

**MINUTES OF THE CABINET MEETING
HELD AT 10:00AM, ON
MONDAY, 23 SEPTEMBER 2019
BOURGES/VIERSON ROOM, 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

21. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Cereste

22. DECLARATIONS OF INTEREST

No declarations of interest were received.

23. MINUTES OF SHAREHOLDER CABINET COMMITTEE MEETING HELD ON 24 JUNE 2019

The minutes of the Shareholder Cabinet Committee meeting held on 24 June 2019 were agreed as a true and accurate record.

24. MINUTES OF CABINET MEETING HELD ON 15 JULY 2019

The minutes of the Cabinet meeting held on 15 July 2019 were agreed as a true and accurate record.

25. PETITIONS PRESENTED TO CABINET

There were no petitions presented to Cabinet.

STRATEGIC DECISIONS - PART ONE

26. COMBINED AUTHORITY'S LOCAL TRANSPORT PLAN RESPONSE

The Cabinet received a report in relation to Peterborough City Council's response to the Cambridgeshire and Peterborough Combined Authority's Local Transport Plan consultation.

The purpose of this report was for the Cabinet to consider the response to the Local Transport Plan consultation, which the Combined Authority had a statutory duty to produce.

The Cabinet Member for Strategic Planning and Commercial Strategy and Investments introduced the report and advised that the Combined Authority had worked closely with Councillors officers on the Local Transport Plan proposals, which had also been considered by the Growth, Environment and Resources Scrutiny

Committee. The Plan encompassed many areas, including travel to and from Peterborough, and travel in and around the city.

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

- Members noted comments around the introduction of a metro in Cambridge and suggested that Peterborough City Council propose a scheme alongside this to address the requests for a further train station.
- It was advised that the Department of Transport was providing support for walking and cycling infrastructure plans and these were expected to go out for public consultation later in the year.
- In partnership with the Combined Authority, the Bus Review Group had been considering a consultant's review of possible delivery models. It was noted that this was a large and complex piece of work, with an estimated deadline of Spring 2021.
- Members were advised that the Council had been successful in receiving funds for rapid charging infrastructure for elective taxis, and were intending to install 6 new charging spaces in city centre car parks. A bid was also to be made for on-street residential charging points.
- It was noted that Peterborough had the highest number of electric vehicles in the UK.
- It was suggested that the Council could lobby Highways England in relation to improvements required on the A47, which had a poor safety record.
- Members commented that the work of the Combined Authority had been beneficial in terms of linking up the infrastructure of the whole county.

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

1. Agree the Council's proposed consultation response to the Combined Authority's Local Transport Plan.
2. Note the comments and recommendations made by the Growth, Environment and Resources Scrutiny Committee and agree that the below be incorporated into the proposed consultation response:
 - The wording of the climate change emergency motion in the response should be corrected to reflect the amendments that were made to it at Full Council.
 - The reference to the timescales for PCC developing a Climate Emergency action plan should be corrected from 12 months to 31 March 2020.

REASONS FOR THE DECISION

The Local Transport Plan was a statutory document that the Combined Authority must produce and given its importance to Peterborough and the wider area it was essential that the Council responds to the consultation.

ALTERNATIVE OPTIONS CONSIDERED

To not respond to the consultation. This had been rejected because of the importance of this document and its future implications.

To produce a different consultation response. The draft response had been developed by a number of Officers and had been reviewed by the Growth, Environment and Resources Scrutiny Committee.

27. CAMBRIDGESHIRE AND PETERBOROUGH MINERALS AND WASTE LOCAL PLAN - PROPOSED SUBMISSION

The Cabinet received a report in relation to the proposed submission of the Cambridgeshire and Peterborough Minerals and Waste Local Plan.

The purpose of this report was to enable Cabinet to consider and recommend to Council the approval of the Proposed Submission Cambridgeshire and Peterborough Minerals and Waste Local Plan for public consultation during November 2019 - January 2020, and then submission to the Secretary of State.

The Cabinet Member for Strategic Planning and Commercial Strategy and Investments introduced the report and advised that Cabinet had previously approved the first and second draft of the Plan, jointly with Cambridgeshire County Council, and progress continued on schedule and on budget. All representations received had been considered and the Plan had been amended to reflect the Council's climate change emergency declaration along with the strengthening of environmental policies. The Plan would require approval by the Full Council in October.

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

- It was noted that changes had been made to proposed policies following on from the Council's declaration of a climate change emergency.
- Members were advised that where it was anticipated that specific areas may be impacted, bespoke consultation exercises were carried out.
- Comment was made that, though each facility is different, many have a positive impact on the surrounding area, including the creation of nature reserve sights.
- Members were reassured that all developments would, on approval, have a long term plan and would provide details of how the site would be brought back to use following the completion of work.
- It was highlighted that the joint work with Cambridgeshire had dual benefits of splitting all of the relevant costs and in improving the quality of the resulting work.

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

1. Approves the Proposed Submission ('Publication Draft') Minerals and Waste Local Plan as attached at Appendix A, for the purpose of both its final consultation for six weeks (at some point during November 2019 to January 2020 - if the consultation period includes the Christmas week, then consultation will run for eight weeks); AND its subsequent submission to the Secretary of State for the purpose of independent examination.
2. Approves the proposed Policies Map (including associated inset maps) as set out at Appendix B, for the purpose of consultation alongside the Local Plan consultation AND for subsequent submission to the Secretary of State for consideration alongside the examination of the Local Plan.
3. Delegates to the Head of Sustainable Growth Strategy any presentational improvements, factual updating, or other inconsequential changes (eg correcting typographical errors or factual inaccuracies) to the Publication Draft Plan or Policies Map that (taken together) do not materially affect the policies set out in the Local Plan prior to the consultation commencing, or changes necessary to address any minor amendments arising from the Plan's consideration by Cambridgeshire County Council's democratic process.

4. Delegates to the Cabinet Member for Growth, Planning, Housing and Economic Development authority to make more substantive changes to the Plan as attached, prior to consultation, provided he should see fit to do so, but only if it would help to address any more substantive suggested amendments arising from the Plan's consideration by Cambridgeshire County Council's democratic process.
5. Delegates to the Head of Sustainable Growth Strategy the ability to agree and consult upon a set of proposed modifications during the examination process (most likely at the very end of the examination process), if asked by the Inspector to do so.

REASONS FOR THE DECISION

The decision would enable the Minerals and Waste Local Plan to continue through its preparation stages, as scheduled, and would ultimately enable the Council to put in place an up to date and adopted Minerals and Waste Local Plan by the end of 2020/21. Cabinet had previously agreed to the principle of preparing the Plan

ALTERNATIVE OPTIONS CONSIDERED

The alternative option of not preparing a new Minerals and Waste Local Plan was rejected by Cabinet in July 2017 as part of the approval of Local Development Scheme.

The alternative options for each policy had been assessed as part of the Local Plan Sustainability Appraisal Report and other evidence material. All suggested sites, along with reasonable alternatives, had been assessed against detailed site assessment criteria.

28. PETERBOROUGH HOUSING STRATEGY

The Cabinet received a report in relation to the commissioning of an updated Housing Strategy for Peterborough and the creation of a Housing Revenue Account as part of this, to tackle homelessness in the city.

The purpose of this report was to highlight to Members that a new Housing Strategy was being produced and as part of that process if a Housing Revenue Account was highlighted as a viable option seeking approval for the Council to go through the application process to reform its HRA. Local authorities did not need permission to be granted from the Secretary of State to open an HRA, but the Ministry of Housing, Communities and Local Government requested a letter to the Secretary of State declaring the intention to open an HRA.

The Cabinet Member for Housing, Culture and Recreation introduced the report and advised that the Council had been working towards this point for a long time in order to address the increasing need to provide accommodation. The introduction of an HRA would allow the Council to manage and operate temporary and long term accommodation alongside the already existing social landlord provisions.

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

- It was noted that the Government had made £4 billion available for authorities to spend on HRA.

- Liverpool City Council and Hartlepool Borough Council were the only two Councils that had previously set up HRA's.
- The Housing Strategy would cover further detail as to how the HRA would operate with existing housing providers.

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

1. Note that the Cabinet Member for Housing, Culture and Recreation had commissioned an updated Housing Strategy for Peterborough.
2. Approve an application being immediately sent to the Government to set up a Housing Revenue Account as part of the Council's Housing Strategy to tackle homelessness in the City.

REASONS FOR THE DECISION

There was the requirement for a revised Housing Strategy for Peterborough to ensure stakeholder requirements were being met.

As part of the Housing Strategy work being undertaken give approval, when required and in consultation with Partners, for the Council to go through the Government application process in order to be able to set up a Housing Revenue Account (HRA) as a potential option.

ALTERNATIVE OPTIONS CONSIDERED

The Housing Strategy would set out the options and preferred route forward for the Council.

MONITORING ITEMS

29. BUDGET CONTROL REPORT JULY 2019

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

The purpose of this report was to provide Cabinet with an early indication of the forecast for 2019/20 at the July 2019 budgetary control position.

The Cabinet Director for Finance introduced the report and advised that the report set out the potential end of year outturn position and outline the risks that needed to be managed.

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

1. The Budgetary Control position for 2019/20 at June 2019 included a forecast overspend of £5.424m against budget.
2. The key variance analysis and explanations were contained in Appendix A to the report.
3. The estimated reserves position for 2019/20 at June 2019 outlined in Appendix C to the report.
4. In year budget risks for 2019/20 at June 2019 were highlighted in Appendix D to the report.
5. The Asset Investment and Treasury Budget Report was contained in Appendix E to the report.

Cabinet **RESOLVED** to approve and recommend to Council:

6. The revenue budget virement to reprofile the budget based on revised assumptions, outlined in section 5 of the report, with further detail of the 2019/20 reprofiled Budget contained in Appendix B to the report.
7. The capital budget virements over £0.5m.
8. The addition of the Allia Centre to the disposals schedule.

REASONS FOR THE DECISION

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

ALTERNATIVE OPTIONS CONSIDERED

There had been no alternative options considered.

30. OUTCOME OF PETITIONS

The Cabinet received a report in relation to the outcome of the submission of e-petitions, the presentation of petitions to Council officers, and the presentation of petitions at Council meetings.

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 was reported to Cabinet.

ALTERNATIVE OPTIONS CONSIDERED

There had been no alternative options considered.

STRATEGIC DECISIONS - PART TWO

31. AMENDMENT TO ARRANGEMENTS WITH EMPOWER

The Cabinet received a report in relation to the amendment to the Council's loan arrangement with ECS Peterborough 1.

The purpose of this report was to provide Cabinet with an update on the progress of the refinancing of the Council's loan facility provided to ECS Peterborough 1 and to consider the extension of the current loan facility for a further two months to enable the loan refinance progress to complete.

The Cabinet Member for Finance introduced the report and advised that the income generated from the loan provided a commercial benefit to the Council. The Council was currently exploring proposals from the refinancing organisation, Global Tower Solutions, and it was noted that such a process had always been part of the original agreement.

Cabinet debated the report and considered that the partnership with Empower had been a success, providing thousands of residents with solar panels and free future energy, as well as generating a profit for the Council.

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

1. Approve the amendment of the terms of the Strategic Partnership with Empower Community Management LLP.
2. Approve the amendment of the financing agreement with ECS Peterborough 1 LLP.
3. Approve 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. Delegate to the Corporate Director Resources and Director of Law and Governance the ability to finalise matters 1 to 3 above.

REASONS FOR THE DECISION

This short extension supported the loan refinance process and enabled the smooth transition of the loan from the Council to Global Tower Solutions. During the period of the extension the Council would continue to receive an income from the interest which would contribute to the Council's MTFs savings targets.

ALTERNATIVE OPTIONS CONSIDERED

If the Council failed to extend the loan, then on 1 October 2019 the loan repayment would be due in full and if it was not made ECSP1 would be placed into default and the Council would be required to exercise its security and take over the assets of the company. At this point the Council would then have to operate the company either on a long term basis or on a short term basis whilst it concludes the long term financing process. This option was not considered to be in the Council's best interests at the current time for the following reasons:

1. The Council did not have experience of operating in this market and would therefore need time to acquire the additional skills and personnel required to operate the ECSP1 business, in addition it would require additional advice from its legal and financial advisors Pinsent Masons LLP and Deloitte LLP and would need to procure a specialist technical advisor for this process.
2. The refinancing negotiation progress with Global Tower Solutions would be subject to considerable delay and incur further legal expense in order to reflect the change of ownership.

The Council could choose to continue funding for ECSP1 over the life of the solar panel assets, but:

1. the current loan was not constructed as a long term facility and a long term loan would require the implementation of a new loan facility; and
2. this course of action did not fit within the Council's current financial strategy.

Chairman
10:00am – 10:42am
23 September 2019