation Stage 0	<p>The Board considered a request to approve additional funding of up to £1m consisted of £800k to establish a supply chain and meet County Council and land costs plus a £200k contingency fund.</p> <p>It was resolved unanimously to:</p> <ul style="list-style-type: none"> a) note the findings of the revised A47 Strategic Outline Business Case, and Options Appraisal Report which confirms that a strong case exists for the dualling of the whole section of the route. b) note the three identified route options being developed to the standards of both HE DCO Compliant PCF Stage 0 and SGAR. c) approve the continuation of Skanska consultancy support via the existing Cambridgeshire County Council framework arrangement and Budget of additional funding of up to £1,000,000, (at a level of £800,000 plus £200,000 contingency subject to CEO / CFO release) for the development of HE DCO Compliant PCF Stage 0 products to achieve a Green SGAR approval. d) note the need to identify funding for a contribution towards the development stage of up to £30,000,000 of an estimated total £60,000,000 over the period 2019 to 2025 as a contribution to the design and development of the preferred route. e) delegate authority to the Transport Director, in consultation with the Chairman of the Transport Committee, to consider and negotiate the concept of amending the continuation or cessation of the current proposed Highways England Intervention at Guyhirn, to then utilise the funding in the development of the wider scheme.
2.4	Cambridge Autonomous Metro: Update	<p>The Board received an update on the CAM project and specifically on the decisions taken at the July Board.</p>

		<p>It was resolved by a majority to:</p> <ul style="list-style-type: none"> a) note the progress of the CAM project towards the production of the Strategic Outline Business Case by December 2018 b) agree the outcomes of the review of the A429 Camborne to Cambridge project, following the pause agreed at the July Combined Authority Board meeting c) note the progress of the work to assess the potential delivery models to ensure the priority transport projects (including the CAM) can be delivered at pace.
2.5	A605 Kings Dyke Level Crossing Closure	<p>The Board considered a request for funding to enable the construction of King's Dyke level crossing closure scheme to proceed to completion in 2020, following the completion of detailed design.</p> <p>It was resolved unanimously to:</p> <ul style="list-style-type: none"> a) note the independently reviewed Business case supporting the progression of the scheme as value for money b) agree to provide funding contribution of up to £16.4m over the original £13.6m allocation to enable the scheme to progress to construction c) agree the apportionment of 40 / 60 as a split of any under / over spend against the above budget between Cambridgeshire County Council and the Combined Authority as set out in the report.
2.6	Performance Reporting	<p>The Board considered future performance reporting arrangements.</p> <p>It was resolved unanimously to:</p> <ul style="list-style-type: none"> a) agree the proposed performance reporting arrangements described in this paper.

	PART 3- Date of Next Meeting	
3.1	Wednesday, 28 November 2018 Council Chamber, Fenland Hall, County Road, March PE15 8NQ	

COUNCIL	AGENDA ITEM No. 12
12 December 2018	PUBLIC REPORT

MOTIONS ON NOTICE

The following notice of motion has been received in accordance with the Council’s Standing Orders:

1. Motion from Councillor Farooq

“I have now had the privilege of sitting on full council meetings and observing the proceedings including questions and motions. I have seen Members passionately debating issues faced by their ward residents and the issues faced by the Peterborough city overall, backed by the professional work of our officers. May I congratulate members and the officers for providing an excellent service to the residents of Peterborough.

On occasions, I have found some of the motions coming to the council, generic, beyond the remit of the council, not achievable and at worse, not relevant to local residents, local issues, or stakeholders.

The discussions on these proposals become lengthy and lose the emphasis on the core points. These motions take valuable time away from the real issues faced by our residents.

I propose that the Constitution and Ethics Committee consider at its next available meeting the introduction of the following criteria for future motions presented to council and make a recommendation back to Council on its findings:

Relevance: Does the motion benefit the residents of specific ward and/or all the residents of Peterborough

Within the remit of the council: Can the council provide the service/product the motion asks for, or is it something for Parliament.

Cost of the proposal and source of funding: How much will it cost to deliver the proposed service/product?

The ultimate test should always be, does it benefit the majority of the residents and does it provide value for money

	Fill in details
Relevance	
Within remit of council	
Cost of the proposal and source of funding	

Such a process will have considerable advantages not least, the ability to introduce real policies and probe and discuss current policies, adding considerable value to the work of the council. Overall, making a real difference to the lives of our residents in Peterborough.”

2. Motion from Councillor Seaton

“Peterborough City Council;

- Notes that the Standards Board was a cumbersome and expensive approach to monitoring the ethics of elected councillors
- Believes that the move to local management of ethics was appropriate
- Notes the commitment of the Council Leader to improving standards and welcomes the establishment of the Constitution and Ethics Committee
- Notes the Committee on Standards in Public Life (CSPL) ongoing review of local government ethical standards

However Peterborough City Council is concerned that;

- Current sanctions such as giving an apology or attending training can only be instigated with the agreement of a member and can lead to an extended process with no acceptable final outcome.
- Current available sanctions for breaches, apart from those in relation to disclosable pecuniary interests, are not set down by statute but arise through the common law and are weak and ineffectual.

Peterborough City Council therefore resolves to;

- Ask the Constitution and Ethics Committee to review the current Code of Conduct in light of the CSPL review and present a revised Code of Conduct to Full Council for agreement.
- If Full Council accepts the recommendations of the Constitution and Ethics Committee, all members will be expected to abide by and accept the new Code of Conduct under the terms of their Declaration of Acceptance of Office which is signed when they are elected.

Constitution and Ethics Committee will continue to oversee any complaints made and ensure sanctions are abided to.”

3. Motion from Councillor Fower

“Council notes that the Christmas decorations in the city centre around Cathedral Square have remained the same for a number of years. Council believes that next year there should be a variation to what we have had for several years. Council resolves to look at changing the Christmas decorations in the City centre for next year so we have a traditional Christmas tree.”

4. Motion from Councillor Barkham

“This Council notes that:

- The United Kingdom has outlawed the farming of animals for their fur on ethical grounds since 2000 and that the use of one of the most common traps used to catch animals for their fur has been illegal for many years.
- Nonetheless fur products are imported from overseas nations.
- Real fur comes from animals raised in deplorable conditions or trapped in the wild and killed inhumanely.
- Regrettably these products are often found for sale on public markets in the UK and customers can inadvertently buy them thinking them to be made of imitation fur.

Accordingly Council resolves to:

- Prohibit the sale of any product wholly or partially made with real animal fur on Council owned land and at Council run or Council leased markets. This ban to cover such items as fur coats, vintage fur, fur shawls, garments with fur trim, fur pompom hats, and fur accessories and trinkets.
- Support the Fur Free Markets campaign of the animal welfare charity, Respect for Animals, the UK's leading anti-fur organisation, by:
 1. Becoming a signatory to the initiative (further information can be found on the 'respect for animals' website here - <http://www.respectforanimals.org/fur-free-markets/>).
 2. Seeking the advice and assistance of the charity in the enforcement of this ban."

5. Motion from Councillor Hogg

"Tenter Hill Meadows was gifted to the people of Stanground for their use and enjoyment, as recreational land. Previously designated as common land it subsequently passed to Peterborough City Council with the changes to Land Registry.

Today this land is heavily used all year round by residents of all ages. In particular young people from across both the Fletton and Stanground ward and Stanground South wards who attend the popular local Scout group whose Scout hut adjoins this land. Fletton and Stanground ward, in which this land is located, is currently 5.7 hectares in deficit for neighbourhood parks and open spaces. Although currently identified in the current local plan as suitable for development, this has been withdrawn from the emerging Local Plan which has been approved by full council is currently with central government for approval.

Residents feel that this land should be regarded as a local community asset, which the Council should look after for continued use by local residents and the wider Peterborough community and not as a financial asset available to be sold off for a one-off single gain.

This council resolves to:

Use its co-ownership of Medesham Homes to ensure that tens of thousands of pounds of local taxpayers money isn't wasted in appealing the refusal for planning permission for the Tenter Hill Meadow development.

Council further resolves to:

Protect the area known as Tenter Hill Meadow from future development to ensure the continued use and enjoyment of this area as a much loved open space by the residents of Stanground and the wider Peterborough community."

6. Motion from Councillor Seaton

"Peterborough City Council recognises that fossil fuels have played a central role in the past 150 years of social and technological development, but that their continued use poses a serious risk to the stability of the climate upon which our well-being and economy depends.

Climate change endangers the health of local residents in Peterborough, directly through impacts such as heatwaves and indirectly through impacts on food systems and global security.

A rapid large-scale shift away from fossil fuels towards energy efficiency and alternative sources of energy is needed to avert catastrophic climate change. This shift to a zero-carbon economy presents significant opportunities and challenges for Peterborough in meeting its environmental aspirations.

Peterborough City Council notes: - it has introduced an ethical procurement policy - it does not hold any direct or indirect investments in fossil fuel producers - it has proposed and implemented significant energy infrastructure, with an Energy from Waste plant, solar on all council buildings and many schools and has offered free solar power to residents - it has worked to reduce fuel poverty and improve energy efficiency with schemes such as Heatatborough and LEAP (which offers a free of charge in-home advice visit that may include installing free simple energy saving measures and finding funding for further energy saving home improvements).

Peterborough City Council also supports the Cambridgeshire Pension Fund, which already has an ethical investment policy, agreed by cross party and employee / union representatives, in using its good offices to persuade companies involved in the production of fossil fuels to seek alternative approaches.

However the Council undertakes to; - work further with councillors, businesses and community groups to support positive investment in local companies and projects, including community energy schemes, which are hastening a rapid shift to a zero-carbon economy - to undertake such work in the context of a city-wide energy descent plan and energy security policy which will be developed with councillors, businesses and community groups including Peterborough in Transition. - write to the national U.K. government to support the principle of eliminating fossil fuel use, to seek alternative approaches, to stop subsidising the fossil fuel industry and to advocate for all other countries to commit to this in the wake of the Paris Agreement.”