

**MINUTES OF THE CABINET MEETING
HELD AT 10:00AM, ON
MONDAY, 16 JULY 2018
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

Cabinet Members Present: Councillor Holdich (Chair), Councillor Ayres, Councillor Cereste, Councillor Fitzgerald, Councillor Hiller, Councillor Lamb, Councillor Walsh and Councillor Seaton.

Cabinet Advisors Present: Councillor Allen and Councillor Fuller.

12. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Smith.

13. DECLARATIONS OF INTEREST

Councillor Walsh declared she was on the board of trustees for The Green Backyard. Councillor Holdich announced that this had previously been discussed with the Monitoring Officer.

Councillor Seaton declared his wife had previously volunteered at the Green Backyard.

14. MINUTES OF THE CABINET MEETINGS HELD ON:

(a) 11 JUNE 2018

The minutes of the meeting held on 11 June 2018 were agreed as a true and accurate record.

15. PETITIONS PRESENTED TO CABINET

There were no petitions presented to Cabinet.

STRATEGIC DECISIONS

16. MEDIUM TERM FINANCIAL STRATEGY 2019/20 to 2021/22 – TRANCHE ONE

The Cabinet received a report as part of the Council's formal budget process set out within the constitution and as per legislative requirements to set a balanced and sustainable budget for 2019/20-2021/22.

The purpose of this report was for Cabinet to initiate and propose service proposals and updated assumptions to set a balanced and sustainable budget, as per the legal requirement.

The Cabinet Member for Resources introduced the report and advised the results of the Joint Scrutiny Committee held on 18 June 2018 concerning the performance section and requested further information was provided on the council tax funding and

requested further information on the progress of the Peterborough Investment Partnership, both of which are in hand.

Cabinet debated the report and in summary, key points raised and responses to questions included:

- The Council still needed to close a £20million budget gap over three years.
- Three further responses had been received to the consultation. Two had no comments to make, the third asked several questions that would be circulated in due course. These made four responses in total.
- After the statutory spend had been deducted the addressable spend was approximately £200million.
- Members were advised that the Council may be delivering services above the statutory spend.
- There had been no information received to suggest that further funding would be available for Adults and Children's Services.
- Revenue support from Government had been reduced and Members felt it would be useful to know how future funding may change. The Leader advised that more information was anticipated in the Autumn Statement however, as yet, the contents were not know.
- Members were advised that the Family Safeguarding Board had been set up in order to prevent children needing to go into care. Early indicators suggested that this was progressing well.

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

1. The Tranche One service proposals, outlined in Appendix D of the agenda.
2. The updated budget assumptions, to be incorporated within the Medium Term Financial Strategy 2019/20- 2021/22. These are outlined in section 5 of the report.
3. The revised capital programme approach outlined in section 5.8 and referencing Appendix C.
4. The additional resourcing of £1.4m, required to deliver transformation projects, in order to achieve future financial benefits. These are outlined in section 5.6 of the report.
5. The Medium Term Financial Strategy 2019/20-2021/22- Tranche One, as set out in the body of the report and the following appendices:
 - Appendix A – 2019/20-2021/22 MTFS Detailed Budget Position- Tranche One
 - Appendix B – Performance Data
 - Appendix C – Capital Schemes
 - Appendix D – Budget Consultation Document, including Budget Proposals
 - Appendix E – Equality Impact Assessments
 - Appendix F – Budget Consultation Feedback

Cabinet **RESOLVED** to note:

6. The future strategic direction for the Council outlined in section 5.7 of the report.
7. The forecast reserves position outlined in section 5.9 of the report.

8. The feedback received on the budget proposals, received via the consultation detailed in Appendix F.

REASONS FOR THE DECISION

The council must set a lawful and balanced budget. The approach outlined in the report worked towards this requirement.

ALTERNATIVE OPTIONS CONSIDERED

No alternative option had been considered as the Cabinet was responsible under the constitution for initiating budget proposals and the Council as statutorily obliged to set a lawful and balanced budget by 11 March annually.

17. PETERBOROUGH STATEMENT OF COMMUNITY INVOLVEMENT

The Cabinet received a report on the Peterborough Statement of Community Involvement (SCI). The purpose of this report was to seek adoption of the Statement of Community Involvement.

The Cabinet Member for Growth, Planning, Housing, and Economic Development introduced the report and outlined its contents.

Key points raised and responses to questions included:

- The report had been to the Planning Committee and the Scrutiny Committee and both had given their endorsement.
- Members were advised that the Neighbourhood Plans were very beneficial locally and were prepared by Parish Councils. If no Parish Council existed, as in most urban areas, the local community could form a Neighbourhood Forum and could go through the same process, as had been done in Woodston.
- Members requested information on the relevant legislation to form a Neighbourhood Forum for use in their own Wards if required and were advised that the main details were contained within the report.
- Ward Councillors could help their own communities to formulate a Local Neighbourhood Plan. Further information was available on the Peterborough City Council website.
- The Community Infrastructure Levy (CIL) contribution was higher where there was a Neighbourhood Plan.
- Methods of communication for planning applications could not be brought up to date to encompass social media as the forms of communication were set in legislation.
- The Cabinet Member for Communities advised the Cabinet that the Community Asset Transfer programme was going very well and had reached the stage of preparing for a conference to share best practices and proposed that Woodston were invited to participate.
- Cabinet were advised that currently the take up level to date was three parish councils with seven or eight pending. It had been noted that parish councils seemed to find the process onerous.
- Peterborough had similar in take up as other areas.
- It was felt that the lack of commitment to the scheme was due to having a system in place previously which was then superseded. Parish Councils felt they had insufficient time and resources to develop a Neighbourhood Plan.

- Parish Councils could set up a sub group rather than do all the work themselves, although the Parish Council needed to complete the legal aspects.
- It was felt that areas that are not parished were not committing to Neighbourhood Plans due to there not being an entity to begin with. This was also reported as being in line with national trends.
- Parishes tended to be in rural areas where there was more sense of community and identity and were therefore more likely to form a Neighbourhood Plan than urban areas.
- Existing Neighbourhood Plans were available to view on the Peterborough City Council website.
- Members commented that they were often in receipt of complaints that local residents had not been informed of planning applications.
- Members considered if the Local Government Association should be lobbied to support the use of additional media to publicise planning and licensing matters.
- It was advised that there were minimum standards for consultations for planning applications and planning officers had to make a judgement on who was considered a neighbour.
- It was noted that building density could affect the number of residents who were notified of planning applications as rural properties were often further apart.

Cabinet considered the report and **RESOLVED** to adopt the updated Statement of Community Involvement as attached at Appendix 1 to the report.

REASONS FOR THE DECISION

There was a legal requirement to have an up to date SCI, following recent legislative changes, the current adopted SCI was considered out of date and in need of replacement.

ALTERNATIVE OPTIONS CONSIDERED

To not refresh the SCI - This option was rejected because of the significant legislative changes in recent years meaning the present SCI was somewhat dated. Undertaking the refresh had been a low cost task, particularly as the refresh had been drafted alongside a refresh of the Fenland and East Cambridgeshire SCIs (refreshes for which Peterborough City Council had been contracted to undertake for those two authorities).

Refresh the SCI, but with significantly greater community consultation commitments - This option was rejected, because any additional commitments would require additional funding to be in place (staff or financial) to enable such commitments to be fulfilled. In the current financial climate, it was not considered prudent to commit to more extensive community consultation.

18. UPDATED REG 123 LIST AND COMMUNITY INFRASTRUCTURE LEVY SUPPORTING POLICIES

The Cabinet received a report following an officer review of the current policy documents and a recommendation that they be updated presented by the Cabinet Member (Councillor Peter Hiller, Cabinet for Growth, Planning, Housing and Economic Development).

The purpose of this report was for Cabinet to seek the approval for the purpose of public consultation on the revised Community Infrastructure Levy (CIL) Supporting

Policies Document, the draft revised Regulation 123 List, and the revised Governance proposals and to consider under its Terms of Reference 'To promote the Council's corporate and key strategies and Peterborough's Community Strategy and approve strategies and cross cutting programmes not included within the Council major policy and budget framework'.

The Cabinet for Growth, Planning, Housing and Economic Development advised that no developer should end up paying more as a result of these policy changes. Possible exceptions to this included large scale developments where, for example, there was the allowance to negotiate a small area of the land, free of charge, to be used for a future community building and no development should be rendered unviable as a result. These recommendations would help to ensure that community infrastructure was delivered in a timely and cost effective manner.

Cabinet debated the report and in summary, key points raised and responses to questions included:

- The Scrutiny Committee and the Planning Committee had endorsed this report.
- Members expressed a wish that CIL filters down to local communities and was considered with the Neighbourhood Plan to accommodate local needs.
- 15% of CIL money collected was passed onto local areas however where a Neighbourhood Plan existed that figure was increased to 25% that could be targeted to infrastructure and environmental measures.
- Clarification was provided in relation to Section 106, which had been in place for 10 to 15 years. It was advised that Section 106 gave councils the ability to ask developers to contribute towards local needs. CIL had been introduced by Government with the intention to scale back Section 106 and eventually replace it entirely. This had not happened and the Government were reviewing both as they were running concurrently.
- Members were advised that the difference between CIL and Section 106 was that CIL was due to be paid through set calculations, whereas Section 106 agreements were negotiable.
- CIL has reduced the number of Section 106s particularly on small developments.
- In relation to larger developments, including those with affordable housing, the Section 106 process tended to continue and affordable housing developments were always governed by Section 106 agreements.
- Government guidelines stated that developments of ten houses or less should not involve a Section 106 agreement, although this was permissible in law.
- CIL money could not be collected for the use of affordable housing.
- The Local Plan gave guidelines on the amount of affordable housing that could be negotiated and this would be subject to Section 106 agreements.

Cabinet considered the report and **RESOLVED** to approve the set of Community Infrastructure Levy Supporting Policies Documents including Regulation 123 List for a targeted consultation.

REASONS FOR THE DECISION

The adoption of these documents would assist Peterborough City Council in delivering the necessary infrastructure to support growth in the city and in the surrounding areas, in accordance with the adopted CIL Charging Schedule.

ALTERNATIVE OPTIONS CONSIDERED

Do not update the documents – This was rejected as the documents were in need of a refresh and, in particular, the R123 List needed updating for clarity and to ensure the successful securing of necessary infrastructure from new development.

Do a full refresh of the CIL Charging Schedule – This was rejected because the Charging Schedule could only be changed following extensive re-consultation, updated evidence gathering and independent examination, a process which typically would take 2-3 years to undertake and be a significant resource undertaking. Officers best estimate was that, even after such an extensive review of the Charging Schedule was undertaken, the net effect was not likely to be significant i.e. it was unlikely that the rates set out on the Charging Schedule would materially alter, particularly as the rates get updated each year in line with inflation.

19. Green Backyard Progress Report

The Cabinet received a report regarding the progress made by the Green Backyard from the Cabinet Member for Communities. The purpose of this report was for Cabinet to consider the progress made by the Green Backyard, from the 5 October 2017 signing of a 12 year lease to occupy the site.

The Cabinet Member for Communities introduced the report and advised Cabinet much progress had been made. In the twelve years since its inception, considerable grant funding had been obtained, volunteering and skilled based training opportunities had been created and a number of events had taken place. Paid personal had been taken on to ensure site improvements and a board of trustees had been set up which included two members from Peterborough City Council.

Cabinet debated the report and in summary, key points raised and responses to questions included:

- Cabinet were advised that a new committee and Chair had been established, taking forward a very business-like approach.
- Members expressed praise several times for the progress made so far.
- Future funding had been applied for in the region of £100,000 in the last six months and £73,500 had been secured.
- A newly appointed part time Business Development Manager had been very successful in obtaining Green Grants for accessible walkways that would be extended throughout the whole site, and a compostable toilet that was fully accessible to all users.
- The whole site was Disability Discrimination Act (DDA) compliant and included two disabled parking bays.
- Most funding had been sourced from green charities and enterprise funding, who would match fund.
- £20,000 for two years from the Tudor Fund was used for ensuring base costs were met.
- A commercial plan was in place that included a market stall at Peterborough City Market to sell the produce grown.
- Courses continued at The Green Backyard that brought in £25,000 per annum and was supported by Peterborough City College.
- An open air classroom for children continued to generate income through the year.
- It was hoped that site managers could be placed on site to allow the site to be accessible seven days a week.
- It was advised that lease length was compatible with capital grants and there was an option to extend the lease every three years.

- Wedding receptions could be held in the Green Backyard as it was able to offer a very unique experience in a wild garden setting and a marriage license could be applied for in the future.
- The Green Backyard were able to offer varied events tailored to meet individual needs.
- Temporary Events Licenses were being used for the first year, however licensing would be reviewed.

Cabinet considered the report and **R.ESOLVED** to note the Green Backyard progress report.

REASONS FOR THE DECISION

Cabinet requested a progress report on the Green Backyard as part of the lease. This report provided a progress report and Cabinet were recommended to note the progress made in fulfilment of the lease.

ALTERNATIVE OPTIONS CONSIDERED

There were no alternative options considered.

Chairman
10:00am – 11:00am
16 July 2018