

**MINUTES OF THE CABINET MEETING
HELD AT 10:00AM, ON
MONDAY, 17 JUNE 2019
COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH**

Cabinet Members Present: Councillor Holdich (Chair), Councillor Allen, Councillor Ayres, Councillor Farooq, Councillor Fitzgerald, Councillor Hiller, Councillor Seaton, Councillor Walsh

Cabinet Advisors Present: Councillor Bashir

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Cereste.

2. DECLARATIONS OF INTEREST

No declarations of interest were received.

3. MINUTES OF CABINET MEETINGS HELD ON:

(a) 25 FEBRUARY 2019

The minutes of the meeting held on 25 February 2019 were agreed as a true and accurate record.

(b) 25 MARCH 2019

The minutes of the meeting held on 25 March 2019 were agreed as a true and accurate record, subject to the removal of the sentence with minute 89 'Active Lifestyles and Sports Strategy', "It was considered that working alongside the integrated communities' strategy."

4. PETITIONS PRESENTED TO CABINET

There were no petitions presented to Cabinet.

Cabinet agreed to reorder the agenda and switch the debate for agenda item 6 'Establishing New Schools Including Faith Schools' and agenda item 10 'Peterborough Local Plan and Development Plan Document (Version for Adoption). This was in order to ensure the Local Plan was considered before any supplementary planning documents.

STRATEGIC DECISIONS

5. PETITION FOR DEBATE – 'PARKING ZONE E'

The Cabinet received a report in relation to a petition presented to the Council around Parking Zone E.

The purpose of this report was to consider the response to the petition, which stated 'The new, electronic system of residents/visitor parking permits is proving unsatisfactory in a number of ways. Even where residents have internet access, the logging of visitor number plates is fiddly and intrusive. The website is unreliable, and parking fines can easily be incurred unwittingly. Enforcement is insufficient in the evenings and weekends, and residents struggle to find parking spaces. Holders of Zone E permits feel they are not getting value for money, and ask that the current permit system be reviewed.'

Councillor Joseph, representing the Lead Petitioner, addressed the Cabinet and advised that it was felt by residents that the introduction of the electronic parking permit scheme had resulted in no clear benefits. Enforcement, it was claimed, was sporadic, though residents were being ticketed for minor infringements. It was felt by some residents that the scheme represented a form of tracking. Additionally, the Council was considered to have made a number of assumptions about residents' engagement with online facilities.

The Cabinet Member for Communities addressed the Cabinet, stating that the Assistant Director for Public Protection had responded to the petition. It was advised that there had been more patrols in the past 12 months than in previous years, and there was to be an increase in enforcement coverage in the future, including evenings and weekends. It was considered the online system was a more efficient use of resources. It was noted that if a resident was unable to access the online system, they would still be able to use the paper system if necessary. The Cabinet Member for Communities proposed that the petition and comments made in response be noted.

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

- It was queried what was considered a 'minor' infringement.
- Comment was made that many services were now provided online, so concerns around tracking were misleading.
- It was noted that the proposals in relation to moving to an online parking permit system were contained with the previous year's budget consultations, and was a high profile issue.

Cabinet considered the report and **RESOLVED** to note the petition and comment but take no action for the reasons given in the debate.

REASONS FOR THE DECISION

The Council was working to continue with the progression to digital formats but would assist any residents that were having issues in relation to the new online systems.

ALTERNATIVE OPTIONS CONSIDERED

To take the action requested in the petition or to refer the petition to either a Cabinet Member or the relevant Scrutiny Committee.

6. PETERBOROUGH LOCAL PLAN AND DEVELOPMENT PLAN DOCUMENT (VERSION FOR ADOPTION)

The Cabinet received a report in relation to the Peterborough Local Plan and Development Plan Document (Version for Adoption).

The purpose of this report was to set out the recommendations made by the Independent Inspector and subsequently and seek Cabinet's approval to recommend

the Local Plan to Council for adoption.

The Cabinet member for Strategic Planning and Commercial Strategy and Investments introduced the report and advised that the local plan and associated documents had been delivered on time, on budget and with a limited number of issues raised by examiners. It was noted that other authority areas continued to seek Peterborough's expertise. The documents attached to the report would set out a clear framework for the delivery of growth, homes and the management of environmental assets. The Plan would also place the Council in a strong position to resist predatory development.

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

- It was considered that the adoption of a more up to date plan would lead to less speculative development proposals on open land, though these would not disappear completely.
- The Local Plan could not make rulings on individual sites, but could be used confidently by decision makers as a framework tool and could provide indicative figures for development.
- It was advised that there was no legal date in place a review of the plan, but officers anticipated that the Plan would be reviewed again in three to four years' time.
- In relation to the level of social houses to be provided, it was advised that the current plan was to deliver approximately 5,000 over five years, which was considered by officers to be deliverable. An additional 3,000 on top of this, which had been queried, would be exceptional.
- It was noted that additional external funding was available for social housing, for example, through the Cambridgeshire and Peterborough Combined Authority.
- In terms of environmental issues, the Council was constrained by nation policy. However, it was considered that the Plan went as far as it could.
- Members noted that the Plan was not able to identify specific named sites for schools, however, set out a framework for development and negotiation for development contribution.
- It was considered that community was an important aspect of development and should be incorporated in the vision for development in the authority area.

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

1. Note the conclusions of the independent Inspector who was appointed to examine the council's submitted Peterborough Local Plan.
2. Recommend to Council the adoption of the Peterborough Local Plan, incorporating modifications as recommended by the Inspector ('Main Modifications') and other minor editorial modifications ('Additional Modifications').
3. Note that should Council adopt the Local Plan, the following council documents would be revoked and must not be used for decision making:
 - Core Strategy DPD (2011),
 - Site Allocations DPD (2012),
 - Planning Policies DPD (2012) and
 - City Centre DPD (2014).

4. Subject to recommendation 2, recommend that Council endorses the updated 'Policies Map' in line with draft maps provided via this agenda report, in order to reflect the policies of the new Local Plan, and the deletion of policies from the above listed revoked documents.

REASONS FOR THE DECISION

As outlined in the report, Council only had two options available to it; either adopt the document with the modifications or not adopt the document. The former was recommended, as it was a statutory duty to prepare Local Plan, and, in adopting it, Peterborough would have a clear and robust policy document setting out its vision, objectives for the city.

ALTERNATIVE OPTIONS CONSIDERED

The option of not adopting the Local Plan was not recommended, because in doing so the Council could reduce potential investment in Peterborough, including fewer new jobs and homes. If the Local Plan was not adopted the Council would be in a position going forward where it would be at risk of being unable to robustly defend its supply of housing sites, and could be subject to speculative applications (especially in and around villages) and challenges at appeal.

7. DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT

The Cabinet received a report in relation to the Developer Contributions Supplementary Planning Document.

The purpose of this report was to approve the Developer Contributions Supplementary Planning Document (SPD) for adoption. The SPD expanded on overarching headline policy contained in the Council's soon to be adopted Local Plan. Consultation with the public and stakeholders on the draft SPD was carried out in March 2018.

The Cabinet member for Strategic Planning and Commercial Strategy and Investments introduced this report and the reports for agenda item 8 'Peterborough Flood and Water Management Supplementary Planning Document', and agenda item 9 'Green Infrastructure and Biodiversity Supplementary Planning Document' and advised that all the supplementary planning documents before Cabinet were complimentary to the Local Plan. These covered such areas and when developers should contribute to Council schemes, what infrastructure should be in place to minimise flooding issues, and how nature sites can be provided alongside development.

Cabinet agreed to debate this report and the reports for agenda item 8 'Peterborough Flood and Water Management Supplementary Planning Document', and agenda item 9 'Green Infrastructure and Biodiversity Supplementary Planning Document' as one. In summary, key points raised and responses to questions included:

- As Peterborough and the surrounding area was relatively flat, it was advised that the biggest flooding risk was related to surface water. The supplementary planning document was key for planners and developers to tackle this issue.
- Members noted officers' work with the Environment Agency and taking into account climate change factors into their projections and assumptions.
- It was commented that while the Local Plan and the supplementary planning documents did not have any direct financial implications, all subsequent planning decisions would have both positive and negative financial implications attached to them.

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

1. Agree that the Developer Contributions SPD be adopted as part of the council's policy framework, subject to Full Council adopting a new Peterborough Local Plan at its meeting of 24 July 2019. If Full Council did resolve to adopt a new Peterborough Local Plan, then this SPD would come into effect at the same time as that resolution.
2. Delegate to officers the ability to make any minor presentational or typographical changes to the SPD, prior to its publication post 24 July 2019, provided any such changes did not materially affect the content of the SPD.

REASONS FOR THE DECISION

There was no statutory duty to prepare this SPD. However, without it, there would be a lack of clarity for developers about what contributions to infrastructure would be sought by the Council. Without the SPD there could be a detrimental impact on development coming forward and the ability of the council to deliver new and improved infrastructure to support growth.

ALTERNATIVE OPTIONS CONSIDERED

Alternative options considered were:

Option 1 - do not update the document - For this option, policies remained outdated, references out of date and the opportunity to simplify the document to make it more usable was missed. As such this was not the recommended option.

Option 2 - Remove the SPD from circulation - this would result in a loss of a valuable resource for both planners and developers and carried the risk of infrastructure not being delivered in support of new development. As such this was not the recommended option.

Option 3 - full SPD rewrite - this option was more resource intensive with little, if any, additional benefit. The demand on resources made this not a recommended option.

8. PETERBOROUGH FLOOD AND WATER MANAGEMENT SUPPLEMENTARY PLANNING DOCUMENT

The Cabinet received a report in relation to the Peterborough Flood and Water Management Supplementary Planning Document.

The purpose of this report was to seek cabinet approval for the Flood and Water Management SPD. The SPD would provide guidance to developers on flood and water management in Peterborough. It would expand on overarching headline policy contained in the Council's emerging Local Plan (which was scheduled to be adopted by Full Council on 24 July 2019).

The debate in relation to this item was as above.

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

1. Agree that the Flood and Water Management SPD be adopted as part of the council's policy framework, subject to Full Council adopting a new Peterborough Local Plan at its meeting of 24 July 2019. If Full Council did

resolve to adopt a new Peterborough Local Plan, then this SPD would come into effect at the same time as that resolution.

2. Delegate to officers the ability to make any minor presentational or typographical changes to the SPD, prior to its publication post 24 July 2019, provided any such changes did not materially affect the content of the SPD.

REASONS FOR THE DECISION

There was no statutory duty to prepare this SPD. However, without it, developers could be confused or misinformed as to how they can deliver fit-for-purpose development schemes in Peterborough that meet flood and water management requirements. This could have an impact on development coming forward as additional time would need to be spent on applications where flood or water management issues occur.

The existence of policy and guidance that all of Peterborough's water management partners support would improve current and future service delivery through the more efficient processing of planning applications and future drainage application approvals.

ALTERNATIVE OPTIONS CONSIDERED

Alternative options considered were:

Option 1 - do not update the document. For this option, policies remained outdated, weblinks broken and missed opportunity to simplify the process for those involved in managing flood risk through development. As such this was not the recommended option.

Option 2 - remove the SPD from circulation - this would result in a loss of a valuable resource for both planners and developers and carried the risk of flood risk not being consistently managed. As such this was not the recommended option.

Option 3 - full SPD rewrite - this option was more resource intensive with little, if any, additional benefit. The demand on resources made this not a recommended option.

9. GREEN INFRASTRUCTURE AND BIODIVERSITY SUPPLEMENTARY PLANNING DOCUMENT

The Cabinet received a report in relation to the Green Infrastructure and Biodiversity Supplementary Planning Document.

The purpose of this report was to present the City Council's updated Green Infrastructure and Biodiversity Supplementary Planning Document (SPD) for the Cabinet to approve, and bring it into effect if Full Council subsequently adopt the Peterborough Local Plan at the meeting on 24 July 2019.

The debate in relation to this item was as above.

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

1. Agree that the Green Infrastructure & Biodiversity SPD be adopted as part of the council's policy framework, subject to Full Council adopting a new Peterborough Local Plan at its meeting of 24 July 2019. If Full Council did resolve to adopt a new Peterborough Local Plan, then this SPD would come into effect at the same time as that resolution.

2. Delegate to officers the ability to make any minor presentational or typographical changes to the SPD, prior to its publication post 24 July 2019, provided any such changes did not materially affect the content of the SPD.

REASONS FOR THE DECISION

There was no statutory duty to prepare SPDs, though the preparation and adoption of an SPD was clearly defined in legislation (should a council choose to prepare one).

Accordingly, there was no strict requirement for Cabinet to approve a Green Infrastructure and Biodiversity SPD. However, without this “one stop shop” document, developers could be confused or misinformed in relation to appropriate consideration and implementation of biodiversity and green infrastructure requirements in Peterborough. This could have an impact on development coming forward as additional time would need to be spent on applications where biodiversity and GI issues occur.

In addition, this SPD provided a focus for identifying and driving forward delivery of priority GI projects in partnership with a wide range of environmental organisations and community groups within Peterborough.

ALTERNATIVE OPTIONS CONSIDERED

Alternative options considered were:

Option 1 - do not update the 2006 Green Grid Strategy and various biodiversity guidance notes available on the Council’s website. This would represent a missed opportunity to simplify the process for those requiring advice in relation to both biodiversity and green infrastructure, as such this was not the preferred option.

10. ESTABLISHING NEW SCHOOLS INCLUDING FAITH SCHOOLS

The Cabinet received a report in relation to the establishment of new schools, including faith schools.

The purpose of this report was to provide Cabinet with an understanding of the different routes and associated processes for opening new schools, and for Cabinet to agree to adopt a policy position regarding the establishment of new faith schools and single sex schools which will provide a context within which to consider any future applications or proposals to open new schools with a religious designation and/or single sex designation.

The Cabinet Member for Children’s Services, Education, Skills and the University introduced the report and advised that the proposal before Cabinet confirmed historic practice around mixed and single sex schools. The Department for Education had approved two applications for new schools, in Paston and in Hampton Waters, to open in approximately 2022. The school in Hampton Waters was to be a voluntary aided Roman Catholic school, and this required a stage of statutory consultation.

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

- Concern was raised in relation to the establishment of a faith school regarding the location any catchment boundary and officers confirmed that within Hampton the whole area was one catchment. Therefore, parents could choose to access any school in the city if there is space.

- It was noted that the requirement to provide transport to children at a faith school was removed in 2012.
- Officers advised that the final decision to progress with the faith school. Prior to this work could be done to evaluate the demand for places.
- Comment was made in relation to work under a mixed sex system, and it was noted that previous single sex schools led to issues around integration.

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

1. Note the routes and processes for establishing new schools.
2. Adopt the proposed policy position set out in section 4.8 of the report when considering proposals for the establishment of a new voluntary aided faith school or academy with religious designation.
3. Adopt the proposed policy position set out in section 4.9 of the report regarding whether new schools in Peterborough should be single sex or mixed.

REASONS FOR THE DECISION

Establishment of new schools

For Cabinet to understand the routes available for establishing new schools, and how new schools are funded.

Voluntary aided schools

Two applications had been made to the Department for Education's capital fund to open two new voluntary aided primary schools in Peterborough. If either or both of these funding applications were approved by the DfE (decision expected late May 2019) the Council would need to exercise its statutory power as decision maker to determine whether or not to establish the new schools. It was therefore, important that the Council had a policy which would provide the context within which to consider these and any future applications or proposals to open new schools with a religious designation.

Whether the school will be mixed or single sex

The Council did not currently have a policy on whether new schools should be mixed or single sex. It was important that the Council had a policy which would provide the context within which to consider any future applications or proposals to open new schools with single sex designation.

ALTERNATIVE OPTIONS CONSIDERED

Status quo i.e. having no policy on the development of new faith schools could run the risk of legal challenge that the Council was not complying with its duty to promote choice, diversity and equality of education provision. Whereas it would be good practice to consider the provision of sufficient and suitable denominational school places as part of its broader approach to place planning for basic need, with each new development, or area of growth, being considered on its individual circumstances and needs.

MONITORING ITEMS

11. BUDGET CONTROL REPORT APRIL 2019

The Cabinet received a report in relation to the Budget Control Report for April 2019.

The purpose of this report was to provide Cabinet with an early indication of the

forecast for 2019/20 at the April 2019 budgetary control position.

The Cabinet Member for Finance introduced the report and advised that the early indicative position was of a £20million overspend. It was noted that this was a complex process and that, until finished, it was likely an overspend would be identified. It was further advised that the Council faced pressure in relation to parking income, street lighting and home to school transport.

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

1. The Budgetary Control position for 2019/20 at April 2019 includes an early indication of an overspend of £5.504m against budget.
2. The Key variances and Budget risks, highlighted in Appendix A to the report.
3. The estimated reserves position for 2019/20 outlined in Appendix B to the report.

REASONS FOR THE DECISION

The report updated Cabinet on the April 2019 budgetary control position.

ALTERNATIVE OPTIONS CONSIDERED

There had been no alternative options considered.

12. BUDGET MONITORING REPORT FINAL OUTTURN 2018/19

The Cabinet received a report in relation to the Budget Monitoring Report Final Outturn 2018/29.

The purpose of this report was to provide Cabinet with the outturn position for both the review budget and capital programme for 2018/29, subject to any changes required in the finalisations of the Statement of Accounts.

The Cabinet Member for Finance introduced the report and advised that overall outturn had improved to an overspend position of £2 million. In Children's Services along a £4 million demand requirement had been successfully brought down.

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

1. Note the final outturn position for 2018/19 (subject to finalisation of the statutory statement of accounts) of a £2.119m overspend on the Council's revenue budget.
2. Note the reserves position outlined in section 6 and Appendix C to the report, which included a contribution from the capacity building reserve of £2.119m, as a result of departmental overspends highlighted in the revenue outturn report in Appendix A to the report and further detail of the People & Communities directorate in Appendix B to the report.
3. Note the outturn spending of £95.9m in the Council's capital programme in 2018/19 outlined in section 7 of the report.
4. Note the performance against the prudential indicators outlined in Appendix D to the report.

5. Note the performance on payment of creditors, collection performance for debtors, local taxation and benefit overpayments outlined in Appendix E to the report.

REASONS FOR THE DECISION

This monitoring report formed part of the 2018/19 closure of accounts and decision making framework culminating in the production of the Statement of Accounts and informed Cabinet of the final position.

ALTERNATIVE OPTIONS CONSIDERED

There had been no alternative options considered.

13. OUTCOME OF PETITIONS

The Cabinet received a report in relation to the outcome of petitions received by the Council.

The purpose of this report was to update the Cabinet on the progress being made in response to petitions submitted to the Council.

Cabinet considered the report and **RESOLVED** to note the actions taken in respect of petitions.

REASONS FOR THE DECISION

As the petitions presented in the report had been dealt with by Cabinet Members or officers, it was appropriate that the action taken was reported to Cabinet.

ALTERNATIVE OPTIONS CONSIDERED

There had been no alternative options considered.

Chairman
10:00am – 11:24am
17 June 2019