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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 Engine Shed, Sand Martin House, Peterborough on

MONDAY 23 MAY 2022 at 7.15 pm

AGENDA

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A handwritten signature in black ink, appearing to read "Matthew Gaskstone".

13 May 2022
Town Hall
Bridge Street
Peterborough

Chief Executive

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<http://democracy.peterborough.gov.uk/documents/s21850/Protocol%20on%20the%20use%20of%20Recording.pdf>

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**MINUTES OF THE COUNCIL MEETING
HELD WEDNESDAY 2 MARCH 2022
ENGINE SHED, SAND MARTIN HOUSE, PETERBOROUGH**

THE MAYOR – COUNCILLOR STEPHEN LANE

Present:

Councillors Ansar Ali, Imtiaz Ali, Jackie Allen, Steve Allen, Ayres, Barkham, Bashir, Bisby, Andrew Bond, Sandra Bond, Brown, Burbage, Casey, Cereste, Coles, Day, Dowson, Elsey, Mohammed Farooq, Saqib Farooq, Fenner, Fitzgerald, John Fox, Judy Fox, Harper, Haynes, Hemraj, Hiller, Hogg, Howard, Howell, Ishfaq Hussain, Mahboob Hussain, Jamil, Jones, Joseph, Knight, Lane, Moyo, Murphy, Shaz Nawaz, Over, Qayyum, Robins, Rush, Sainsbury, Sandford, Shaheed, Sharp, Simons, Skibsted, Tyler, Walsh, Warren, Wiggin, Yasin, Yugutene

92. Apologies for Absence

Apologies for absence were received from Councillor Haseeb, Councillor Iqbal and Councillor Gul Nawaz.

93. Declarations of Interest

There were no declarations of interest received.

94. Minutes of the Council meeting held on 26 January 2022

The minutes of the Council meeting held on 26 January 2022 were approved as a true and accurate record.

COMMUNICATIONS

95. Mayor's Announcements

The Mayor congratulated those involved in the Council's nomination towards the Excellence in People Management Award for 2022, specifically for Best Health and Wellbeing Initiative.

The Mayor also invited Members to attend the final three events of his mayoral year, which included a Quiz with Fish and Chip Supper at the Ploughman's Pub on 25 March 2022, the Meal with the Mayor at the Willow Restaurant in Central Park on 8 April 2022, and the Mayor's Finale Ball at the Holiday Inn West on 15 May 2022.

Finally, the Mayor advised that, due to the level of public interest in the item, and to ensure a full debate, agenda item 12(1), 'Motion from Councillor Sandford' would be debated immediately following agenda item 11(a), 'Council Tax Resolution'.

96. Leader's Announcements

The Leader commented on the process around the Embankment Masterplan and advised that, in order to ensure that the process remained as transparent as possible, the results of the consultation would be published on 25 March 2022.

The Mayor adjourned the meeting at 6:12pm until 6:18pm in order for technical issues with the livestreaming of the meeting to be resolved.

In response to queries raised, the Leader advised that the consultation process had been thorough and exhaustive, and that two of the four options put out for consultation would be taken forward.

QUESTIONS AND PETITIONS

97. Questions from Members of the Public

There were no questions from members of the public.

98. Petitions

(a) Presented by Members of the Public

Questions (a) to the Leader or Member of the Cabinet were raised in respect of the following:

1. The cost of wasted recycling and action to be taken

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

(b) Presented by Members

There were no petitions presented at the meeting.

99. Petition for Debate 'Save the Embankment'

The Council received a report in relation to a petition, containing 787 signatures, requesting that the Council 'retain the Peterborough Embankment as public parkland'.

Martin Ferguson, on behalf of the lead petitioner, addressed the Council and, in summary, raised the following points:

- It was felt that the consultation on the embankment proposals had not been properly in the public sphere, nor had the whole of Peterborough been able to note it.
- Queries were raised as to the reason behind the extension of the consultation, with the suggestion that it was due to the responses not aligning with the Council's intentions.
- It was advised that scientific studies has evidenced the benefit of open space being available for the public.
- It was considered that a number of facilities would be lost, including views to the cathedral.
- In order to service the new stadium, significant work would need to be undertaken to provide supporting infrastructure.

- It was felt that the perception that the area was rundown was inaccurate.
- Queries were raised as to who held responsibility for boat maintenance, as a number were partially sunk.
- It was suggested that Peterborough United Football Club supports were being used as leverage to progress the development of the embankment site.
- Hope was felt that the site could be used creatively and that options for its future would be properly considered.

Councillor Hiller moved the first proposal as Cabinet Member and advised that a number of assumptions had been made in relation to plans for the embankment site. The content of the petition had been considered by the independent master-planners alongside the feedback from the consultation. It was proposed that the petition be noted and that no further action be taken, due to the fact that comments had already been taken into account as part of the consultation process.

Councillor Fitzgerald seconded the first proposal and reserved his right to speak.

Councillor Sandford moved a second proposal, seeking that the petition be referred to the appropriate scrutiny committee. It was felt that scrutiny was the appropriate body to undertake an in-depth investigation into the outcome of the consultation and the masterplan proposals. Green space was considered to be of great value, a fact which had been emphasised during the COVID-19 pandemic. It was felt that, while the football club may have wished to be relocated, other locations should also be considered.

Councillor Wiggin seconded the second and reserved his right to speak.

Council debated the first recommendation and the summary of the points raised by Members included:

- Members thanked the petitioner and those who had signed the petition.
- Consideration was given to not supporting the recommendation, and debating the petition at the scrutiny committee, taking into account that nearly 1,000 people had expressed their views via the petition.
- The independence of those drafting the master plan was questioned.
- Concern was raised that the masterplan proposals needed a full debate at scrutiny.
- Members recognised the value of green space amenity, and the potential for the development of the site to provide further benefit as green space.
- Further concerns were raised about potential wasted space should a new stadium not be able to be filled.
- Confusion was raised in relation to not referring the petition to the scrutiny committee after specifically seeking the public's opinion on the matter. It was felt important that the public be allowed a voice.

As seconder of the first proposal, Councillor Fitzgerald commented that it was illogical for scrutiny to debate something that had not yet been released. It was felt that the masterplan should be debated at the appropriate time, and consideration then given to what might be done with the embankment. It was further noted that a number of issues were raised with the Leader in relation to problems with the embankment. It was further noted that the extension to the consultation period had been agreed as a number of requests had been received to do so.

As mover of the first proposal, Councillor Hiller summed up by advising that the petition had already been considered by the master-planners, and that nothing had been agreed

in relation to the location of the arena. It was further clarified that should the petition be referred to scrutiny, only the petition would be discussed, and not the masterplan. The masterplan would be considered by scrutiny when it was available.

Martin Ferguson, on behalf of the lead petitioner, once more addressed the Council and, in summary, raised the following points:

- He was not against the principle of a University in Peterborough but felt the current proposal would take up a lot of current green space.
- It was felt that the embankment was for the use of all Peterborough residents and should be given over to a private commercial enterprise.
- It was emphasised that green spaces raised the wellbeing of all residents, which was particularly important for Peterborough, which was a growing city.

A vote was taken on the proposal and Council **RESOLVED** (30 voted in favour, 27 voted against, 0 abstained from voting) to note the petition and take no further action.

100. 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**
- (d) To the Combined Authority Representatives**

Questions (a)-(d) to the Leader or Member of the Cabinet were raised and taken as read in respect of the following:

1. Cost of advertising bin collection holidays
2. Bulky waste collection update and service charge
3. Response to question regarding library closure
4. Use of Town Hall for private hire
5. Development of swimming pool progress
6. Aragon communications
7. Interim CEO arrangements
8. Ecological emergency motion
9. Food waste caddy liner distribution
10. City of culture progress
11. Knife crime motion
12. Hardship fund
13. Highway adoption
14. Final embankment masterplan
15. Use of Aragon resources
16. Aragon communications
17. Weekend homelessness outreach cover
18. Enforcement against those not registered to vote
19. Spending on laptops
20. CAT programme
21. Disabled parking central park

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

RECOMMENDATIONS AND REPORTS

101. Executive and Committee Recommendations to Council – Part One

101(a). Cabinet Recommendation – Medium Term Financial Plan 2022/23 – Phase Two

The Council received a report from Cabinet in relation to Phase Two of the Medium Term Financial Plan 2022/23.

Councillor Coles moved the recommendation and noted that the Council's budget this year was unique, as it was the first budget under the eyes of the Independent Improvement and Assurance Panel. Tough choices were ahead and the Council would not shirk its responsibilities or damage its future. £20million of savings had been found, however, the Council was unable to avoid an increase in Council Tax. The report indicated the rigor that had been applied to the budget setting process that year, and Councillor Coles thanked officers across the Council for their work reaching these objectives. In order to achieve sustainability the Council would need to continue to make the right choices at the right time, for the right reasons. It was advised that the Council's resilience was weak, however was taking its first steps towards sustainability. Reserves were considered to be adequate for the year ahead.

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

Councillor Sandford moved an amendment to the recommendation and advised that, in general, the amendment stated that fees and charges should be increased by the rate of inflation and that the Council should use the additional income to help achieve a net zero carbon position. It was considered that if fees and charges were not increased, the Council was effectively subsidising these activities. It was felt that this was a sensible and responsible alternative proposal. Concerns were raised about the operation of the Financial Sustainability Working Group. Queries were also raised in relation to the amendment to the budget in March 2021, that had been moved by the Green Group and agreed by Council, but had not been actioned to date. It was felt that budget proposals at Peterborough City Council had not been well handled and it appeared that the Council's priorities were in grandiose schemes and not in local matters. Various complaints were raised in relation to the operation of NPS, Medesham Homes and City Culture in light of the CIPFA report in reference to these bodies. Issue was raised with the fact that some libraries in the city were only open 3 hours, and there would be no value in reducing these any further. It was hoped that the Independent Improvement and Assurance Panel would review the areas raised and suggested that hard-working officers were being poorly lead.

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

Councillor Coles, as mover of the original motion, confirmed that he would accept the amendment in full.

At this point the Mayor adjourned the meeting for fifteen minutes.

Upon reconvening, Council debated the recommendation as amended and the summary of the points raised by Members included:

- The collaborative approach of the Cabinet Member for Finance was appreciated, and the intention of the Financial Sustainability Working Group was praised.
- The postponement of a recent Financial Sustainability Working Group was highlighted as symptom of a bigger problem with the budget setting process,

alongside the late circulation of papers.

- Members drew attention to a letter from the previously Leader of the Council, John Holdich, which implored Members not to support the budget.
- It was felt by some Members that the proposals were not substantial enough and Members were not confident that savings would be achieved.
- Further comment was made that greater detail was needed in relation to the operation of the Council's partners and companies.
- Concern was raised in relation to the reduction of funding for leisure services.
- It was suggested that the current situation had resulted from a stream of poor decisions from the administration.
- Issues such as bulky waste, fly tipping and knife crime were raised that had not been progressed as promised.
- It was considered that fees and charges would typically undergo a thorough review, though this clearly had been undertaken.
- Members expressed concern as to how the budget could be agreed when did not feel they had all the necessary information in order to vote on it.
- Concerns were raised in relation to the high risk cuts to the adult social care service as well as the cuts to the museum and art gallery funding.
- Cultural activities were considered to be of key importance, not only to residents but for commercial income generation.
- Members were unhappy with the prospect of asking residents of Peterborough to pay high rates of Council Tax when already struggling with higher costs of living.
- Members also expressed confusion at the debate, as no similar points had been raised at the Joint Meeting of Scrutiny Committees when considering the budget proposals. It was felt that this sent a very poor message to the Independent Improvement and Assurance Panel.
- Those involved in the Financial Sustainability Working Group, from Members to officers, were thanked for their contributions.
- It was advised that the Governance continued to have the power to intervene if it felt that the Council did not have a grasp of its budget, and that failing to approve the budget would risk intervention.
- It was questioned why the Leader had not approached central Government and asked for additional funding.
- Further work should be carried out with outside bodies, it was felt, in order to assist the Council in reaching financial sustainability.
- It was suggested that the Financial Sustainability Working Group should be presented with a range of options for Members to consider, rather than being presented with one set of proposals.
- It was noted that the budget was for the forthcoming year, and could never be 100% accurate. Members would take a view based on income and earnings in the next 12 months and adapt as appropriate in order to achieve a balanced budget by the end of the year.
- Members looked forward to the outcome of the review of Council's contracts.
- Members were advised by the Chief Executive and the Section 151 Officer that a budget needed to be agreed by the end of the meeting in order to be able to print Council Tax bills by the relevant deadline. If agreement wasn't reached then Government intervention was likely.

As seconder of the recommendation, Councillor Hiller advised that he had nothing further to add that had not already been raised in debate.

As mover of the recommendation, Councillor Coles summed up by acknowledging the

frustration felt across the Council at the displeased decision ahead. It was clear, however, that all options had been considered, and had been raised with the Financial Sustainability Working Group. It was further recognised that the budget was unusual in the sense that it employed a tactical approach to cover just one year. Councillor Coles reinforced the legal requirement for the Council to set a budget and denounced the manner in which party politics was getting in the way of necessary difficult decisions.

A vote was taken on the recommendation as amended and Council **RESOLVED** (28 voted in favour, 28 voted against, 1 abstained from voting, with the Mayor's casting vote in favour) to approve:

1. This proposed budget includes a Council Tax increase of 2.99%, (1.99% general Council Tax and 1% Adult Social Care Precept), as outlined within section 5.2
2. The Phase Two budget proposals as outlined in Appendix B as the basis for public consultation.
3. The updated budget assumptions, to be incorporated within the Medium-Term Financial Plan 2022/23. These are outlined in section 5.
4. The revised capital programme outlined in section 5 and referencing Appendix C.
5. The establishment of a Budget Risk Reserve and the forecast reserve commitments to fund the cost of transformational investment and the implementation of the Improvement Plan. These are outlined in section 6 and Appendix F.
6. The Education budget as outlined in section 5.6 and within Appendix J.
7. The proposed approach to the development of an Asset Management Strategy, in line with that included within the improvement plan. This is outlined in section 5.5.
8. The Medium-Term Financial Plan 2022/23- Phase Two, as set out in the body of the report and the following appendices:
 - Appendix A – 2022/23 MTFP Budget Position Phase Two
 - Appendix B – Phase Two Budget Consultation Document
 - Appendix C – Capital Programme Schemes 2022/23-2024/25
 - Appendix D – Financial Risk Register
 - Appendix E – Fees and Charges
 - Appendix F – Reserves Commitments
 - Appendix G – Equality Impact Assessments
 - Appendix H– Carbon Impact Assessments
 - Appendix J – Dedicated Schools Grant and the Schools Budget 2022-23
 - Appendix K – Treasury Management Strategy
 - Appendix L – Capital Strategy
 - Appendix M – Budget Consultation Feedback
9. That a full review of fees and charges is undertaken, to include at least inflationary increases where possible and the potential for introducing a charge for charging battery operated cars.
10. Additional income raised from such increases may be added to a reserve to address green and environmental projects that will further the Council's corporate strategy commitment to getting the city to net Zero Carbon by 2030.

Council **RESOLVED** to note:

11. The strategic financial approach taken by the Council outlined in section 4 of this report.
12. The Council's core funding position following the Local Government Final Finance Settlement published on 7 February 2022. This shows a £0.005m favourable change in comparison to the provisional settlement previously reported. This is outlined in section 5.
13. The forecast reserves position, and the statutory advice of the Chief Finance Officer outlined in section 6 'The Robustness (Section 25) Statement'.
14. The Councils Improvement Plan within Appendix I, as agreed at Council on 16 December, from which this plan is outlined as a key deliverable within the financial sustainability theme.
15. The following changes which have been made since the 31 January Cabinet report:
 - Confirmation of Final Settlement and grant allocations such as Public Health resulting in a £0.005m favourable change in budget position
 - Inclusion of the final parish precepts in section 5.2- net nil budget impact
 - Confirmation of no changes to the estimates/assumptions included within the budget proposals
 - Inclusion of the approach to the asset strategy
 - Inclusion of the budget consultation feedback received up to 10 February 2022.
16. The final responses to the consultation received up to the 28 February 2022.

Councillors voting in favour: Jackie Allen, Steve Allen, Ayres, Bashir, Brown, Burbage, Casey, Cereste, Coles, Elsey, Mohammed Farooq, Saqib Farooq, Fenner, Fitzgerald, Hiller, Howard, Ishfaq Hussain, Lane, Moyo, Over, Rush, Sainsbury, Sharp, Simons, Tyler, Walsh, Warren

Councillors voting against: Ansar Ali, Imtiaz Ali, Barkham, Andrew Bond, Sandra Bond, Day, Dowson, John Fox, Harper, Haynes, Hemraj, Hogg, Howell, Mahboob Hussain, Jamil, Jones, Joseph, Knight, Murphy, Shaz Nawaz, Qayyum, Robinson, Sandford, Shaheed, Skibsted, Wiggin, Yasin, Yurgutene

Councillors abstaining from voting: Judy Fox

Mayor's casting vote: In favour

102. Reports to Council

102(a). Council Tax Resolution 2022

The Council received a report in relation to the Council Tax Resolution for 2022.

Councillor Coles moved the recommendation and advised that the Council Tax resolution sought was an increase in 2.99%, the maximum increased allowed without a referendum. This accounted for a 1.99% general increase and a 1% increase in Adult Social Care precept. The resolution would form Appendix M of the Medium-Term Financial Plan.

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

Council debated the recommendation and the summary of the points raised by Members included:

- The suggestion was made that opposition Members were not responsible for the creation of the budget, however support would be given on this particular item.
- It was further suggested the cause of the Council's financial troubles were due to the level of Council Tax being maintained at an artificially low level for an extended length of time.
- Members felt that it was upsetting the highest level of increase had to be sought when so many residents were struggling.
- Concern was raised that papers for the Financial Sustainability Working Group had been circulated late.

As seconder of the recommendation, Councillor Fitzgerald advised that he objected to a number of comments made by other speakers.

As mover of the recommendation, Councillor Coles summed up by advising that the funding from the Council Tax resolution was required for the budget to succeed. It was advised that Peterborough had the seventh lowest level of Council Tax in the country, and that Council would try to make sure those on low incomes would not struggle to make payments.

A vote was taken on the proposal and Council **RESOLVED** (39 voted in favour, 14 voted against, 4 abstained from voting) to approve the Council Tax Resolution which proposed a Council Tax Increase of 2.99%, which included the following breakdown:

- A rise in general Council Tax of 1.99%
- An Adult social Care Precept of 1.00%

Councillors voting in favour: Jackie Allen, Steve Allen, Ayres, Barkham, Bashir, Bisby, Andrew Bond, Sandra Bond, Brown, Burbage, Casey, Cereste, Coles, Elsey, Mohammed Farooq, Saqib Farooq, Fenner, Fitzgerald, John Fox, Judy Fox, Harper, Haynes, Hiller, Hogg, Howard, Ishfaq Hussain, Lane, Moyo, Over, Rush, Sainsbury, Sandford, Shaheed, Sharp, Simons, Tyler, Walsh, Warren, Wiggin

Councillors voting against: Ansar Ali, Imtiaz Ali, Dowson, Hemraj, Mahboob Hussain, Jamil, Jones, Joseph, Shaz Nawaz, Skibsted, Yasin, Yurgutene

Councillors abstaining from voting: Day, Howell, Knight, Murphy

103 Notices of Motion

103(1) Motion from Councillor Sandford

Councillor Sandford moved his motion as altered in relation to the conflict in Ukraine. Councillor Sandford noted the heroic resistance of the Ukrainian population against invading Russian forces. Sanctions from the West against President Putin needed to be strong, alongside the provision of supplies to the Ukrainian people. The motion intending to ensure that Peterborough was providing as much support as possible. In 1991 Peterborough was twinned with Vinnystia, and it was felt that twinning should extend further than Mayoral visits and events. It was understood that the Council had written to its counterpart in Vinnystia already, offering support.

Councillor John Fox seconded the motion and reserved his right to speak.

Council debated the motion, and the summary of the points raised by Members included:

- Members expressed their support for the motion and its message, and considered that Ukrainian refugees should be unrestricted within the EU and the UK.
- The increasing death-toll within Ukraine was recognised, alongside the stories shared by the many residents of Peterborough who were unsure of the welfare of their friends and family.
- The killing of innocent people was condemned and Members voice their opposition to dictators and oppressors.
- Members noted the great number of provisions that had been provided by residents already for those in Ukraine.
- It was suggested that medical supplies were of a top priority.

A motion was moved by Councillor Murphy to suspend standing order 14.2, to allow the meeting to extend beyond the four-hour guillotine. This motion was not seconded, and debate of Councillor Sandford's motion continued as follows:

- Members were in agreement in their support for the motion, with acknowledgement raised of the gathering held on Sunday 27 March 2022.
- It was felt that a group of could be arranged to coordinate the provision of support.
- Members expressed support for those around the world who were suffering, and calls were made to ensure that all such individuals were treated equally.
- It was noted that support was also extended to people from Russia, who were recognised as separate from the government and President Putin.
- Members suggested that the countries bordering Ukraine should also be provided with support to help with refugees settling in these countries.

As seconder of the motion Councillor John Fox suggested that the Town Hall reception desk be used as a pick up point for those within the Ukrainian community, as more remote areas weren't as accessible as the town centre.

As mover of the motion Councillor Sandford summed up and thanked Members for their contributions, including suggestions in relation to creating a co-ordination group for support to the Ukraine. It was considered that the debate at the Council meeting that evening was a clear example of democracy in action, and was what Ukraine was fighting for.

A vote was taken on the altered motion moved by Councillor Sandford. The Council **AGREED** (unanimous with no Members indicating to vote against or abstain) the motion as follows:

"Council:

1. Expresses grave concern about the situation in Ukraine and the unprovoked ~~which faces an ongoing threat of~~ invasion of the country by armed forces of the Russian Federation.
2. Supports the actions of the UK Government in trying to resolve the situation through diplomacy, ~~maintaining the threat~~ implementation of strong economic sanctions to deter any threatened invasion in response to the invasion and pledging support for the collective security provided by the NATO alliance and in particular towards the Baltic states and other NATO member countries in Eastern Europe.

3. Notes the presence in Peterborough of many thousands of people originating from Lithuania, Poland and other eastern European countries and the important role they play in making Peterborough a dynamic and diverse city.
4. Notes that Peterborough was twinned with Vinnytsia in 1991, making it our city's most recent twinning partnership. With a population of 370,000, Vinnytsia is located in west-central Ukraine and has been an important location for trade and politics since the 14th century.
5. Asks the Executive Director for Place and Communities to investigate ways of strengthening and developing our twinning partnership with Vinnytsia and of supporting the people of the city and the rest of Ukraine in the current stressful and dangerous situation.
6. Specifically asks the director to proactively follow-up with the administration in Vinnytsia following the letter recently sent to the Mayor of the town which offered our support to residents, to investigate ways of offering practical help through the twinning partnership and to look at ways of raising awareness with our own Peterborough residents of the ongoing challenges that the community in Vinnytsia is facing."

104. Executive and Committee Recommendations to Council – Part Two

At this point in the meeting the four-hour Council guillotine was reached and, as per the constitution, all remaining items were voted on without debate.

104(a). Employment Committee Recommendation – Annual Pay Policy 2022-2023

A vote was taken on the recommendation and Council **RESOLVED** (unanimous with no Members indicating to vote against or abstain) to approve the content of the Pay Policy Statement for 2022/23.

104(b). Cabinet Recommendation – Peterborough Housing Allocations Policy

A vote was taken on the recommendation and Council **RESOLVED** (unanimous with no Members indicating to vote against or abstain) to approve the new Housing Allocations Policy.

104(c). Cabinet Recommendation – Budget Approval for the Construction of Peterborough City Market and for the Disposal of Land at Northminster

A vote was taken on the recommendation and Council **RESOLVED** (47 voted in favour, 6 voted against, 2 abstained from voting) to:

1. Note the indicative costs in relation to the creation of a new city market as set out in exempt Appendix 1 and delegate final approval of those costs to the Director of Resources subject to the Financial Assessment.
2. Approve funding from reserves for the revenue costs to achieve vacant possession of the Northminster site and to meet costs associated with decanting market traders to a temporary location whilst the permanent market is under construction if necessary.
3. Approve the transfer of capital budget from Strategic Property of up to £450,000 for the construction of the Peterborough City Market.
4. Approve the proposed sale of the land at Northminster to the Peterborough Investment Partnership (PIP), as set out in exempt Appendix 3, with phased

completion dates of 31 March 2022 and 30 June 2022, subject to final valuation and compliance with best consideration requirements in line with the joint venture agreement with the PIP and with final terms delegated to the Director of Resources and Director of Law and Governance in consultation with the Cabinet Member for Finance.

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

As the guillotine had been reached, there were no questions on Executive Decisions Made Since the Last Meeting.

106. Questions on the Combined Authority Decisions Made Since the Last Meeting

As the guillotine had been reached, there were no questions on Combined Authority Decisions Made Since the Last Meeting.

COUNCIL BUSINESS TIME

107. Notices of Motion

107(2) Motion from Councillor Hogg

A vote was taken on the motion moved by Councillor Hogg (11 voted in favour, 33 voted against, 13 abstained from voting). The motion was **DEFEATED**.

The Mayor
6:00pm – 10:26pm
2 March 2022

ANNUAL COUNCIL	AGENDA ITEM No. 5
23 MAY 2022	PUBLIC REPORT

Report of:	Matthew Gladstone, Chief Executive and Returning Officer	
Cabinet Member(s) responsible:	N/A	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Director	Tel. 452460

REPORT OF THE RETURNING OFFICER

RECOMMENDATIONS	
FROM: <i>Chief Executive and Returning Officer</i>	Deadline date: <i>N/A</i>
It is recommended that Council notes the results of the Local Elections held on Thursday 5 May 2022 (Appendix 1).	

1. BACKGROUND AND KEY ISSUES

- 1.1 The results of the Local Elections for Peterborough City Council held on Thursday 5 May 2022 can be seen at **Appendix 1** to this report.

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DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

Bretton
on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the Bretton Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
CRAIG, David William	Independent	248
THULBOURN, Nicholas John	Labour Party	695
WARREN, Scott Edward	The Conservative Party Candidate	850 Elected
WILSON, Rohan Cameron Stuart	Liberal Democrat	131

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:		Number of ballot papers
A	want of an official mark	0
B	voting for more Candidates than voter was entitled to	3
C	writing or mark by which voter could be identified	0
D	being unmarked or wholly void for uncertainty	4
Total		7

Vacant Seats: 1

Electorate: 6952

Ballot Papers Issued: 1931

Turnout: 27.7%

And I do hereby declare that Scott Edward Warren is duly elected as Councillor for Bretton.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

Central
on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the Central Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
CAWLEY, Stephen George	Trade Unionist and Socialist Coalition	52
JONES, Alison Margaret	Labour and Co-operative Party	1720 Elected
KNIGHT, Raymond John	The Green Party	147
MIRAN, Aleem	The Conservative Party Candidate	937
WHITTAKER, Paul Michael	Liberal Democrat	127

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:	Number of ballot papers
A want of an official mark	0
B voting for more Candidates than voter was entitled to	15
C writing or mark by which voter could be identified	1
D being unmarked or wholly void for uncertainty	7
Total	23

Vacant Seats: 1

Electorate: 8598

Ballot Papers Issued: 3006

Turnout: 34.97%

And I do hereby declare that Alison Margaret Jones is duly elected as Councillor for Central.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

Dogsthorpe
on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the Dogsthorpe Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
BRACE, Kelsey Jack	The Green Party	68
JONES, Dennis Peter	Labour and Co-operative Party	1107 Elected
PETCH, Robert Bede	Freedom Alliance. Real People. Real Alternative	45
RINGLER, Sandra Maria	Liberal Democrat	140
VAINAUSKAS, Marius	The Conservative Party Candidate	568

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:		Number of ballot papers
A	want of an official mark	0
B	voting for more Candidates than voter was entitled to	2
C	writing or mark by which voter could be identified	1
D	being unmarked or wholly void for uncertainty	5
Total		8

Vacant Seats: 1

Electorate: 7018

Ballot Papers Issued: 1936

Turnout: 27.59%

And I do hereby declare that Dennis Peter Jones is duly elected as Councillor for Dogsthorpe.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

East

on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the East Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
CHAPMAN, Luke	The Green Party	118
CLARK, Stuart	Liberal Democrat	144
HEMRAJ, Samantha Jane	Labour and Co-operative Party	990 Elected
PEREIRA, Domnic	The Conservative Party Candidate	862

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:		Number of ballot papers
A	want of an official mark	0
B	voting for more Candidates than voter was entitled to	3
C	writing or mark by which voter could be identified	0
D	being unmarked or wholly void for uncertainty	7
Total		10

Vacant Seats: 1

Electorate: 7404

Ballot Papers Issued: 2124

Turnout: 28.7%

And I do hereby declare that Samantha Jane Hemraj is duly elected as Councillor for East.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

Eye, Thorney & Newborough
on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the Eye, Thorney and Newborough Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
ALEXANDER, Michael	The Green Party	285
GERAGHTY, Annie	Liberal Democrat	152
LEWIS, Kim Michelle	Labour Party	549
RAY, Rylan Luke	The Conservative Party Candidate	1269 Elected

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:		Number of ballot papers
A	want of an official mark	0
B	voting for more Candidates than voter was entitled to	0
C	writing or mark by which voter could be identified	0
D	being unmarked or wholly void for uncertainty	10
Total		10

Vacant Seats: 1

Electorate: 7597

Ballot Papers Issued: 2265

Turnout: 29.81%

And I do hereby declare that Rylan Luke Ray is duly elected as Councillor for Eye, Thorney & Newborough.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

Fletton & Stanground
on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the Fletton and Stanground Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
HOGG, Christian Druery	Liberal Democrat	1030 Elected
MAHMOOD, Asim	Labour Party Candidate	442
SEAGER, Jade	Liberal Democrat	928 Elected
VICHARE, Vishal	Conservative Party Candidate	566
WALSH, Irene	Conservative Party Candidate	605

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:	Number of votes
A want of an official mark	6
B voting for more Candidates than voter was entitled to	4
C writing or mark by which voter could be identified	0
D being unmarked or wholly void for uncertainty	14
E rejected in part	0
Total	24

Vacant Seats: 2

Electorate: 7463

Ballot Papers Issued: 1974

Turnout: 26.5%

And I do hereby declare that Christian Drury Hogg and Jade Seager are duly elected as Councillors for Fletton & Stanground.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

Fletton & Woodston
on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the Fletton and Woodston Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
DOWSON, Alan Grant	Labour and Co-operative Party	880 Elected
STEVENSON, David Nicholas	The Green Party	202
WALTON, Neil Christopher	Liberal Democrat	139
WILLEY, Andrew Stephen	Conservative Party Candidate	812

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:		Number of ballot papers
A	want of an official mark	0
B	voting for more Candidates than voter was entitled to	4
C	writing or mark by which voter could be identified	0
D	being unmarked or wholly void for uncertainty	9
Total		13

Vacant Seats: 1

Electorate: 7832

Ballot Papers Issued: 2046

Turnout: 26.12

And I do hereby declare that Alan Grant Dowson is duly elected as Councillor for Fletton & Woodston.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

Gunthorpe
on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the Gunthorpe Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
BOND, Andrew William Fredrick	Liberal Democrat	1259 Elected
GOWER, Jack James	Labour Party	250
PEACH, John Philip	The Conservative Party Candidate	996

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:		Number of ballot papers
A	want of an official mark	0
B	voting for more Candidates than voter was entitled to	1
C	writing or mark by which voter could be identified	0
D	being unmarked or wholly void for uncertainty	5
Total		6

Vacant Seats: 1

Electorate: 6776

Ballot Papers Issued: 2511

Turnout: 37.06%

And I do hereby declare that Andrew William Frederick Bond is duly elected as Councillor for Gunthorpe.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

Hampton Vale
on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the Hampton Vale Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
CERESTE, Marco	The Conservative Party Candidate	398 Elected
FEDOROV, Arturs	Freedom Alliance. Real People. Real Alternative	54
GERAGHTY, Olivia Isabel Jane	Liberal Democrat	291
THOMPSON, William Thomas	Labour Party	264
WARNE, Barry Anthony	The Green Party	65

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:	Number of ballot papers
A want of an official mark	0
B voting for more Candidates than voter was entitled to	1
C writing or mark by which voter could be identified	0
D being unmarked or wholly void for uncertainty	6
Total	7

Vacant Seats: 1

Electorate: 5225

Ballot Papers Issued: 1079

Turnout: 20.65%

And I do hereby declare that Marco Cereste is duly elected as Councillor for Hampton Vale.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

Hargate & Hempsted
on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the Hargate and Hempsted Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
FAROOQ, Mohammed	The Conservative Party Candidate	672 Elected
KUJIYAT, Timothy Akau	Labour Party	427
SPEED, Rachel Ann	Liberal Democrat	155
WHITAKER, Michael Robert	The Green Party	90

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:		Number of ballot papers
A	want of an official mark	0
B	voting for more Candidates than voter was entitled to	2
C	writing or mark by which voter could be identified	0
D	being unmarked or wholly void for uncertainty	3
Total		5

Vacant Seats: 1

Electorate: 6209

Ballot Papers Issued: 1349

Turnout: 21.73%

And I do hereby declare that Mohammed Farooq is duly elected as Councillor for Hargate & Hempsted.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

North
on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the North Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
AKIM, Akim	The Conservative Party Candidate	652
BI, Noreen	Labour and Co-operative Party	1708 Elected

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:		Number of ballot papers
A	want of an official mark	0
B	voting for more Candidates than voter was entitled to	8
C	writing or mark by which voter could be identified	0
D	being unmarked or wholly void for uncertainty	17
Total		25

Vacant Seats: 1

Electorate: 7259

Ballot Papers Issued: 2385

Turnout: 32.86%

And I do hereby declare that Noreen Bi is duly elected as Councillor for North.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

Orton Longueville
on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the Orton Longueville Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
BULL, June Mary	The Green Party	221
PENNIALL, Nicholas	Liberal Democrat	241
PERKINS, Michael	The Conservative Party Candidate	823 Elected
SMITH, Wendy Mary	Labour and Co-operative Party	804

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:		Number of ballot papers
A	want of an official mark	0
B	voting for more Candidates than voter was entitled to	1
C	writing or mark by which voter could be identified	1
D	being unmarked or wholly void for uncertainty	5
Total		7

Vacant Seats: 1

Electorate: 7768

Ballot Papers Issued: 2096

Turnout: 26.99%

And I do hereby declare that Michael Perkins is duly elected as Councillor for Orton Longueville.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

Orton Waterville
on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the Orton Waterville Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
CARROLL, Vincent Richard	Liberal Democrat	72
HOWELL, Julie Lisa May	The Green Party	1907 Elected
MCKEARNEY, Henry James	Labour Party	217
SAMWAYS, Michael John	The Conservative Party Candidate	593

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:		Number of ballot papers
A	want of an official mark	0
B	voting for more Candidates than voter was entitled to	1
C	writing or mark by which voter could be identified	0
D	being unmarked or wholly void for uncertainty	12
Total		13

Vacant Seats: 1

Electorate: 7369

Ballot Papers Issued: 2802

Turnout: 38.02%

And I do hereby declare that Julie Lisa May Howell is duly elected as Councillor for Orton Waterville.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

Park

on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the Park Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
BASHIR, Shazia	The Conservative Party Candidate	895
HARDMAN, Ian	Liberal Democrat	201
MORRIS, Susan Melancy	Reform UK	116
RADIC, Fiona Jane	The Green Party	128
SABIR, Mohammed	Labour and Co-operative Party Candidate	1504 Elected

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:	Number of ballot papers
A want of an official mark	0
B voting for more Candidates than voter was entitled to	4
C writing or mark by which voter could be identified	2
D being unmarked or wholly void for uncertainty	6
Total	12

Vacant Seats: 1

Electorate: 7159

Ballot Papers Issued: 2856

Turnout: 39.9%

And I do hereby declare that Mohammed Sabir is duly elected as Councillor for Park.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

Paston & Walton
on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the Paston and Walton Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
ALLEN, Tony	Reform UK	142
FENNER, Angela May	The Conservative Party Candidate	505
HORNE, Amanda	The Green Party	92
MICKIEWICZ, Gregorz Lukasz	Labour Party	374
SHAHEED, Asif	Liberal Democrat	895 Elected

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:	Number of ballot papers
A want of an official mark	0
B voting for more Candidates than voter was entitled to	1
C writing or mark by which voter could be identified	0
D being unmarked or wholly void for uncertainty	0
Total	1

Vacant Seats: 1

Electorate: 7539

Ballot Papers Issued: 2009

Turnout: 26.65%

And I do hereby declare that Asif Shaheed is duly elected as Councillor for Paston Walton.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

Ravensthorpe
on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the Ravensthorpe Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
CHAM, Richard John Thomas	Liberal Democrat	156
MURPHY, Edward Patrick	Independent	615
RANGZEB, Mohammed	The Conservative Party Candidate	1202 Elected
TOKIR, Mohammed	Labour and Co-operative Party	775

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:		Number of ballot papers
A	want of an official mark	0
B	voting for more Candidates than voter was entitled to	6
C	writing or mark by which voter could be identified	0
D	being unmarked or wholly void for uncertainty	6
Total		12

Vacant Seats: 1

Electorate: 7676

Ballot Papers Issued: 2761

Turnout: 35.97%

And I do hereby declare that Mohammed Rangzeb is duly elected as Councillor for Ravensthorpe.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

Stanground South
on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the Stanground South Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
BISBY, Raymond	The Conservative Party Candidate	967
FISH, Timothy William	Labour Party	566
MIDDLETON, Stuart	The Green Party	182

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:		Number of ballot papers
A	want of an official mark	0
B	voting for more Candidates than voter was entitled to	3
C	writing or mark by which voter could be identified	0
D	being unmarked or wholly void for uncertainty	9
Total		12

Vacant Seats: 1

Electorate: 7685

Ballot Papers Issued: 1727

Turnout: 22.4%

And I do hereby declare that Raymond Bisby is duly elected as Councillor for Stanground South.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

DECLARATION OF RESULT OF POLL

Peterborough

Election of a City Councillor for

Werrington
on Thursday 5 May 2022

I, Matthew Gladstone, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the Werrington Ward election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
KAIL, Simon James	Liberal Democrat	137
LANE, Stephen	Werrington First	1373 Elected
MCNALLY, Jason	Labour Party	414
SHELTON, Hayley Jayne	The Conservative Party Candidate	495
WADE, Georgia	The Green Party	166

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:	Number of ballot papers
A want of an official mark	2
B voting for more Candidates than voter was entitled to	2
C writing or mark by which voter could be identified	0
D being unmarked or wholly void for uncertainty	2
Total	6

Vacant Seats: 1

Electorate: 7989

Ballot Papers Issued: 2591

Turnout: 32.4%

And I do hereby declare that Stephen Lane is duly elected as Councillor for Werrington.

Dated Friday 6 May 2022

Matthew Gladstone
Returning Officer

ANNUAL COUNCIL	AGENDA ITEM No. 6
23 MAY 2022	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	N/A	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Director	Tel. 452460

POLITICAL GROUPS AND GROUP OFFICERS 2022/23

RECOMMENDATIONS	
FROM: <i>Director of Law and Governance</i>	Deadline date: <i>N/A</i>
It is recommended that Council note the membership of political groups (Appendix 1 to be tabled) and their officers (Appendix 2 to be tabled) for 2022/23.	

1. PURPOSE AND REASON FOR REPORT

- 1.1 The purpose of this report is to notify Council of the political group Membership for the municipal year 2022/23 and the group officers positions allocated within.

2. BACKGROUND AND KEY ISSUES

- 2.1 The details of the composition of political groups can be seen at **Appendix 1** (to be tabled) to this report.
- 2.2 The details of group officers can be seen at **Appendix 2** (to be tabled) to this report.

3. BACKGROUND DOCUMENTS

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

- 3.1 None.

4. APPENDICES

- 4.1 Appendix 1 - Composition of Political Groups (to be tabled).
- 4.2 Appendix 2 - Group Officers (to be tabled).

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ANNUAL COUNCIL	AGENDA ITEM No. 7
23 MAY 2022	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	N/A	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Director	Tel. 452460

APPOINTMENT OF THE EXECUTIVE AND THE LEADER'S SCHEME OF DELEGATION

RECOMMENDATIONS	
FROM: <i>Director of Law and Governance</i>	Deadline date: <i>N/A</i>
<p>It is recommended that Council:</p> <ol style="list-style-type: none"> 1. Notes the decision of Full Council on 26 May 2021 'to elect Councillor Wayne Fitzgerald as Leader of the Council for a period of four years'. 2. Notes the appointment of the Cabinet and the Leader's Scheme of Delegation to Cabinet Members and officers (Appendix 1 and Appendix 2 to be tabled). 3. Notes the Appointments to the Shareholder Cabinet Sub-Committee (Appendix 3 to be tabled) 4. Notes that the Constitution will be updated to include the Leader's Scheme of Delegation to Cabinet Members and officers (Appendix 1 and Appendix 2 to be tabled). 	

1. PURPOSE AND REASON FOR REPORT

- 1.1 All Executive functions are delegated to the Leader of the Council who may then delegate further to Cabinet committees of the Cabinet, Cabinet Members, and officers.

2. BACKGROUND AND KEY ISSUES

- 2.1 At its meeting in October 2010, Council adopted the Leader and Cabinet executive model. This took effect from May 2011. Therefore, from May 2011 and every fourth year thereafter, at its Annual Meeting, the Council elects the Leader of the Council. The current Leader, Councillor Fitzgerald, was elected at the 2021/22 Annual Council meeting for a period of four years, ending at the close of the 2024/25 municipal year.

3. DELEGATION TO CABINET MEMBERS AND OFFICERS

- 3.1 The Leader must appoint a Deputy Leader and up to eight other Members to form the Executive. Peterborough City Council uses the term Cabinet to describe its Executive.
- 3.2 The Leader must appoint the membership of the Shareholder Cabinet Sub-Committee and the Chair of this Sub-Committee, as set out in **Appendix 3** (to be tabled).

- 3.3 The Leader is only required to confirm the appointment of the Cabinet and delegations of his executive functions to Cabinet, and Cabinet committees, including any Cabinet members and officers, to the Council meeting (**Appendix 1** and **Appendix 2** to be tabled).

4. IMPLICATIONS

Financial Implications

- 4.1 There are no direct financial consequences arising from this report.

Legal Implications

- 4.2 There are no legal implications arising from this report. These are statutory requirements.

Equalities Implications

- 4.3 There are no equalities implications arising from this report.

5. BACKGROUND DOCUMENTS

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

- 5.1 Peterborough City Council's Constitution

6. APPENDICES

- 6.1 **Appendix 1** – Peterborough City Council Constitution, Part 3, Delegations Section 3 - Executive Functions (to be tabled)
- 6.2 **Appendix 2** – Peterborough City Council Constitution, Part 3, Delegations Section 3 – Officer Delegations (to be tabled)
- 6.3 **Appendix 3** – Shareholder Cabinet Sub-Committee Membership (to be tabled)

ANNUAL COUNCIL	AGENDA ITEM No. 8
23 MAY 2022	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	N/A	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Director	Tel. 452460

COMMITTEE STRUCTURE 2022/23

RECOMMENDATIONS	
FROM: <i>Director of Law and Governance</i>	Deadline date: <i>N/A</i>
<p>It is recommended that Council:</p> <ol style="list-style-type: none"> Appoints the following Committees for the 2022/23 municipal year: <ul style="list-style-type: none"> <u>Ordinary Committees subject to political balance seat allocations:</u> <ul style="list-style-type: none"> Climate Change and Environment Scrutiny Committee Growth, Resources, and Communities Scrutiny Committee Adults and Health Scrutiny Committee Children and Education Scrutiny Committee Employment Committee Licensing Committee (Regulatory) Planning and Environmental Protection Committee Appeals and Planning Review Committee Audit Committee Corporate Parenting Committee Constitution and Ethics Committee <u>Other bodies to which Section 15 LGHA does not apply</u> <ul style="list-style-type: none"> Health and Wellbeing Board Licensing Committee (Licensing Act 2003) Agree the committee terms of reference set out in the Regulatory Committee Functions and the Overview and Scrutiny Functions (Appendix 1 and Appendix 2). 	

1. PURPOSE AND REASON FOR REPORT

- 1.1 The Constitution provides under Part 4 Section 1.2.1 that the Annual Council meetings considered the establishment and terms of reference of committees.
- 1.2 Full Council must consider the committee structure before seats can be allocated to committees in accordance with the political balance rules.

2. BACKGROUND AND KEY ISSUES

- 2.1 The proposed structure is as follows:

Committee
<p><u>Ordinary Committees subject to political balance seat allocations:</u></p> <p>Climate Change and Environment Scrutiny Committee Growth, Resources, and Communities Scrutiny Committee Adults and Health Scrutiny Committee Children and Education Scrutiny Committee Employment Committee Licensing Committee (Regulatory) Planning and Environmental Protection Committee Appeals and Planning Review Committee Audit Committee Corporate Parenting Committee Constitution and Ethics Committee</p> <p><u>Other bodies to which Section 15 LGHA does not apply</u></p> <p>Health and Wellbeing Board Licensing Committee (Licensing Act 2003)</p>

2.2 The current structure is in accordance with Part 4, Section 1 of the Constitution that states the Council must appoint at least one overview and scrutiny committee and other committees as it considers appropriate to deal with the matters that are neither reserved to Full Council nor are executive (Leader and Cabinet) functions.

2.3 Changes are proposed to the previous 'Growth, Environment and Resources Scrutiny Committee' to split functions related to the environment and climate change into a new committee, 'Climate Change and Environment Scrutiny Committee'. The remaining growth and resources functions are to be incorporated with the existing communities' functions to become 'Growth, Resources and Communities Scrutiny Committee'. The overall number of committee seats remained as 109.

3. IMPLICATIONS

3.1 There are no financial, legal, or equalities implications arising from these decisions.

4. BACKGROUND DOCUMENTS

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

4.1 Peterborough City Council's Constitution

5. APPENDICES

5.1 **Appendix 1** – Peterborough City Council Constitution Part 3, Section 2 – Delegations – Regulatory Committee Functions

5.2 **Appendix 2** – Peterborough City Constitution Part 3, Section 4 – Overview and Scrutiny Functions

Section 2 – Regulatory Committee Functions

Introduction

These regulatory functions consist of:

- functions which the Executive may not in law exercise, and
- 'local choice' functions where Council has decided that they shall not be exercised by the Executive.

The Council has delegated to every Committee full powers to act in all matters covered by the Committee's terms of reference subject to:

- (a) the provisions of any financial or procedural rules for the time being in force as set out in this constitution, except where such rule has been specifically waived by resolution of the Council;
- (b) prior Council approval to recommendations for the allocation of duties or powers;
- (c) the right of Council to call for a report on any committee decision;
- (d) the right of Council to exercise the powers which have been delegated, when necessary.

Each Committee may appoint, and delegate any of its powers to, sub-committees and officers and may also authorise an officer, after consultation with the chairman of the Committee, to take other decisions on specific urgent matters falling within its own terms of reference. Each Committee may, from time to time, amend or vary the delegation of its powers to sub-committees and officers.

Every Committee shall have the power to undertake its functions for other local authorities.

Any sub-committee established by a Committee must refer back to the Committee for decision any matters which the committee reserves to itself, and must submit to it the minutes of all the sub-committee's meetings.

Where any delegation under this part of the Constitution refers to specific legislation or regulations, it includes a reference to that legislation or those regulations as re-enacted, consolidated, modified or amended.

2.1 Appeals and Planning Review Committee

- 2.1.1 It is advised that Members undertake relevant training within the past three years in order to hold a seat on this committee.

Terms of Reference

- 2.1.2 To review appeals procedures for the Council's various services (excluding appeals procedures which are determined by statute) and, where change is recommended, formulate proposals to the Executive or Council.
- 2.1.3 To hear and determine appeals about all the Council's services, other than employee appeals and those for which there are separate, statutory appeals procedures, and to set up panels for this purpose.

Planning Reviews

- 2.1.4 To determine any planning matter that has been referred to the Committee following the implementation of the planning call-in procedure.
- 2.1.5 The Committee shall adopt the Planning Speaking Scheme at its meetings and shall follow the same procedure as the Planning and Environmental Protection Committee.
- 2.1.6 All Members of the Committee (and substitutes) shall have received appropriate training before being involved in the determination of a planning matter.

Appeals Panel

- 2.1.7 The Committee has set up a panel to hear appeals about Council Services. The panel will consist of three members drawn from the Committee. For this purpose, officers may draw upon members with training relevant to the subject matter of the appeal in order to ensure sufficient members are available to conduct the hearing, and to avoid involving any member who was involved in the original decision which is the subject of the appeal. Panel members should not be a representative of the Ward of the appellant. The quorum shall be three members. Political balance applies to the panel.

2.2. Audit Committee

2.2.1 It is advised that Members undertake relevant training within the past three years in order to hold a seat on this committee.

2.2.2 Terms of Reference

2.2.2.1 To consider the annual report and opinion of the Corporate Director Resources and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements.

2.2.2.2 To consider summaries of specific internal audit reports as requested.

2.2.2.3 To consider reports dealing with the management and performance of the providers of internal audit services.

2.2.2.4 To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale.

2.2.2.5 To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.

2.2.2.6 To consider specific reports as agreed with the external auditor.

2.2.2.7 To comment on the scope and depth of external audit work and to ensure it gives value for money.

2.2.2.8 To liaise with the Public Sector Audit Appointments Ltd (PSAA) over the appointment of the council's external auditor.

2.2.2.9 To commission work from internal and external audit.

2.2.2.10 To have oversight of the Regulation of Investigatory Powers policy and processes.

2.2.2.11 Authority to approve any changes regarding the Council's Whistle-Blowing policy and arrangements.

2.2.2.12 To consider reports in relation to the performance of the Council's companies, alongside comments from the Shareholder Cabinet Committee.

2.2.2.13 To produce an annual report for consideration by Full Council.

Regulatory Framework

2.2.2.14 To review any issue referred to it by the Chief Executive or a Director, or any Council body.

2.2.2.15 To monitor the effective development and operation of risk management and corporate governance in the council.

2.2.2.16 To monitor Council policies on "raising concerns at work" and the anti-fraud and anti-corruption strategy and the Council's complaints process.

- 2.2.2.17 To oversee the production of the authority's Statement on Internal Control and to recommend its adoption.
- 2.2.2.18 To consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.

Accounts

- 2.2.1.19 To review the annual statement of accounts, specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.
- 2.2.1.20 To consider the external auditors report to those charged with governance on issues arising from the audit of the accounts.

Independent Members of Audit Committee

- 2.2.1.21 The Audit Committee will include up to 3 independent co-opted non-voting members sitting alongside 7 elected members. Independent members will be appointed by the Council to serve an initial 4 year term, which may be extended with the agreement of Council.
- 2.2.1.22 The Committee will be chaired by an Independent Member. In the absence of the appointed chair one of the remaining two Independent Members will be appointed as Chair by the Committee.
- 2.2.1.23 The Vice-Chair will be an elected member whose purpose will be to support the Chair and in the event of an equality of votes, to exercise a second or casting vote.
- 2.2.1.24 The role of an Independent Member is to support the Council's Audit Committee in its role to provide independent assurance to the members of Peterborough City Council, and its wider citizens and stakeholders.
- 2.2.1.25 Independent members will be expected to actively participate in meetings of the Audit Committee and demonstrate independence, integrity, objectivity and impartiality in their decision-making. They will support reporting as required to Full Council, including the Annual Audit Committee report.
- 2.2.1.26 Independent members will contribute to the work of the Audit Committee in its role in reviewing the Council's financial affairs, including making reports and recommendations, overseeing internal and external audit arrangements, reviewing and scrutinising financial statements, seeking assurances of compliance with the Treasury Management Strategy and practices and reviewing and assessing the governance, risk management and control of the authority.

2.3 Employment Committee

2.3.1 It is advised that Members undertake relevant training within the past three years in order to hold a seat on this committee.

2.3.2 Terms of Reference

2.3.2.1 To appoint Directors and Heads of Service, and determine terms and conditions of employment.

2.3.2.2 To determine employee procedures, including dismissal procedures.

2.3.2.3 To act as the Employer's Side of the Joint Consultative Panel (the Council's consultative body with recognised trade union representatives), for discussion and negotiation. When meeting in this context, the Cabinet member with human resource responsibilities may attend and speak, if not already a member of this committee.

2.3.2.4 To determine local terms and conditions of employment for employees.

2.3.2.5 To consider, and recommend appropriate actions where necessary in response to, executive proposals relating to:

- (a) changes within a Department's/Division's structure which involve substantial changes in the responsibilities of first and second tier posts;
- (b) requests for Trade Union facilities, including budget and establishment;
- (c) other executive human resources matters.

2.3.2.6 To promote and pursue a policy of equal opportunities in employment.

2.3.2.7 To determine pension issues which relate to auto enrolment.

2.3.3 Delegation to Officers

2.3.3.1 The appropriate Director is authorised to make appointments to vacancies on the establishment at levels below Head of Service, within approved policy and budgets, subject to:

- (a) appointments of Directors and Heads of Service (unless on an interim or acting up basis in which case such appointments may be made by the Chief Executive) being made by the Employment Committee (the Chief Executive's appointment is subject to a separate procedure reserved to Council);
- (b) any limitations or other conditions in relation to filling vacancies which are currently required by the Executive.

2.3.3.2 The Chief Executive shall advertise vacancies subject to the authorisation of a recruitment requisition, to any overriding Council policy, to there being adequate budget provision, and to compliance with national or local agreements.

2.3.3.3 In respect of all employees, Directors may:

- (a) suspend employees in accordance with the agreed procedure, subject to consultation with the Director of Governance;

- (b) subject to the approved appeals procedure and consultation with the Director of Governance, take any disciplinary action (including dismissal) and any action relating to incapability (including dismissal);
- (c) approve the transfer of probationary staff to the permanent establishment at the end of their probationary period;
- (d) terminate the employment of staff whose performance has not been satisfactory during their probationary period;
- (e) in consultation with the Director of Governance, determine whether a post is unsuitable for job-share and appoint in accordance with that determination and Council policy;
- (f) award an additional payment/honorarium to any member of staff within the guide-lines determined by Director of Governance;
- (g) authorise Essential and Casual Car Allowances in accordance with Council policy and having regard to the circumstances of each case;
- (h) authorise reimbursement for the installation and rental charges in respect of telephones at private residences where staff are subject to contact in cases of emergency or where private telephones are used for business reasons;
- (i) vary job titles and job descriptions;
- (j) authorise pay in lieu of holidays (in exceptional circumstances);
- (k) terminate the employment of staff for any lawful reason, in consultation with the Director of Governance.
- (l) take decisions relating to the employment of staff, including establishment control and matters of staff recruitment, reward and discipline that are necessary for the effective delivery of service and to stay within allocated budgets, in consultation with the relevant Cabinet Member in relation to executive functions

2.3.3.4 Senior Officers from departments other than where the employee was employed should hear the appeal.

2.3.3.5 The Chief Executive is authorised to grade all posts other than Chief Executive, Directors, Heads of Service, Teachers, Crafts employees and posts covered by Soulbury Scales, in accordance with the Council's agreed Job Evaluation Scheme with the aim of recruiting and retaining high quality employees.

2.3.3.6 The Chief Executive to exercise personal responsibility for delegations to officers in relation to non-executive human resource matters, including the creation and disestablishment of posts, changes to job descriptions and matters related to the recruitment, reward and disciplining of staff.

2.3.3.7 Directors may determine matters relating to training and development, leave, temporary (including agency) and overlapping appointments and minor variations to the relocation scheme for new employees, within agreed cash limits and in accordance with approved Council policies, consulting the Director of Governance where appropriate.

2.3.3.8 The relevant Director, in consultation with the Corporate Director Resources, is authorised to consider and determine:-

- (a) any redundancy within the Council's redundancy policy;
- (b) premature retirement on the grounds of ill-health;
- (c) premature retirement in the interests of the service.

- 2.3.3.9 Directors, in consultation with the Director of Governance and the Chairman of the Committee, may authorise the extension of an employee's contract beyond retirement age for a maximum period of 6 months.
- 2.3.3.10 The Corporate Director Resources and Director of Governance are authorised following agreement by the relevant Director to approve, complete and transfer agreements relating to car loans including those which do not fall within Council policy, subject in these cases to consultation with the Director of Governance.
- 2.3.3.11 The Director of Governance is authorised to implement agreed employee policies.
- 2.3.3.12 The Chief Executive and Directors respectively in consultation with the relevant portfolio holder and the Director of Governance are authorised to update and amend the job descriptions and person specifications of Directors and Heads of Service/Assistant Directors.

2.4 Peterborough Corporate Parenting Committee

2.4.1 It is advised that Members undertake relevant training within the past three years in order to hold a seat on this committee.

2.4.2 Terms of Reference

2.4.2.1 Our Commitment to Children and Young People in Care:

2.4.2.1 Peterborough City Council is committed to raising the quality of life of everyone living within the city. For children in particular, the city council aims to provide high quality opportunities for learning and ensure children are healthy and safe. It is important that the Corporate Parenting Committee members ensure that the Council provides such care, education and opportunities that the Committee would be afforded to their own children.

2.4.3 Purpose:

2.4.3.1 To ensure that the Council effectively discharges its role as Corporate Parent for all children and young people in care and care leavers and holds partners to account for the discharge of their responsibilities.

2.4.3.2 On behalf of the Council and partners of the Local Authority to ensure that all services directly provided for children and young people in care and care leavers are scrutinised to deliver to a high standard and to all statutory requirements.

2.4.3.3 To raise the aspiration, ambitions and life chances of children and young people in care, narrowing the gap of achievement between children in care and their peers.

2.4.3.4 To ensure that the Council effectively discharges its role as Corporate Parent for all children and young people in care and care leavers and holds partners to account for the discharge of their responsibilities.

2.4.3.5 To ensure that all elected members are aware of their corporate parenting responsibilities and that all Council services are mindful of the needs of children in care and respond accordingly within their particular remit.

2.4.4 Functions of the Committee:

2.4.4.1 To act as advocates for looked after children and care leavers.

2.4.4.2 To receive statutory reports in relation to the adoption, fostering, commissioning, looked after children services and children's homes with a view to recommending any changes.

2.4.4.3 Ensure that the needs of looked after children and care leavers are addressed through key plans, policies and strategies throughout the Council overseeing interagency working arrangements.

2.4.4.4 Review complaints from looked after children to ensure officers have dealt with these appropriately and made any recommendations for change.

2.4.4.5 Raise awareness in Peterborough City Council and the wider community by promoting the role of members as corporate parents and the Council as a large corporate family with key responsibilities.

2.4.4.6 To monitor the quality of care delivered by the City Council and review the performance of outcomes for children and young people in care.

- (a) Raise the profile of the needs of looked after children and care leavers through a range of actions including through the organising of celebratory events for the recognition of achievement.
- (b) Ensure that leisure, cultural, further education and employment opportunities are offered and taken up by our looked after children and care leavers.
- (c) Promote the development of participation and ensure that the view of children and young people are regularly heard through the Corporate Parenting Committee to improve educational, health and social outcomes to raise aspiration and attainments.
- (d) Hold meetings with children and young people in care, frontline staff and foster carers to inform the committee of the standards of care and improvement outcomes for looked after children.
- (e) Monitor the ongoing commitment to providing support, training and clarity of expectations to foster carers to achieve excellent and high quality care.
- (f) To appoint elected members as Champions for Children in Care, with the roles being decided and approved by the Committee at the first formal meeting of the municipal year.

2.4.5 Work Programme

2.4.5.1 The Corporate Parenting Committee will formally agree a skeleton work programme annually which will be reviewed at each formal meeting. In reviewing the work programme, the Committee may agree to request reports on particular matters of their own preference or as advised by the lead officer.

2.4.6.2 Performance Monitoring

2.4.6.3. The Corporate Parenting Committee will scrutinise and monitor outcomes for children in care and care leavers. To this end, the Committee will develop and agree a core data set which it wishes to receive at each Committee meeting. Additional detailed monitoring reports will be presented in accordance with the agreed work programme on the following key aspects of care:

- (a) Placement stability
- (b) Independent child care reviews
- (c) The performance of all care standards regulated services
- (d) Adoption and adoption support
- (e) Fostering
- (f) Children's homes
- (g) Service to care leavers, including accommodation, education, employment and training
- (h) The health needs of children in care
- (i) Educational attainment of children in care

2.4.6.4 The Corporate Parenting Committee will report to the Cabinet Member for Children's Services and to the Scrutiny Committee on an annual basis or more frequently if required.

2.4.7 Membership of the Committee

2.4.7.1 There will be a standing membership of the Corporate Parenting Committee to provide continuity and consistency. Councillors outside the standing membership will be invited to discuss issues and raise questions within a standing agenda item.

2.4.7.2 The membership of the Corporate Parenting Committee must include the Cabinet Member with the responsibility for Children's Services.

2.4.7.3 All Councillors are invited to attend the informal meetings. The Committee may also co-opt non-voting members. Membership may include up to four foster carers and representatives from the Children in Care Council. The Committee may invite participation from non-members where this is relevant to their work.

2.4.8 Children in Care Council

2.4.8.1 Representatives from the Children in Care Council may attend the Corporate Parenting Committee up until and no later than 8pm.

2.5 Licensing Committee

2.5.1 It is advised that Members undertake relevant training within the past year in order to hold a seat on this committee.

2.5.2 Terms of reference

2.5.2.1 To undertake and perform all of the Licensing Authority's statutory functions and duties under the Licensing Act 2003 and to delegate functions in accordance with Guidance issued under Section 182 of that Act.

2.5.2.2 To delegate to sub-committees consisting of three members of the Licensing Committee the functions listed at 2.5.3.

2.5.2.3 To exercise the functions of the authority as listed in Schedule 2.5.5, where these are not delegated to officers as listed at section 2.5.4, namely:-

- (a) hackney carriage and private hire vehicle licensing
- (b) licensing marriage and entertainment
- (c) licensing shops and food premises
- (d) safety issues (sports grounds, and Health and Safety at Work Act)
- (e) licensing premises associated with live animals in accordance with regulations under the Animal Welfare Act 2006 or other applicable legislation
- (f) approval and enforcement duties relating to premises associated with dead animals and food production
- (g) employment related licensing functions
- (h) Betting, gaming, lotteries and charity collections
- (i) Licences for alcohol and entertainment etc
- (j) issue, grant, refuse, revoke, transfer, renew, vary, add conditions and set fees in relation to the licensing of sex establishments
- (k) Licences for scrap metal dealers

2.5.2.4 To consider and determine all applications in relation to the functions in Schedule 2.5.5, where:

- (a) they are not delegated to Officers;
- (b) the Officer with delegated authority refers the application to the Committee.

2.5.2.5 To consider whether or not to:

- (a) suspend, and/or
- (b) revoke, and/or
- (c) refuse to renew, and/or
- (d) amend any conditions of any existing licence/permit/consent in any case which is referred to the Licensing Committee by the relevant Officer where the holder has been:
 - (i) convicted of an offence involving dishonesty, indecency or violence, and/or
 - (ii) convicted of an offence or has failed to comply with the statutory provisions relating to the issue of any licence/permit/consent, or
 - (iii) in breach of any conditions attached to the issue of any licence/permit/consent, and/or
 - (iv) any other reasonable cause.

- 2.5.2.6 To approve (and periodically review) the standard conditions to be attached to any licence/permit/consent issued by the Council.
- 2.5.2.7 On recommendation by the Licensing Committee all statutory policies within the Licensing Committee's remit must go to Full Council for formal adoption. This includes any modifications, amendments to those policies.
- 2.5.2.8 On recommendation by the Licensing Committee all non-statutory policies must be submitted either to Full Council or Cabinet for formal adoption. Thereafter, any minor amendments or modifications, can be adopted by the Licensing Committee.
- 2.5.2.9 There is no power to suspend and call in any Licensing Committee decisions to Council for determination.

2.5.3 Delegations to Sub-Committees

- 2.5.3.1 To undertake and perform all of the statutory duties and functions required of local authorities under the Licensing Act 2003 as follows:

- (a) application for a Personal License if there is a Police objection
- (b) application for a Personal License with unspent convictions in all cases
- (c) application for Premises License/Club Premises Certificate if a relevant representation is made
- (d) application for a provisional statement, if a relevant representation is made
- (e) application to vary Premises Licence/Club Premises Certificate if a relevant representation is made
- (f) application to vary the Designated Premises Supervisor if there is a Police objection
- (g) application for transfer of a Premises Licence if there is a Police objection
- (h) application for interim authorities if there is a Police objection
- (i) application to review a Premises Licence/Club Premises Certificate in all cases
- (j) decision to object when the Local Authority is a consultee and not the relevant authority considering the application
- (k) determination of a Temporary Event Notice where objections have been received from relevant persons
- (l) in the event of all relevant representations concerning an application being withdrawn, the application is delegated to officers as per 2.5.4 below
- (m) decision to revoke or suspend (up to 6 months) personal licenses where a personal licence holder (licensed by this authority) has been convicted of a relevant or foreign offence or an immigration offence or penalty

- 2.5.3.2 To undertake and perform all of the statutory duties and functions proposed for local authorities under the Gambling Act 2005 as follows:

- (a) application for a premises license where representations have been received and not withdrawn;
- (b) application for a variation to a licence where representations have been received and not withdrawn;
- (c) application for a transfer of a licence where representations have been received from the Commission;

- (d) application for a provisional statement where representations have been received and not withdrawn;
- (e) review of a premise licence;
- (f) application for a club gaming/club machine permit where objections have been made and not withdrawn;
- (g) cancellation of a club gaming/club machine permit;
- (h) decision to give counter notice to temporary use notice.

2.5.4 Delegations to officers

2.5.4.1 **The Executive Director People and Communities is authorised:**

- (a) to set fees, issue/renew/suspend/revoke hackney carriage drivers' and vehicle licences and private hire drivers' and vehicle licences, except where the Officer is of the opinion that the application/matter should be considered by the Licensing Committee;
- (b) to approve advertising in or on purpose-built Hackney Carriage vehicles subject to there being no advertising of alcohol or tobacco related products and the advertisements complying with the code of acceptance except where the Officer is of the opinion that an application should be considered by Licensing Committee;
- (c) to set fees, issue/renew/suspend/revoke Private Hire Operator's licences except where the Officer is of the opinion that an application should be considered by the Licensing Committee.
- (d) to set the fees under the Gambling Act 2005 in consultation with the Chairman of the Licensing Committee
- (e) to determine Street Collection Permits; including those for special Christmas collections;
- (f) to determine house-to-house collection licences;
- (g) to determine house-to-house Christmas Carol Float permits;
- (h) to deal with the following registrations:
 - (i) Ear piercing, acupuncture, electrolysis and tattooing;
 - (ii) Food premises;
- (i) to issue/renew/amend/suspend/revoke the following licences:
 - (i) Hiring out horses;
 - (ii) Keeping of dangerous wild animals;
 - (iii) Selling animals as pets;
 - (iv) Breeding dogs;
 - (v) Providing or arranging for the provision of boarding for cats or dogs;
 - (vi) Zoos.
- (j) to issue, amend, revoke or refuse street trading consents boroughwide and including the use of the city centre pedestrian area, including those for:-
 - (i) annual food/commercial concessions; and
 - (ii) the Christmas street festival;
- (k) to prepare, amend, vary, attach and adopt as necessary, standard and other conditions to all licences, registrations and consents. The Corporate Director Resources will incorporate any special conditions requested or determined by Licensing Committee;
- (l) to consider and determine applications for certificates under the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sports Act 1987.
- (m) to serve notices requiring information in relation to ownership of land and property under Section 16 of the Local government (Miscellaneous Provisions) Act 1976;

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- (n) to take appropriate action and issue all notices (including notices of entry) under the Health and Safety at Work, etc Act 1974;
- (o) to take all necessary action under the Scrap Metal Dealers Act 2013 except where the Officer is of the opinion that the application/matter should be considered by the Licensing Committee.
- (p) to exercise all the functions conferred by the Acts, Orders and Regulations set out below or any Act, Order or Regulation which extends or amends them or any Order, Instrument, Regulation or Byelaw made under them:
 - (i) Celluloid and Cinematograph Films Act 1922 – fire safety and storage provisions relating to celluloid film kept on premises;
 - (ii) Explosives Acts 1875 and 1923 – storage conditions and licensing for explosives;
 - (iii) Nurses Agencies Act 1957 – licensing and regulation of Nurses Agencies;
 - (iv) Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 – keeping or training for exhibition;
 - (v) Poisons Act 1972 – registration of sellers of some categories of poisons;
 - (vi) Criminal Justice and Police Act 2001.
- (q) to issue game dealers' licences;
- (r) under the Licensing Act 2003:
 - (i) to consider Applications for a Personal License if no objection is made
 - (ii) to consider Applications for a Premises Licence/Club Premises Certificate if no relevant representation is made
 - (iii) to consider Applications for a provisional statement if no relevant representation is made
 - (iv) to consider Applications to vary Premises Licence/Club Premises Certificate if no relevant representation is made
 - (v) to consider Applications to vary the designated premises supervisor if there is no Police objection
 - (vi) to request to be removed as Designated Premises Supervisor in all cases
 - (vii) to consider Applications for transfer of Premises Licence if there is no Police objection
 - (viii) to consider Applications for interim authorities if there is no Police objection
 - (ix) to decide on whether a complaint is irrelevant, frivolous or vexatious in all cases
 - (x) to determine the suitability of films to be shown to particular age groups and licensing of premises showing films;
 - (xii) to license theatre premises in accordance with the Licensing Act 2003
 - (xiii) to issue, amend, suspend or refuse licenses under the Licensing Act 2003
 - (xiv) to take decisions in respect of applications for a minor variation to a premises/club premises certificate in all cases; and to take decisions relating to applications for the mandatory alcohol condition requiring a Designated Premises Supervisor in respect of a premises licence to be disapplied if there is no police objection
 - (xv) issue Closure Notices to premises operating in breach of their licensing conditions and apply for an Order to close the premises should the illegal behaviour continue.
- (s) under the Gambling Act 2005

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- (i) to set the fees when appropriate following consultation with the Chair of the Committee
- (ii) to consider applications for premises licenses where no representations have been received or representations have been withdrawn;
- (iii) to consider applications for a variation of a license where no representations have been received or representations have been withdrawn;
- (iv) to consider applications for a transfer of a licence where no representations have been received
- (v) to consider applications for a provisional statement where no representations have been received or representations have been withdrawn
- (vi) to consider applications for a club gaming/club machine permit where no objections have been made or objections have been withdrawn;
- (vii) to consider applications for other permits under the Act;
- (viii) to cancel licensed premises gaming machine permits as appropriate;
- (ix) to consider temporary use notices as appropriate
- (x) to designate an officer of a licensing authority as an authorised person for a purpose relating to premises under Section 304 of the Gambling Act 2005
- (xi) to institute criminal proceedings for offences under section 342 of the Gambling Act 2005 – Section 346 of the Act
- (xii) to exchange information under Section 350 of the Act
- (xiii) to have a statement of principles for Unlicensed Family Entertainment Centres.
- (xiv) to have a statement of principles for Prize Gaming.
- (t) To issue/renew/transfer and add conditions in relation to sex establishment licences where no representations have been received or representations have been withdrawn.
- (u) Determine variation applications in relation to sex establishments, in consultation with the Chairman of the Licensing Committee.
- (v) To grant or refuse and attach conditions to permit an exhibition, demonstration or performance of hypnotism on any person and to vary and/or attach conditions.

2.5.4.2 The Executive Director People and Communities, in consultation with the Chair of the Licensing Committee, is authorised to:
Determine the fees for premises licences (The Gambling (Premises License Fees) (England and Wales) Regulations 2007 (S.I. 2007/479)).

2.5.4.3 The Executive Director People and Communities is authorised:

- (a) to monitor and regulate the employment of young people below school leaving age, including issuing of work permits, investigation of breaches to bye-laws and meeting all LEA statutory responsibilities with regard to prosecution of employers who contravene employment legislation;
- (b) to grant or refuse licences for children to take part in public entertainment or performances and to grant or refuse chaperone licences, in accordance with bye-laws.

- 2.5.4.4 The Executive Director People and Communities is authorised to determine applications for licenses to use premises for holding a marriage or civil ceremony

2.5.5 Schedule of relevant functions – Licensing Committee

2.5.5.1 Hackney carriage and private hire licensing

Function	Relevant legislation
Licensing hackney carriages and private hire vehicles	HACKNEY CARRIAGES Town Police Clauses Act 1847 (10 & 11 Vict. C.89), as extended by Public Health Act 1875 (38 & 39 Vict. C.55), Section 171 and Transport Act 1985 (c.67) Section 15; and Local Government (Miscellaneous Provisions) Act 1976 (c.57) Sections 47, 57-58, 60, 70 and 79. PRIVATE HIRE VEHICLES Local Government (Miscellaneous Provisions) Act 1976 Sections 48, 57-58, 60 and 79.
Licensing drivers of hackney carriages and private hire vehicles	Local Government (Miscellaneous Provisions) Act 1976, Sections 51, 53-54, 59, 61, 70 and 79
Licensing operators of hackney carriages and private hire vehicles	Local Government (Miscellaneous Provisions) Act 1976, Sections 55-58, 62, 70 and 79

2.5.5.2 Licences for Marriage and Entertainment

Approving premises for the solemnisation of marriage and civil partnerships	Marriage Act 1949 (c.76) s46A (as inserted by Marriage Act 1994 (c.34), Section 1); and The Marriages and Civil Partnerships (Approved Premises) Regulations 2005 (SI 2005, No.: 3168)
Licensing sex shops and sex cinemas	Local Government (Miscellaneous Provisions) Act 1982 (c.30), Section 2 and Schedule 3 (as amended by Licensing Act 2003 (c.17), Schedule 6, paragraph 85.
Licensing performances of hypnotism	The Hypnotism Act 1952 (c.46), Section 1 as amended by Licensing Act 2003 (c.17) paragraph 198 and Schedule 6, paragraphs 25 – 27

Licensing pleasure boats and pleasure vessels	Public Health Acts Amendment Act 1907 (c.53), s.94 as amended by Local Government Act 1974 (c.7) Schedule 6 Para 1 and Local Government (Miscellaneous Provisions) Act 1976 (c.57), Section 18 and Local Government, Planning and Land Act 1980 (c.65), s186 as substituted by ; Deregulation (Public Health Acts Amendment Act) Order 1997 (SI 1997/1187), Section 94(8)
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2.5.5.3 Licensing of shops and food premises

Licensing premises for acupuncture, tattooing, ear-piercing and electrolysis	Local Government (Miscellaneous Provisions) Act 1982, Sections 13 – 17
Licensing market and street trading	Local Government (Miscellaneous Provisions) Act 1982, Part III of, and Schedule 4
Duty to keep a list of persons entitled to sell non-medicinal poisons	Poisons Act 1972 (c.66), Sections 3(1)(b)(ii), 5, 6 and 11 as amended by Local Government, Planning and Land Act 1980, Schedule 6 Para 13(1)
Licensing dealers in game and the killing and selling of game	Game Act 1831 (c.32), Sections 5-6, 17-18, 21-23 and Game Licensing Act 1860 (c.90), Sections 2-16; and Customs and Inland Revenue Act 1883 (c.10), Section 4; Sections 12(3) and 27 Local Government Act 1874 (c.73); Section 213 Local Government Act 1972 (c.70)
Registering and licensing premises for the preparation of food	Section 19 Food Safety Act 1990 (c.16)

2.5.5.4 Safety functions (sports grounds and Health and Safety at Work)

Issuing, amending or replacing safety certificates (general or special) for sports grounds	The Safety of Sports Grounds Act 1975 (c.52), as amended by Fire Safety and Safety of Places of Sport Act 1987 (c.27), Part II and Schedule 2
Issuing, cancelling, amending or replacing safety certificates for regulated stands at sports grounds	Fire Safety and Safety of Places of Sport Act 1987 (c.27), Part III
Sanctioning use of parts of buildings for storage of celluloid	Celluloid and Cinematographic Film Act 1922 (c.1935), Section 1 – 4
Health and Safety at Work Act functions under any of the “relevant statutory provisions” within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the 1974 Act [not including the authority’s discharge of these functions in relation to its own employees, which is an executive responsibility]	Health and Safety at Work, etc Act 1974 (c.37), Part I [For “relevant statutory provisions” see the various definitions in Sections 53(1) and 15(1) of the Act, the latter section having been substituted by Employment Protection Act 1975 (c.71), Schedule 15 Para 5]

2.5.5.5 Licensing associated with live animals

Licensing premises for the breeding of dogs	Animal Welfare (Licensing of Activities) (England) 2008
Licensing pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business	Pet Animals Act 1951 (c.35), Section 1 as amended by Local Government Act 1974 Schedules 6 and 8 Animal Boarding Establishments Act 1963 (c.43), Section 1 as amended by Local Government Act 1974, Schedule 6 Para 17 and Protection of Animals (Amendment) Act 1988 (c.29) Sections 3(2) and (3) and Schedule Riding Establishments Act 1964 (c.70) and 1970 (c.70) as amended by Local Government Act 1974, Section 35(1) and (2) and Schedule 6 Para 18 and Schedule Protection of Animals (Amendment) Act 1988, Sections 3(2) and (3) Breeding of Dogs Act 1973 (c.60), Section 1 as amended by Local Government Planning and Land Act 1980, Section 1(6), Schedule 6, Schedule 34 Para 15 and Protection of Animals (Amendment) Act 1988 Sections 3(2) and (3) and Schedule and Breeding and Sale of Dogs (Welfare) Act 1999, Sections 1 and 8 Animal Welfare (Licensing of Activities) (England) 2008

Registering animal training and exhibitors	Performing Animals (Regulation) Act 1925 (c.38), Section 1 as amended by Local Government Act 1974, Sections 35(1) and (2), Schedule 6 Para 2(1) and Schedule 8
Licensing zoos	Zoo Licensing Act 1981 (c.37), Section 1 as amended by Zoo Licensing Act 1981 (Amendment) (England and Wales) Regulations 2002 (SI 2002, No. 3080), Regulations 3 and 4 and Local Government (Wales) Act 1994, s.66(6) and (8) and Schedule 16, and Schedule 18, paragraph 62(2)
Licensing dangerous wild animals	Dangerous Wild Animals Act 1976 (c.38), Section 1
Enforcing provisions for Record Keeping, Identification Marking and Movement relating to pigs	The Pigs (Records, Identification and Movement) Order 2003 (SI 2003, No. 2632), Section 27.
Enforcing provisions for Record Keeping, Identification and Movement of Cattle	The Cattle Identification Regulations 2007 (SI 2007, No.: 529) as amended by The Cattle Identification (Amendment) Regulations 2007 (SI2007, No. 1046)
Enforcing provisions for Record Keeping, Identification and Movement of Sheep and Goats	The Sheep and Goats (Records, Identification and Movement) (England) Order 2005 (SI 2005 No.: 3100) and The Sheep and Goats (Records, Identification and Movement) (England) (Amendment) Order 2006 (SI 2006, No.: 2987)

2.5.5.6 Approval and Enforcement of duties relating to premises associated with dead animals and food production

Licensing knackers' yards	Section 4 Slaughterhouses Act 1974 (and see also Animal By-Products Order 1999, SI 1999/646)
Enforcing requirements in relation to any food business premises as to e.g. hygiene, HACPP principles and registration as well as approving the food business premises.	Food Hygiene (England) Regulations 2006 (SI 2006, No 14) as amended by the Food Hygiene (England) (Amendment) Regulations 2007 (SI 2007, No. 56) both to be read in conjunction with 2004/852/EC

Enforcing requirements in relation to any relevant food business operators (dealing with e.g. meat, minced meat, eggs, dairy and fish products) as to e.g. hygiene, HACCP principles, identification marking, slaughtering and preparation, transport and storage etc as well as approving the premises.	Food Hygiene (England) Regulations 2006 (SI 2006, No.14) as amended by the Food Hygiene (England) (Amendment) Regulations 2007 (SI 2007, No. 56) both to be read in conjunctions with 2004/852/EC and 2004/853/EC
Duty to keep a register of food premises	Food Hygiene (England) Regulations 2006 (SI 2006, No. 14) and Food Hygiene (England) (Amendment) Regulations 2007 (SI 2007, No.: 56)
Registering food business premises	Food Hygiene (England) Regulations 2006 (SI 2006, No. 14) and Food Hygiene (England) (Amendment) Regulations 2007 (SI 2007, No.: 56)

2.5.5.7 Employment related licensing functions

Licensing the employment of children	Part II Children and Young Persons Act 1933 (c.33); Byelaws made under that Part; Part II Children and Young Persons Act 1963 (c.37)
Licensing agencies to supply nurses	Section 2 Nurses Agencies Act 1957 (c.16)

2.5.5.8 Licences for Alcohol and Entertainment etc

Issuing cinema and cinema club licences	Licensing Act 2003 (c.17), s.200 and Schedule 8, Part 1(h) <i>(as to transitional provisions from old Licence granted under s.1 of the Cinema Act 1985 to a Premise Licence under the Licensing Act 2003)</i> Licensing Act 2003 (c.17), Part 3 (Premise Licence) and 4 (Club License – if applicable) <i>(as to the grant, variation, transfer and review of Premise Licences under the Licensing Act 2003)</i> N.B.: Licensing Act 2003 (c.17), Section 20 <i>(as to mandatory conditions to be attached to Premise Licence for the Exhibition of Films)</i>
Issuing theatre licences	Licensing Act 2003 (c.17), s.200 and Schedule 8, Part 1(e) <i>(as to transitional provisions from old Licence granted under the Theatres Act 1968 to a Premise Licence under the Licensing Act 2003)</i> Licensing Act 2003 (c.17), Part 3 <i>(as to grant, variation, transfer and review of Premise Licences under the Licensing Act 2003)</i>
Issuing and Enforcing Licenses for Alcohol and Entertainment etc	Licensing Act 2003 (c.17), as amended by the Business and Planning Act 2020, Part 3 (Premise Licence), Part 4 (Club Licence), Part 5 (Permitted Temporary Activities) and Part 6 (Personal Licences)

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	N.B. Mandatory and prohibitory conditions to be applied to any Licence granted under Parts 3, 4 and 6.
Approving premises for the solemnisation of marriage and civil partnerships	Marriage Act 1949 (c.76) s46A (as inserted by Marriage Act 1994 (c.34), Section 1); and The Marriages and Civil Partnerships (Approved Premises) Regulations 2005 (SI 2005, No.: 3168)
Issuing and Enforcing Licences for sex shops, sex cinemas and sexual entertainment venues	Local Government (Miscellaneous Provisions) Act 1982 (c.30), Section 2 and Schedule 3 (as amended by Licensing Act 2003 (c.17), Schedule 6, paragraph 85 and by Section 27 of the Policing and Crime Act 2009 (c.26).

2.5.5.9 Licensing of Food Premises

Licensing night cafes and take-away food shops	Licensing Act 2003 (c.17), s.200 and Schedule 8, Part 1(e) <i>(as to transitional provisions from old Licence granted under s.1 of the Cinema Act 1985 to a Premise License under the Licensing Act 2003)</i> Licensing Act 2003 (c.17), Part 3 (Premise Licence) <i>(as to the grant, variation, transfer and review of Premise Licenses under the Licensing Act 2003)</i>
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2.5.5.10 Gambling

Issuing, registering and enforcing Premise Licenses	Gambling Act 2005 (c.19), Part 8 and Part 18, Section 346
Acknowledging or determining, registering and enforcing Temporary Use Notices	Gambling Act 2005 (c.19), Part 9 and Part 18, Section 346
Issuing and enforcing Family Entertainment Centre Gaming Machine Permits	Gambling Act 2005 (c.19), Part 10, Section 247, Part 18, Section 346 and Schedule 10
Issuing and cancelling/forfeiting Club Machine Permits and Club Gaming Permits	Gambling Act 2005 (c.19), Part 12, Sections 271 – 274 and Schedule 12
Issuing and cancelling/forfeiting Licensed Premises Gaming Machine Permits	Gambling Act 2005 (c.19), Part 18, Section 346 and Schedule 13
Issuing, enforcing and registering Prize Gaming Permits	Gambling Act 2005 (c.19), Part 13, Part 18, Section 346 and Schedule 14
Registration revocation and enforcement of Small Society Lotteries	Gambling Act 2005 (c.19), Part 11, Part 18, Section 346 and Schedule 11, Part 5
Assessment of Compliance through inspection and enforcement of breaches	Gambling Act 2005 (c.19), Part 15 and Part 18, Section 346

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Power to designate officer of a licensing authority as an authorised person for a purpose relating to premises	Section 304 of the Gambling Act 2005
Power to institute criminal proceedings for offences under section 342 of the Gambling Act 2005	Section 346 of the Gambling Act 2005
Power to exchange information	Section 350 of the Gambling Act 2005
Functions relating to the determination of fees for premises licences.	The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 (S.I. 2007/479)."

2.5.5.11 Scrap Metal Dealers

Licensing of Scrap Metal Dealers	Section 2 and Section 4 and Section 9 of the Scrap Metal Dealers Act 2013 (c10)
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2.6 Planning and Environmental Protection Committee

2.6.1 It is advised that Members undertake relevant training within the past year in order to hold a seat on this committee.

2.6.2 Terms of reference

2.6.2.1 To exercise the functions of the Council as listed in Schedule 2.6.7, where these are not delegated to officers as listed at section 2.6.6.

2.6.2.2 In respect of functions listed in Schedule 2.6.7, to determine an application, or to decide upon or vary appropriate conditions, limitations, terms or other restrictions upon any approval, consent, licence, permission or registration granted, or discontinuance or revocation order in cases where:

- (a) the officer with delegated authority to deal with the matter refers it to the Committee for determination;
 - (b) an application has been referred to the Committee by a Member or a Parish Council from the weekly press list on proper planning grounds, or by a consultee on the delegation confirmation list and the referrers views are contradictory to the officer recommendation (this does not apply to any prior notification type application). All referrals by a Member or a Parish Council must also provide a reason for the referral based on relevant material planning grounds. Referrals made without an accompanying reason will not be valid. Members who have made a referral to the Committee are expected to attend the Committee meeting at which the matter is discussed, where possible, or submit a written supporting statement.”
 - (c) the officer’s proposed course of action falls outside the Council’s agreed policies and criteria;
 - (d) any planning application recommended for approval does not accord in a material way with the Development Plan;
 - (e) a planning application relates to an exceptionally large scale development, or a major development which does not accord with the Development Plan;
 - (f) a proposed Tree Preservation Order has unresolved objections to it.
- None of (a) – (f) above shall prevent an officer determining one of these matters in cases of urgency, provided that the action taken is reported to the next Committee meeting.

2.6.2.3 In respect of issues governed by the list of functions at Schedule 2.6.6, to determine whether, and in what manner, to enforce any failure to comply with an approval, consent, licence, permission or registration granted by the Council in cases where:

- (a) the officer with delegated authority to deal with the matter refers it to the Committee for determination;
 - (b) a member refers it to the Committee on proper planning grounds;
 - (c) the issue falls outside the Council’s agreed policies and criteria;
- None of (a) – (c) above shall prevent an officer taking enforcement action in cases of urgency which warrant the service of a Stop Notice and/or injunction, subject to the consent of the Director of Governance provided that the action taken is reported to the next Committee meeting.

- 2.6.2.4 To receive regular progress reports on all current planning enforcement matters, and lists of planning decisions taken by officers under delegated powers.
- 2.6.2.5 To be consulted by, and comment on, the Executive's draft proposals for Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs), and the Statement of Community Involvement (SCI) at each formal stage in preparation.
- 2.6.2.6 To assess and review the performance of the services which fall within the terms of reference of the Committee.
- 2.6.2.7 To transfer enforcement functions to another enforcement authority under Smoke-free (Premises and Enforcement) Regulations 2006.

2.6.3 Call in of Decisions Made by the Committee

- 2.6.3.1 Applications determined by the Planning and Environmental Protection Committee can be called in to the Appeals and Planning Review Committee (*see Appeals and Planning Review Committee Terms of Reference for procedure para. 2.1*).

2.6.4 Planning Call-In Procedure

- 2.6.4.1 This paragraph only applies to a determination of planning application decisions made by the Planning and Environmental Protection Committee.
- 2.6.4.2 If the Planning and Environmental Protection Committee makes a determination as set out in paragraph 2.6.3.1 above, 30% of the Members present at the meeting where the resolution was passed can ask the Chief Executive that it be reported to a special meeting of the Appeals and Planning Review Committee.
- 2.6.4.3 The right under the paragraph above must be carried out within two working days of the end of the meeting by the submission of a planning call-in notice.
- 2.6.4.4 Signatories of a planning call-in notice or their group representatives can withdraw a planning call-in notice by notifying the Chief Executive in writing. If the planning call-in notice has been withdrawn, the original Committee decision takes effect.
- 2.6.4.5 The request to call-in a decision must be made in writing or electronically, using the agreed form. The form must:
 - (a) set out the planning application decision that the Members wish to call in;
 - (b) give the reasons why the Appeals and Planning Review Committee reconsider the decision. These must include either the incorrect application of procedure during the application process, or the relevant material planning considerations not being taken into account;
 - (c) be signed and dated by 30% of the Members present at the meeting where the resolution was passed.

2.6.4.6 Determination of whether a request to call-in a decision is valid or not, in accordance with the above criteria, will be determined by the Executive Director Place and Economy, in conjunction with the Monitoring Officer.

2.6.4.7 The procedure of an Appeals and Planning Review Committee will follow the same format as a Planning and Environmental Protection Committee, including the Speaking Scheme. An application that is called-in will be reconsidered by the Appeals and Planning Review Committee in its entirety.

2.6.5 Planning Speaking Scheme as Agreed by the Committee

2.6.5.1 Members of the public can speak at meetings of the Planning and Environmental Protection Committee which is considering any planning application (including those referred to the Appeals and Planning Review Committee).

- (a) Any Ward Councillor, Parish Council (or other groups defined in local planning policy as operating in a manner similar to a Parish Council) representative or member of the public who wish to address the Committee on any planning application or any consultation item referred from another local authority, must register with the Chief Executive by 12 noon Friday before the meeting.
- (b) The following procedure will apply for each item.
 - (i) Officers will introduce the item;
 - (ii) Representations by Ward Councillors and the Parish Council representative;
 - (iii) Members questions to the Ward Councillors and Parish Council representative;
 - (iv) Objectors' representations;
 - (v) Members' questions to objectors;
 - (vi) Representations by the applicant, agent and any supporters;
 - (vii) Members' questions to the applicant, agent and any supporters;
 - (viii) Officers' comments;
 - (ix) Members will debate the application and get advice from officers where appropriate;
 - (x) Members will reach a decision.

2.6.5.2 The total time allowed for speeches from each of the following groups of speakers will not be more than five minutes unless the Committee decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances:-

- (a) Objectors;
- (b) Applicant or agent and their supporters.

2.6.5.3 If more than one objector or supporter wants to speak, the Chairman may ask the supporters and objectors to appoint a spokesperson to represent their views.

The total time allowed for speeches from Ward Councillors and Parish Council representatives will not be more than ten minutes in total unless the Committee decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances.

MPs will be permitted to address the Committee when they have been asked to represent their constituents. Proof of this fact should be submitted to the Committee. The total time allowed for speeches for MPs will not be more than five minutes unless the Committee decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances.

2.6.5.4 The Chairman may:

- (a) Suspend the public's right to speak if he or she considers it necessary to maintain order at the meeting; or
- (b) Vary the order of representations if he or she feels that it is convenient and will assist the Committee in dealing with the matter provided it will not cause any prejudice to the parties concerned.

In lieu of speaking, Ward Councillors, Parish Council representatives and members of the public may submit representations in writing for consideration by the Committee. Written representations will be reported to the Committee in an update report and circulated on the day of the meeting.

If a Ward Councillor is unable to attend the Committee and submits representations in writing such representations may be read out at the Committee provided that the written representations are no more than 300 words and provided that there is sufficient time following speeches from Ward Councillors present at the Committee (i.e. within the 10 minute time allowed for speeches from Ward Councillors and Parish Council Representatives).

2.6.6 Delegations to officers

2.6.6.1 The Executive Director Place and Economy is authorised to deal with the following matters after consultation with the Chairman of the Committee and notification to (i) the Vice-Chairman, (ii) the representatives of the other political groups on the Committee of which the Chairman and Vice-Chairman are not members, (iii) relevant ward councillors, and no relevant planning objection being raised by them within 48 hours:

- (a) All planning applications not delegated to Officers and not reserved to the Committee;
- (b) the designation, revocation, variation and modification of a Tree Preservation Order which has been opposed;
- (c) Hazardous Substances Consents;
- (d) Applications made by the Council under Regulation 3 of the Town and Country Planning General Regulations 1992 in cases which the Executive Director Place and Economy –would be authorised to determine if they were private applications;
- (e) All enforcement matters, where a breach reported by a member of the public is recommended for “no further action” and where consideration is not referred to the Committee.

If an objection is received the application will be determined by the Committee.

2.6.6.2 The Executive Director Place and Economy is authorised to determine all planning applications, applications to carry out work on Protected Trees,

and applications for advertisement consent, listed building consent and conservation area consent, except an application:

- (a) contrary to the provisions of an approved or draft Development Plan and which is recommended for approval;
- (b) contrary to approved Council policies, standards or guidance, and which is recommended for approval;
- (c) which raises an issue of significance which is not covered by specific Council policies, standards or guidance
- (d) which has been referred to the Committee by a Member or a Parish Council from the weekly press list within 28 days, or by a consultee on the delegation confirmation list and the referrers views are contradictory to the officer recommendation;
- (e) which, in the opinion of the Head of Planning, Transport and Engineering Services is potentially controversial, likely to be of significant public interest or would have a significant impact on the environment;
- (f) known to be submitted by or on behalf of a Councillor, Director or Head of Service of the authority (or their spouse/partner);
- (g) which the Executive Director Place and Economy considers should be presented to the Planning and Environmental Protection Committee for determination.

2.6.6.3 The Executive Director Place and Economy is authorised to deal with the following matters subject to there being no prior referral by a Member or a Parish Council to the Planning and Environmental Protection Committee as set out in its terms of reference;

Note: From time to time the Executive Director Place and Economy may authorise in writing other competent officers of the authority to exercise specific delegated functions. The Executive Director Place and Economy may also refer any of the matters listed below to the Planning and Environmental Protection Committee for determination.

- (a) the details of all Planning Obligations,
- (b) all prior notification applications relating to agricultural, telecommunication, changes of use and householder extensions;
- (c) all planning and enforcement matters relating to Conservation (including emergency* Article 4 Directions) Hedgerows and Tree Preservation Orders and proposed Emergency* Tree Preservation Orders which includes designation, revocation, variation, modification, and confirmation, except;
 - (i) the designation or modification of a Conservation Area (Cabinet Member for Growth, Planning, Housing and Economic Development)
 - (ii) any which the Executive Director Place and Economy considers should be determined by the Planning and Environmental Protection Committee.

NB *Emergency – when there is an immediate threat that a building or tree is going to be felled/demolished or pruned/modified in ways that would have a significant impact on the character or amenity of an area.

- (d) all enforcement matters including instructing the Director of Governance to consider the initiations of prosecutions in accordance with the Council's enforcement procedures except where;

- (i) a significant breach reported by a member of the public or where there is significant public interest in the matter, is recommended for no further action;
- (ii) the Executive Director Place and Economy considers a breach should be reported to the Planning and Environmental Protection Committee for decision;
- (e) Applications for the discharge or modification of covenants in agreements under Section 106 of the Town and Country Planning Act 1990;

NB The agreement of the Director of Governance shall be required to authorise the issue of an Enforcement Notice, Breach of Condition Notice, Section 215 Notice, Notices under Section 3 of the Planning (Listed Buildings and Conservation Area) 1990. The Director of Governance shall be responsible for the initiation of any criminal or civil proceedings he considers necessary including the seeking of an injunction. He shall be responsible for arranging the discharge of all legal work and advice arising from all enforcement action including ensuring that the Council is properly represented in Court.

- (f) to respond to consultations from:
 - (i) government bodies, other authorities or from other agencies on planning, footpath or similar matters;
 - (ii) Area Traffic Commissioners with observations on applications for goods vehicle licences except where the Head of Development and Construction is of the opinion that the matter should be considered by the Committee.
- (g) matters relating to overhead power lines and applications under prior approval of telecommunications procedures;
- (h) Other powers:
 - (i) determination and issue of Certificates of Alternative Development;
 - (ii) determination and issue of certificates of Lawful Use or Development following consultation with the Director of Governance as to the adequacy of the evidence in all cases where the evidence is either doubtful or complex;
 - (iii) to exercise all the relevant functions listed in schedule 2.6.5 in respect of public unmetalled footpaths, bridleways and byways open to all traffic;
 - (iv) authority to proceed with the stopping up of a public right of way required in connection with development where planning permission has been granted and appropriate publicity has been undertaken including instructing the Director of Governance to make the appropriate Order under the Town and Country Planning Act 1990;
 - (v) authority to instruct the Director of Governance to make orders under Sections 257 or 258 of the Town and Country Planning Act 1990 in respect of the creation, diversion and/or extinguishment of public rights of way with any orders being confirmed where there are no unresolved objections;
 - (vi) to determine, subject to no outstanding objections, applications for Definitive Map Modification Orders under the Wildlife and Countryside Act 1981. To publish Modification Orders to the Definitive Map and Statement, and to authorise the creation, extinguishment and diversion orders for public footpaths, bridleways and byways open to all traffic under the Highways

Act 1980 and Town and Country Planning Act 1990 and to instruct the Director of Governance to make such Orders. (NB - the Executive Director Place and Economy is also authorised to modify rights of way, at paragraph 2.6.4.6 (f) below);

- (vii) the service of notices under Section 54 of the Planning (Listed Building and Conservation Areas) Act 1990 requiring urgent work to preserve unoccupied listed buildings;
- (viii) the giving of screening and scoping opinions under the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999.
- (ix) the making of Listed Building and conservation grants within approved budget;
- (x) identifying applications representing departures from the Development Plan;
- (xi) to maintain Public Registers under the legislation for which s/he is responsible, including registers of rights of way;
- (xii) to act as Appointing Officer under Section 10(8) of the Party Wall etc. Act 1996.
- (xiii) the right to enter land under the legislation governing the functions for which s/he is responsible;
- (xiv) applications made under the Licensing Act 2003 and the making of any representations to the courts;
- (xv) the discharge of conditions imposed on planning and related permissions, where those conditions have been complied with;
- (xvi) to determine applications to develop land without compliance with conditions previously attached;
- (xvii) to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights;
- (xviii) to grant permission for provision, etc of services, amenities, recreation and refreshment facilities on highway, and related powers;
- (xix) to publish notice in respect of proposal to grant permission under section 115E of the Highways Act 1980;
- (xx) to authorise stopping up or diversion of highway;
- (xxi) relating to complaints about high hedges;
- (xxii) to enforce offences relating to the display of no-smoking signs;
- (xxiii) to enforce offences relating to smoking in smoke-free places;
- (xxiv) to enforce offence of failing to prevent smoking in smoke-free places.

2.6.6.4 The Executive Director Place and Economy is authorised to determine:

- (a) applications under Prior Approval of Telecommunications Procedures; and
- (b) those under delegation 2.6.6.3 (b) and 2.6.6.3 (f);

in consultation with the Chairman or, if not available or inappropriate, the Vice Chairman of the Committee, where a Member or a Parish Council has exercised their power to refer an application to the Committee but there is no scheduled meeting of the Committee within the time period for response.

2.6.6.5 Authorised Signatories

- (a) Planning Decision or Building Control Notices determined by Committee - the Executive Director Place and Economy
- (b) Notices and directions following determination by Committee, under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking or re-enacting that Order with or without modification - the Executive Director Place and Economy

2.6.6.6 The Executive Director Place and Economy is authorised:

- (a) to issue licences for hoardings and scaffolding within the highway;
- (b) to issue licences for the placing of skips within the highway;
- (c) to exercise the non-executive powers and duties of the Council, acting on its behalf as the local highway authority, traffic authority, transport authority, parking authority and technical approval authority, including the serving of Notices as contained in the Highways Act 1980
- (d) to create, extinguish and divert footpaths under the Highways Act 1980;
- (e) to enter land under the legislation governing the functions for which s/he is responsible;
- (f) to modify rights of way, in line with para 2.6.4.6 (d) above.

2.6.6.7 The Executive Director Place and Economy is authorised:

- (a) To undertake non-executive actions under the Environmental Protection Act 1990 in relation to pollution and statutory nuisance (these are set out in Schedule 2.6.6;
- (b) To take appropriate action and issue all notices (including notices of entry) under the following legislation: Control of Pollution Act 1974; Noise and Statutory Nuisance Act 1993.

2.6.6.8 The **Executive Director Place and Economy** is authorised to serve notices requiring information in relation to ownership of land and property under Section 16 of the Local government (Miscellaneous Provisions) Act 1976.

2.6.6.9 The Executive Director People and Communities Cambridgeshire and Peterborough Councils is authorised to issue licences and ensure compliance with statutes relating to residential caravan sites, touring caravans and campsites, as listed in Schedule 2.6.5 (Section 3 Caravan Sites Control and Development Act 1960 and Section 269 Public Health Act 1936).

2.6.6.10 The Executive Director Place and Economy is authorised to set up and establish any Joint Planning and Environmental Protection Committee and to negotiate and determine the Terms of Reference of such Joint Planning and Environmental Protection Committees with neighbouring councils and local planning authorities, following consultation with the Director of Governance and Chairman of the Planning and Environmental Protection Committee.

2.6.6.11 The Executive Director Place and Economy is authorised to prepare and publish a Brownfield Land Register under The Town and Country Planning (Brownfield Land Register) Regulations 2017, except in those instances where a newly published Register would add or delete land from Part 2 of that Register.

2.6.6.12 The Executive Director Place and Economy is authorised to undertake all matters relating to Neighbourhood Planning, Neighbourhood Development Orders and Neighbourhood Plans, except for the ‘making’ (adoption) of such Orders and Plans. This authorisation extends to, but is not necessary limited by, the following:

- (a) The designation of neighbourhood areas and neighbourhood forums
- (b) Providing comments on behalf of the Council to consultations on draft plans or orders
- (c) The appointment of an independent examiner for neighbourhood plans or orders
- (d) Making decisions on behalf of the Council on whether a plan meets the basic conditions and should proceed to referendum, following the receipt of a report from the independent examiner, and publishing this decision
- (e) Making decisions on the revocation, de-designation, or amendment to any neighbourhood area, forum, plan or order.

2.6.7 Schedule of relevant functions

2.6.7.1 Town and country planning and development control functions

Determination of applications for planning permission	Sections 70(1)(a) and (b) and 72 Town and Country Planning Act 1990 (c.8)
Granting planning permission for development already carried out	Section 73A Town and Country Planning Act 1990 (ref. Schedule 7 para 8 Planning and Compensation Act 1991 (c.34).
Power to determine applications to develop land without compliance with conditions previously attached	Section 73 of the Town and Country Planning Act 1990
Declining to determine applications for planning permission	Section 70A Town and Country Planning Act 1990 (ref. Section 17 Planning and Compensation Act 1991)
Duties associated with determining planning applications	Sections 69, 76 and 92 Town and Country Planning Act 1990, Articles 8, 10 – 13, 15 – 22 and 25 – 26 Town and Country Planning (General Development Procedure) Order 1995 (SI 1995/419) and directions made thereunder
Determination of applications for planning permission by the local authority or jointly with another person	Section 316 Town and Country Planning Act 1990, Town and Country Planning General regulations 1992 (SI 1992/1492) (ref. Section 20 Planning and Compensation Act 1991 and SIs 1992/1982 and 1998/2800)
Entering into agreements regulating development or use of land	Section 106 Town and Country Planning Act 1990
Issuing certificates of existing or proposed lawful use or development	Sections 191(4) and 192(2) Town and Country Planning Act 1990 (ref. Section 10 Planning and Compensation Act 1991)
Serving completion notices	Section 94(2) Town and Country Planning Act 1990

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Granting consent for the display of advertisements	Section 220 Town and Country Planning Act 1990, Town and Country Planning (Control of Adverts) Regulations 1992 (SI 1992/666)
Authorising entry onto land	Section 196A Town and Country Planning Act 1990 (ref. Section 11 Planning and Compensation Act 1991, and Sections 196A to C Town and Country Planning Act 1990)
Requiring a use of land to discontinue	Section 102 Town and Country Planning Act 1990
Revocation/amendment of Planning Permission	Section 97 Town and Country Planning Act 1990
Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights	Parts 6, 7, 11, 17, 19,20, 21 to 24, 26,30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995
Power to issue a temporary stop notice	Section 171E of the Town and Country Planning Act 1990
Duties relating to applications for listed building consent and conservation area consent	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991, Paragraph 9(6) of Schedule 13 to the Environment Act 1995 and paragraph 6(5) of Schedule 14 to that Act.
Serving planning contravention, breach of condition or stop notices	Sections 171C, 187A and 183(1) Town and Country Planning Act 1990 (ref. Sections 1,2 and 9 Planning and Compensation Act 1991)
Issuing enforcement notices	Section 172 Town and Country Planning Act 1990 (ref. Section 5 Planning and Compensation Act 1991)
Applying for injunctions restraining a breach of planning control	Section 187B Town and Country Planning Act 1990 (ref. Section 3 Planning and Compensation Act 1991)
Determining applications for hazardous substances consent, and related powers	Sections 9(1) and 10 Planning (Hazardous Substances) Act 1990 (c.10)
Duty to determine conditions which may apply to old mining permissions, relevant planning permissions relating to dormant sites or active phase I or II sites, or mineral permissions relating to mining sites	Schedule 2 Para 2(6)(a) Planning and Compensation Act 1991, Schedule 13 Para 9(6) and Schedule 14 Para 6(5) Environment Act 1995 (c.25)

Part 3, Delegations Section 2 – Regulatory Committee Functions

Requiring proper maintenance of land	Section 215(1) Town and Country Planning Act 1990
Determining applications for listed building consent, and related powers	Sections 16(1) and (2), 17, 27(2) and 33(1) Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (c.9)
Determining applications for conservation area consent	Sections 16(1) and 74(3) Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (c.9) (ref. Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regs 1990, SI 1990/1519)
Duties relating to applications for listed building and conservation area consent	Sections 13(1), 14(1) and 14(4) Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990, Regs 3 – 6 and 13 Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1990, Paras 8, 15 and 22 DoE Circular 14/97
Serving building preservation notices, and related powers	Sections 3(1) and 4(1) Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990
Issuing enforcement notices in relation to demolition of unlisted buildings in conservation areas	Section 38 Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990
Acquiring listed buildings in need of repair, and serving repairs notices	Sections 47 – 48 Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990
Applying for injunctions in relation to listed buildings	Section 44A Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (ref. Schedule 3 Para 7 Planning and Compensation Act 1991, c.34)
Executing urgent works	Section 54 Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990
Determination of applications to designate a neighbourhood area (including whether the designated area should be a business area)	Sections 61G, 61H and 61I of the Town and Country Planning Act 1990 (as amended by section 116 and Schedule 9 of the Localism Act 2011)
Designation of an organisation or body as a neighbourhood forum and withdrawal of an organisation or body's designation as a neighbourhood forum	Section 61F of the Town and Country Planning Act 1990 (as amended by section 116 and Schedule 9 of the Localism Act 2011)
Duties associated with 'Registers of Land', including a Brownfield Land Register	Part 2 of the Planning and Compulsory Purchase Act 2004 (local development), section 14A ('Register of Land'), and associated The Town and Country Planning (Brownfield Land Register) Regulations 2017.
Duties associated with Neighbourhood Planning, Neighbourhood Development Orders and Neighbourhood Plans, except for	The Town and Country Planning Act 1990; and the Planning and Compulsory Purchase Act 2004

'making' (or adoption) of such Plans and Orders	
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2.6.7.2 Miscellaneous functions

Obtaining information as to interests in land	Section 330 Town & Country Planning Act 1990 (c.8)
Obtaining particulars of persons interested in land	Section 16 Local Government (Miscellaneous Provisions) Act 1976 (c.57)

2.6.7.3 Tree and hedgerow related functions

Powers relating to the protection of important hedgerows	The Hedgerows Regulations 1997 (SI 1997/1160)
Powers relating to the preservation of trees	Sections 197 – 214D Town and Country Planning Act 1990, Trees Regulations 1999 (SI 1999/1892)
Powers relating to complaints about high hedges	Part 8 of the Anti-Social Behaviour Act 2003

2.6.7.4 Highway and rights of way related functions

Power to authorise stopping up or diversion of highway	Section 247 of the Town and Country Planning Act 1990
Creating footpaths bridleways or restricted byways by agreement	Section 25 Highways Act 1980 (c.66)
Creating footpaths bridleways and restricted byways	Section 26 Highways Act 1980
Duty to keep a register of information with respect to maps, statements and declarations	Section 31A Highways Act 1980
Power to grant permission for provision, etc of services, amenities, recreation and refreshment facilities on highway, and related powers	Section 115E, 115F and 115K of the Highways Act 1980 and the Business and Planning Act 2020
Duty to publish notice in respect of proposal to grant permission under section 115E of the Highways Act 1980	Section 155G of the Highways Act 1980
Stopping up footpaths bridleways and restricted byways	Section 118 Highways Act 1980
Determining applications for public path extinguishments orders	Sections 118ZA and 118C(2) Highways Act 1980
Making rail crossing extinguishments orders	Section 118A Highways Act 1980
Making special extinguishments orders	Section 118B Highways Act 1980
Diverting footpaths bridleways and restricted byways	Section 119 Highways Act 1980
Making public path diversion orders	Sections 119ZA and 119C(4) Highways Act 1980
Making rail crossing diversion orders	Section 119A Highways Act 1980

Part 3, Delegations Section 2 – Regulatory Committee Functions

Making special diversion orders	Section 119B Highways Act 1980
Requiring applicants for an order to enter into and agreement	119C(3) Highways Act 1980
Making an SSSI diversion order	Section 119D Highways Act 1980
Duty to keep a register with respect to applications under sections 118ZA, 118C, 119ZA and 119C Highways Act 1990	Section 121B Highways Act 1980
Declining to determine certain applications	Section 121C Highways Act 1980
Duty to assert and protect the rights of the public to use and enjoyment of public highways	Section 130 Highways Act 1980
Duty to serve notice of proposed action in relation to obstruction	Section 130A Highways Act 1980
Applying for variation of order under section 130B Highways Act 1990	Section 130B(7) Highways Act 1980
Authorising temporary disturbance of the surface of a footpath bridleway or restricted byway	Section 135 Highways Act 1980
Temporarily diverting a footpath bridleway or restricted byway	Section 135A Highways Act 1980
Functions relating to the making good of damage and removal of obstructions	Section 135B Highways Act 1980
Removal of obstructions from the Highway	Section 143 Highways Act 1980
Powers related to the removal of things so deposited on the highway as to be a nuisance	Section 149 Highways Act 1980
Extinguishing certain rights of way	Section 32 Acquisition of Land Act 1981 (c.67)
Duty to keep definitive map and statement under review	Section 53 Wildlife and Countryside Act 1981 (c.69)
Including modifications in other orders	Section 53A Wildlife and Countryside Act 1981
Duty to keep register of prescribed information with respect to applications under section 53(5) Wildlife and Countryside Act 1981	Section 53B Wildlife and Countryside Act 1981
Preparing map and statement by way of consolidation of definitive map and statement	Section 57A Wildlife and Countryside Act 1981
Designating a footpath as a cycle track	Section 3 Cycle Tracks Act 1984 (c.38)
Extinguishing a public right of way over land acquired for clearance	Section 294 Housing Act 1981 (c.68)
Authorising stopping-up or diversion of a footpath or bridleway	Section 257 Town and Country Planning Act 1990
Extinguishing public rights of way over land held for planning purposes	Section 258 Town and Country Planning Act 1990

Part 3, Delegations Section 2 – Regulatory Committee Functions

Entering into agreements with respect to means of access	Section 35 Countryside and Rights of Way Act 2000 (c.37)
Providing access in the absence of agreement	Section 37 Countryside and Rights of Way Act 2000
Allowing the deposit of a builder's skip on the highway	Section 139 Highways Act 1980 (c.66)
Licensing planting, retention and maintenance of trees, etc in part of the highway	Section 142 Highways Act 1980
Authorising erection of stiles etc on footpaths or bridleways	Section 147 Highways Act 1980
Licensing works in relation to buildings, etc which obstruct the highway	Section 169 Highways Act 1980
Consenting to temporary deposits or excavations in streets	Section 171 Highways Act 1980
Consenting to temporary deposits or excavations in streets	Section 171 Highways Act 1980
Dispensing with obligations to erect a hoarding or fence	Section 172 Highways Act 1980
Restricting the placing of rails, beams, etc over highways	Section 178 Highways Act 1980
Consenting to construction of cellars, etc under streets	Section 179 Highways Act 1980
Consenting to making of openings into cellars, etc under streets, and pavement lights and ventilators	Section 180 Highways Act 1980
Granting a street works license	Section 50 New Roads and Street Works Act 1991 (c.22)
Power to enforce offences and issue proceedings relating to unauthorised street works	Sections 54, 55, 57, 70, 74, 74A New Roads and Street Works Act 1991
Registering common land or town and village greens, except where this power is exercised solely to give effect to: - exchange of land effected by order under Section 19(3), or Para 6(4) Schedule 3, Acquisition of Land Act 1981 (c.67), or - order under Section 147 Enclosure Act 1845 (c.8 & 9 Vict. c. 118)	Regulation 6 Commons Registration (New Land) Regulations 1969 (SI 1969/1843)
Registering variation in rights of common	Regulation 29 Commons Registration (General) Regulations 1966 (SI 1966/1471, amended by SI 1968/658)

2.6.7.5 Environmental protection and control functions

Part 3, Delegations Section 2 – Regulatory Committee Functions

Any functions relating to contaminated land	Part IIA of the Environmental Protection Act 1990 (c.43) and subordinate legislation under that Part
Service of an abatement notice in respect of statutory nuisance	Section 80(1) of the Environmental Protection Act 1990
Discharge of any function relating to the control of pollution or the management of air quality	Pollution Prevention & Control Act 1999 (c.24), Part IV of the Environment Act 1995 (c.25),
	Part I of the Environmental Protection Act 1990 (c.43), Clean Air Act 1993 (c.11)
The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area	Section 8 Noise and Statutory Nuisance Act 1993 (c.40)
Inspection of the authority's area to detect any statutory nuisance	Section 79 Environmental Protection Act 1990
Investigation of any complaint as to the existence of a statutory nuisance	Section 79 Environmental Protection Act 1990
Consenting to the operation of a loudspeaker	Schedule 2 Noise and Statutory Nuisance Act 1993 (c.40)
Issuing 'site licences' authorising the use of land as a caravan site	Section 3(3) Caravan Sites Control and Development Act 1960 (c.62)
Issuing licences for use of moveable dwellings as camping sites	Section 269(1) Public Health Act 1936 (c.49)
Making closing orders with respect to take-away food shops	Section 4 Local Government (Miscellaneous Provisions) Act 1982 (c.30)
Any function regarding complaints of noise at night	Noise Act 1996

2.6.7.6 Health

Power to enforce offences relating to the display of no-smoking signs	Section 6(5) of the Health Act 2006
Power to enforce offences relating to smoking in smoke-free places	Section 7(4) of the Health Act 2006
Power to enforce offence of failing to prevent smoking in smoke-free places	Section 8(4) of the Health Act 2006
Power to transfer enforcement functions to another enforcement authority	Smoke-free (Premises and Enforcement) Regulations 2006

2.7 Constitution and Ethics Committee

2.7.1 It is advised that Members undertake relevant training in order to hold a seat on the Hearings Panel Sub-committee.

2.7.2 Terms of Reference

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.

2.7.2.2 Authority to oversee and approve the operation of the Council's functions relating to the promotion and maintenance of high standards of conduct amongst members and co-opted members of the Council including:

- Promoting and maintaining high standards of conduct by Members and co-opted members;
- Assisting the Members and co-opted members to observe the Code of Conduct;
- Advising the Council on the adoption or revision of the Members Code of Conduct and Officer Code of Conduct;
- Monitoring the operation of the both Codes of Conduct;
- Advising, training or arranging to train Members and co-opted members on matters relating to the Code of Conduct.

2.7.2.3 Authority to approve the granting, to any Council employee, of a dispensation in relation to disqualification from political activities.

2.7.2.4 The Monitoring Officer, in consultation with the Chair of the Constitution and Ethics Committee and the Independent Person, may issue dispensations to any member in respect of statutory and non-statutory disclosable interests. The Constitution and Ethics Committee will receive a report on such cases at the next available meeting.

2.7.2.5 To make recommendations to Council on the appointment of the Council's Independent Person(s).

2.7.2.6 To have oversight of parish councils' codes of conduct and registers of interests, and authority to consider complaints regarding parish councillors.

2.7.3 Terms of Reference of the Hearing Panel (Sub-committee to the Constitution and Ethics Committee)

2.7.3.1 The Monitoring Officer, in consultation with the Chair of the Constitution and Ethics Committee shall appoint, as and when necessary, Hearing Panel Sub-Committees to consider and determine complaints against Members alleging that they have breached the Members' Code of Conduct.

2.7.3.2 Hearing Panel Sub-Committees shall comprise three members of the Constitution and Ethics Committee, including either the Chair or Vice-Chair. The membership of the committee shall, as far as practicable, be politically proportionate. The Council's designated Independent Person shall sit alongside the Hearing Panel to offer advice in a non-voting capacity.

2.7.3.3 The Hearings Panel is a sub-committee of the Constitution and Ethics Committee. The Panel has the following functions:

- On matters being referred by the Monitoring Officer deciding whether complaints concerning members should be investigated;
- Hearing and determining complaints that have been referred to them by the Monitoring Officer pursuant to the Complaints procedure;
- Issuing sanctions where considered appropriate against a member found to be in breach of the Code of Conduct;
- The agreement of relevant procedures for the undertaking of its functions, when appropriate to be included within the Constitution.
- To remove a member of the Independent Remuneration Panel in accordance with the provisions set out in its Terms of Reference.

2.8 Peterborough Health and Wellbeing Board

Purpose and Terms of Reference

2.8.1. Background and context:

The Peterborough Health and Wellbeing Board has been established to provide a strategic leadership forum focussed on securing and improving the health and wellbeing of Peterborough residents.

2.8.2. The aims are:

2.8.2.1 To bring together the leaders of health and social care commissioners to develop common and shared approaches to improving the health and wellbeing of the community.

2.8.2.2 To actively promote partnership working across health and social care in order to further improve health and wellbeing of residents.

2.8.2.3 To influence commissioning strategies based on the evidence of the Joint Strategic Needs Assessment.

2.8.3. Its functions are:

2.8.3.1 Authority to prepare the Joint Health and Wellbeing Strategy for the city based on the needs identified in the Joint Strategic Needs Assessment and overseeing the implementation of the Strategy, which informs and influences the commissioning plans of partner agencies.

2.8.3.2 Authority to prepare the Joint Strategic Needs Assessment (JSNA): To develop a shared understanding of the needs of the community through developing and keeping under review the Joint Strategic Needs Assessment and to use this intelligence to refresh the Health & Wellbeing Strategy.

2.8.3.3 Authority to respond to consultations about commissioning plans issued by clinical commissioning groups in connection with Section 26 of the Health and Social Care Act 2012.

2.8.3.4 To keep under review the delivery of the designated public health functions and their contribution to improving health and wellbeing and tackling health inequalities.

2.8.3.5 To consider the recommendations of the Director of Public Health in their Annual Public Health report.

2.8.3.6 Authority to encourage persons who arrange for the provision of any health or social care services in the Council's area to work in an integrated manner.

2.8.3.7 Authority to provide any advice, assistance and support it thinks appropriate for the purpose of encouraging the making of arrangements under Section 75 of the National Health Service Act 2006.

2.8.3.8 To consider options and opportunities for the joint commissioning of health and social care services for children, families and adults in Peterborough to meet identified needs (based on the findings of the Joint Strategic Needs Assessment) and to consider any relevant plans and strategies regarding joint commissioning of health and social care services for children and adults.

- 2.8.3.9 To identify areas where joined up or integrated commissioning, including the establishment of pooled budget arrangements would benefit improving health and wellbeing and reducing health inequalities.
- 2.8.3.10 By establishing sub groups as appropriate give consideration to areas of joint health and social care commissioning, including but not restricted to services for people with learning disabilities.
- 2.8.3.11 To oversee the development of Local HealthWatch for Peterborough and to ensure that they can operate effectively to support health and wellbeing on behalf of users of health and social care services.
- 2.8.3.12 To keep under consideration, the financial and organisational implications and impact on peoples' experience of joint and integrated working across health and social care services, and to make recommendations for ensuring that performance and quality standards for health and social care services to children, families and adults are met and represent value for money across the whole system.
- 2.8.3.13 Authority to prepare and provide Health and Wellbeing Board sign off for the Better Care Fund Plan.
- 2.8.3.14 To ensure effective working between the Board and the Greater Peterborough Partnership ensuring added value and an avoidance of duplication.
- 2.8.3.15 To establish a joint Cambridgeshire and Peterborough sub-committee in relation to issues that cross local authority boundaries.
- 2.8.3.16 Authority to discharge any other functions specifically reserved to be undertaken by the Health and Wellbeing Boards as set out in legislation, guidance, circulars and directives received from national government.

2.8.4 Membership

- 2.8.4.1 Membership of the Health and Wellbeing Board will be composed of the following:

Peterborough City Council:

The Leader of the Council – Chairman of the Board
Deputy Leader and Cabinet Member for Adult Social Care, Health and Public Health
Cabinet Member Communities
An Opposition Councillor
Executive Director People and Communities Cambridgeshire and Peterborough Councils
Service Director Communities and Safety
The Director of Public Health

Cambridgeshire and Peterborough Clinical Commissioning Group

Clinical Chair (GP) of Cambridgeshire and Peterborough Clinical Commissioning Group (Deputy Chair)
1 further GP representative from the Peterborough area to cover when Clinical Chair is unavailable
Nominated Director from Cambridgeshire and Peterborough Clinical Commissioning Group

Lincolnshire

1 GP representing South Lincolnshire CCG

NHS England

1 representative from NHS England

Cambridgeshire and Peterborough Healthwatch

1 member

The Board will also include as co-opted members the following:

Independent Chair of Peterborough and Cambridgeshire Safeguarding Children's and Adults Board

The Chair of the Safer Peterborough Partnership (Claire Higgins)

2.8.4.2 The membership will be kept under review periodically.

2.8.4.3 The Board shall co-opt other such representatives or persons in a non-voting capacity as it sees relevant in assisting it to undertake its functions effectively.

2.8.5 Meetings

2.8.5.1 The meetings of the Board and its decision-making will be subject to the provisions of the City Council's Constitution including the Council Procedure Rules and the Access to Information Rules, insofar as these are applicable to the Board in its shadow form.

2.8.5.2 The Board will meet in public.

2.8.5.3 The minimum quorum for the Board shall be 5 members which should include at least one elected member, one statutory director (DCS/DASS/DPH) and a CCG/LCG member.

2.8.5.4 The Board shall meet periodically and at least twice yearly. Additional meetings shall be called at the discretion of the Chairman where business needs require.

2.8.5.5 Administrative arrangements to support meetings of the Board shall be provided through the City Council's Governance team.

2.8.6 Governance and Approach

2.8.6.1 The Board will function at a strategic level, with priorities being delivered and key issues taken forward through the work of the partnership organisations.

2.8.6.2 Decisions taken and work progressed will be subject to scrutiny of the City Council's Scrutiny Commission for Health Issues.

2.8.7 Wider Engagement

2.8.7.1 The Health and Wellbeing Board will develop and implement a communications engagement strategy for the work of the Board, including how the work of the Board will be influenced by stakeholders and the public.

2.8.7.2 The Board will ensure that its decisions and the priorities it sets take account of the needs of all of Peterborough's communities and groups are communicated widely.

2.8.8 Review

2.8.8.1 These Terms of Reference will be reviewed periodically.

CAMBRIDGESHIRE AND PETERBOROUGH HEALTH & WELLBEING BOARD WHOLE SYSTEM JOINT SUB-COMMITTEE): TERMS OF REFERENCE

Membership

Membership will comprise the full membership of both the Cambridgeshire and Peterborough Health and Wellbeing Boards. The Chairman/woman of the Sub-Committee shall alternate annually between the Chairman/woman of the Cambridgeshire and Peterborough Health and Wellbeing Boards. The Vice-Chairman/woman of the Sub-Committee shall be selected and appointed by the membership of the Sub-Committee.

Aim: To drive forward wider system health and wellbeing priorities, which require involvement from a range of organisations.

Delegated Authority	Delegated Condition
Authority to prepare the Joint Strategic Needs Assessment (JSNA) for Cambridgeshire and Peterborough : To develop a shared understanding of the needs of the community through developing and keeping under review the JSNA and to use this intelligence to refresh the Health & Wellbeing Strategy.	Section 116, Local Government and Public Involvement in Health Act 2007 Section 196, Health and Social Care Act 2012
Authority to prepare the Joint Health and Wellbeing Strategy for Cambridgeshire and Peterborough based on the need identified in the Joint Strategic Needs Assessment and overseeing the implementation of the Strategy, which informs and influences the commissioning plans of partner agencies.	Section 116A, Local Government and Public Involvement in Health Act 2007. Section 196, Health and Social Care Act 2012
Authority to approve non-statutory joint strategies on health and wellbeing issues (e.g. Cambridgeshire and Peterborough suicide prevention strategy), subject to agreement by the Chairs and Vice-Chairs of the two parent Health and Wellbeing Boards.	

Cambridgeshire and Peterborough Health and Wellbeing Board Whole System Joint Sub-Committee (Standing Orders)

1. Notice of Meetings

Meetings of the Whole System Sub-Committee will be convened by Cambridgeshire County Council and Peterborough City Council on an alternating basis. The convening Council will also arrange the clerking and recording of meetings (a member of the Councils' Democratic Services Teams will act as Clerk).

2. Chairmanship

The Chairmanship will alternate annually between the Chair of the Cambridgeshire Health and Wellbeing Board and the Chair of the Peterborough Health and Wellbeing Board (*except for the first appointment where the appointed Chair will chair until the end of the 2020/21 municipal year*). The Joint Sub-Committee will elect annually a Vice-Chairman/woman who will not represent either Council.

3. Quorum

The quorum for all meetings of the Joint Sub-Committee will be four members including members from both Councils and the CCG.

4. Appointment of Substitute Members

Nominating groups may appoint a substitute member for each position. These members will receive electronic versions of agendas and minutes for all meetings. Notification of a named substitute member must be made in writing or by email to the Clerk. Substitute members may attend meetings after notifying the Clerk of the intended substitution before the start of the meeting either verbally or in writing. Substitute members will have full voting rights when taking the place of the ordinary member for whom they are designated substitute.

5. Decision Making

It is expected that decisions will be reached by consensus, however, if a vote is required it will be determined by a simple majority of those members present and voting. If there are equal numbers of votes for and against, the Chairman/woman will have a second or casting vote. There will be no restriction on how the Chairman/woman chooses to exercise a casting vote.

6. Meeting Frequency

The Sub-Committee will meet at least twice a year. In addition, extraordinary meetings may be called from time to time as and when appropriate. A Board meeting may be called by the Chairman/woman, by any three members of the Board or by the Director of Public Health if he/she considers it necessary or appropriate.

7. Supply of information

The Sub-Committee may, for the purpose of enabling or assisting it to perform its functions, request any of the following persons to supply it with such information as may be specified in the request—

- (a) the local authority that established the Health and Wellbeing Board;
- (b) any person who is represented on the Health and Wellbeing Board by virtue of section 194(2)(e) to (g) or (8) of the Health and Social Care Act 2012 (“the 2012 Act”);

- (c) any person who is a member of a Health and Wellbeing Board by virtue of section 194(2)(g) or (8) but is not acting as a representative.

A person who is requested to supply information under (a), (b) and (c) must comply with the request. Information supplied to a Health and Wellbeing Board or its Sub-Committees under this section may be used only for the purpose of enabling or assisting it to perform its functions.

8. Status of Reports

Meetings of the Whole System Joint Sub-Committee shall be open to the press and public and the agenda, reports and minutes will be available for inspection at both Cambridgeshire County Council and Peterborough City Council's offices and on the Council's websites at least five working days in advance of each meeting. [This excludes items of business containing confidential information or information that is exempt from publication in accordance with Part 5A and Schedule 12A to the Local Government Act 1972 as amended.] Other participating organisations may make links from their website to the Sub-Committee's papers.

9. Press Strategy

An electronic link to agendas for all meetings will be sent to the local media by the Councils' press offices. Press releases issued on behalf of the Board will be agreed with the Chairman/woman or Vice-Chairman/woman and circulated to all Board members.

10. Members' Conduct

The codes of conduct and protocols of the relevant Council will apply to all elected and 'co-opted' members of the Board.

11. Governance and Accountability

The Sub-Committee will be accountable for its actions to the Health and Wellbeing Boards and their individual member organisations. There will be sovereignty around decision making processes. Representatives will be accountable through their own organisations for the decisions they take. It is expected that Members of the Sub-Committee will have delegated authority from their organisations to take decisions within the terms of reference. Decisions within the terms of reference will be taken at meetings and will not normally be subject to ratification or a formal decision process by partner organisations. However, where decisions are not within the delegated authority of the Board members, these will be subject to ratification by constituent bodies. It is expected that decisions will be reached by consensus.

12.2 CAMBRIDGESHIRE AND PETERBOROUGH HEALTH AND WELLBEING BOARD CORE JOINT SUB-COMMITTEE: TERMS OF REFERENCE

Membership

- Chairman/woman of Cambridgeshire and Peterborough Health and Wellbeing Boards
- Four representatives of the Clinical Commissioning Group (CCG) (nominated by the CCG Governing Body)
- One representative of the local HealthWatch
- Director of Public Health
- Executive Director: People and Communities

Aim: To drive forward and oversee joint commissioning and integration of specific NHS / upper tier local authority services.

Delegated functions

Delegated authority	Delegated condition
Authority to respond to consultations about commissioning plans issued by clinical commissioning groups in connection with Section 26 of the Health and Social Care Act 2012, where the response is for both Cambridgeshire and Peterborough.	Section 26, Health and Social Care Act 2012
Authority to encourage persons who arrange for the provision of any health or social care services in the Council's area to work in an integrated manner, where this involves both Cambridgeshire and Peterborough.	Section 195, Health and Social Care Act 2012
Authority to provide any advice, assistance and support it thinks appropriate for the purpose of encouraging the making of arrangements under Section 75 of the National Health Service Act 2006, where this involves both Cambridgeshire and Peterborough	Section 195, Health and Social Care Act 2012 Section 75, NHS Act 2006

<p>To consider options and opportunities for the joint commissioning of health and social care services for children, families and adults in Cambridgeshire and Peterborough to meet identified needs (based on the findings of the Joint Strategic Needs Assessment) and to consider any relevant plans and strategies regarding joint commissioning of health and social care services for children and adults.</p>	
<p>To identify areas where joined up or integrated commissioning across Cambridgeshire and Peterborough, including the establishment of pooled budget arrangements would benefit improving health and wellbeing and reducing health inequalities.</p>	
<p>By establishing sub groups as appropriate give consideration to areas of joint health and social care commissioning across Cambridgeshire and Peterborough, including but not restricted to services for people with learning disabilities.</p>	
<p>To keep under consideration, the financial and organisational implications and impact on people’s experience of joint and integrated working across health and social care services, and to make recommendations for ensuring that performance and quality standards for health and social care services to children, families and adults are met and represent value for money across the whole system.</p>	
<p>Authority to prepare and provide Health and Wellbeing Board sign off for the Better Care Fund Plan.</p>	

<p>Authority to discharge any other relevant functions specifically reserved to be undertaken by the Health and Wellbeing Boards as set out in legislation, guidance, circulars and directives received from national government, subject to agreement by the Chairs and Vice-Chairs of the Parent Boards.</p>	
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Cambridgeshire and Peterborough Health and Wellbeing Board Core Joint Sub-Committee (Standing Orders)

1. Notice of Meetings

Meetings of the Core System Sub-Committee will be convened by Cambridgeshire County Council. The convening Council will also arrange the clerking and recording of meetings (a member of the Council's Democratic Services Teams will act as Clerk).

2. Chairmanship

The Chairmanship will alternate annually between the Chair of the Cambridgeshire Health and Wellbeing Board and the Chair of the Peterborough Health and Wellbeing Board (*except for the first appointment where the appointed Chair will chair until the end of the 2020/21 municipal year*). The Joint Sub-Committee will elect annually a Vice-Chairman/woman who will not represent either Council.

3. Quorum

The quorum for all meetings of the Joint Sub-Committee will be four members including members from both Councils, the CCG and HealthWatch.

4. Appointment of Substitute Members

Nominating groups may appoint a substitute member for each position. These members will receive electronic versions of agendas and minutes for all meetings. Notification of a named substitute member must be made in writing or by email to the Clerk. Substitute members may attend meetings after notifying the Clerk of the intended substitution before the start of the meeting either verbally or in writing. Substitute members will have full voting rights when taking the place of the ordinary member for whom they are designated substitute.

5. Decision Making

It is expected that decisions will be reached by consensus, however, if a vote is required it will be determined by a simple majority of those members present and voting.

6. Meeting Frequency

The Sub-Committee will meet at least four times a year. In addition, extraordinary meetings may be called from time to time as and when appropriate. A Board meeting may be called by the Chairman/woman, by any three members of the Board or by the Director of Public Health if he/she considers it necessary or appropriate.

7. Supply of information

The Sub-Committee may, for the purpose of enabling or assisting it to perform its functions, request any of the following persons to supply it with such information as may be specified in the request—

- (a) the local authority that established the Health and Wellbeing Board;
- (b) any person who is represented on the Health and Wellbeing Board by virtue of section 194(2)(e) to (g) or (8) of the Health and Social Care Act 2012 (“the 2012 Act”);
- (c) any person who is a member of a Health and Wellbeing Board by virtue of section 194(2)(g) or (8) but is not acting as a representative.

A person who is requested to supply information under (a), (b) and (c) must comply with the request. Information supplied to a Health and Wellbeing Board or its Sub-Committees under this section may be used only for the purpose of enabling or assisting it to perform its functions.

8. Status of Reports

Meetings of the Core System Joint Sub-Committee shall be open to the press and public and the agenda, reports and minutes will be available for inspection at both Cambridgeshire County Council and Peterborough City Council’s offices and on the Council’s websites at least five working days in advance of each meeting. [This excludes items of business containing confidential information or information that is exempt from publication in accordance with Part 5A and Schedule 12A to the Local Government Act 1972 as amended.] Other participating organisations may make links from their website to the Sub-Committee’s papers.

9. Press Strategy

An electronic link to agendas for all meetings will be sent to the local media by both Council’s press offices. Press releases issued on behalf of the Board will be agreed with the Chairman/woman or Vice-Chairman/woman and circulated to all Board members.

10. Members’ Conduct

The codes of conduct and protocols of the relevant Council will apply to all elected and ‘co-opted’ members of the Board.

11. Governance and Accountability

The Sub-Committee will be accountable for its actions to the Health and Wellbeing Boards and their individual member organisations. There will be sovereignty around decision making processes. Representatives will be accountable through their own organisations for the decisions they take. It is expected that Members of the Sub-Committee will have delegated authority from their organisations to take decisions within the terms of reference. Decisions within the terms of reference will be taken at meetings and will not normally be subject to ratification or a formal decision process by partner organisations. However, where decisions are not within the delegated authority of the Board members, these will be subject to ratification by constituent bodies. It is expected that decisions will be reached by consensus.

2.9 Peterborough City Council Independent Improvement and Assurance Panel - Terms of Reference

Following the publication of two independent reports that make up the External Assurance Review of Peterborough City Council, the Minister of State for Equalities and Levelling Up Communities has requested the Council establish an Improvement and Assurance Panel of non-executive advisers, to remain in place for two years to advise on and provide a regular six-monthly commentary for the Council on the progress with its improvement plan.

2.9.1 Purpose

2.9.1.1 The purpose of the Panel is:

- To provide external advice, challenge, and expertise to Peterborough City Council in driving forward the development and delivery of their improvement plan.
- To provide assurance to the Council and Secretary of State of the Council's progress on delivering their improvement plan.
- To provide six monthly reports to the Council on the progress of the delivery of the Improvement Plan.

2.9.1.2 This will involve:

- Providing regular advice, challenge, and support to the Council on the full range of their improvement activities, and in particular on delivery of the recommendations in the CIPFA and Andrew Flockhart reports published on 3rd November 2021 to ensure financial sustainability of the Council in two years (financial year 2023/24).
- Working together across specialisms and acknowledging as well as challenging key dependencies with collegiate approach to managing and resolving risk.
- Exploring key issues in detail through deep dives and specially commissioned pieces of work and through workshops.
- Ensuring key decisions are made cognisant of the financial implications and impact on in-year budgets and the long term MTFS.
- Providing written commentaries on the Council's progress to the Secretary of State for Levelling Up, Housing and Communities on the Council's progress, including whether there needs to be any reconsideration of the locally led approach set out in the letter to the Leader of the Council from the Minister dated, 2nd November 2021.

2.9.1.3 The Panel will convene for the first time in December 2021 and is expected to conclude in December 2023. Panel meetings will be held in private, and any minutes produced will not be published. The Panel's first initial response to the Council's Improvement Plan work will be end of January 2022, and thereafter the six monthly reporting regime will commence as set out in paragraph 1 above.

2.9.1.4 The Panel will meet monthly in the first instance and will keep under review the frequency of these meetings.

2.9.2 The Improvement and Assurance Panel will comprise:

Independent Chair	Eleanor Kelly
Independent External Member (Finance)	Chris Buss
Independent External Member (Governance)	Andrew Flockhart
Independent External Member (Service)	Chris Naylor
Independent External Member (Assets, Contracts and Companies)	Clive Heaphy
Independent External Member (LGA)	Rachel Litherland

In attendance:
Leader of the Council
Chief Executive

Cllr Wayne Fitzgerald
Gillian Beasley/Matt Gladstone

2.9.2.1 Additional independent external members may be appointed to the Panel in the future if required.

2.9.3 Wider Local and Political Engagement

2.9.3.1 The Improvement and Assurance Panel will work closely with the other improvement boards/support mechanisms across the Council.

2.9.3 Costs

2.9.3.1 Any costs associated with the Improvement and Assurance Panel will be met by Peterborough City Council.

2.9.3.2 Panel members will be paid a fee for their work. The fee will be paid on a personal basis.

2.9.3.3 Panel members will need to work flexibly as the demand of the role requires. However, Peterborough City Council may wish to agree in advance the number of days advice to be provided by each Panel member over each 12-month period.

2.9.3.4 The Panel will be supported by an effective programme office to ensure that the overall programme plan is proactively tracked, kept up to date and that issues and risks are managed on a day-to-day basis through officers.

2.9.4 Independent Improvement and Assurance Panel Report Flowchart

First Report

June 22 – Full Council to receive the first report from the Independent Improvement and Assurance Panel, providing commentary on progress.
July 22 – Cabinet to consider the first report from the Independent Improvement and Assurance Panel, to provide a response and write to the Secretary of State.
Sept 22 – Growth, Environment and Resources Scrutiny Committee to review the Cabinet response to the first report from the Independent Improvement and Assurance Panel.
Oct 22 – Full Council to receive the Growth, Environment and Resources Scrutiny Committee review of the Cabinet response to the first report from the Independent Improvement and Assurance Panel.

Second Report

Dec 22 – Full Council to receive the second report from the Independent Improvement and Assurance Panel, providing commentary on progress.
Jan 23 – Cabinet to consider the second report from the Independent Improvement and Assurance Panel, to provide a response and write to the Secretary of State.
Feb 23 – Growth, Environment and Resources Scrutiny Committee to review the Cabinet response to the second report from the Independent Improvement and Assurance Panel.
March 23 – Full Council to receive the Growth, Environment and Resources Scrutiny Committee review of the Cabinet response to the second report from the Independent Improvement and Assurance Panel.

Third Report

June 23 – Full Council to receive the third report from the Independent Improvement and Assurance Panel, providing commentary on progress.
July 23 – Cabinet to consider the third report from the Independent Improvement and Assurance Panel, to provide a response and write to the Secretary of State.
Sept 23 – Growth, Environment and Resources Scrutiny Committee to review the Cabinet response to the third report from the Independent Improvement and Assurance Panel.
Oct 23 – Full Council to receive the Growth, Environment and Resources Scrutiny Committee review of the Cabinet response to the third report from the Independent Improvement and Assurance Panel.

Fourth Report

Dec 23 – Full Council to receive the first report from the Independent Improvement and Assurance Panel, providing commentary on progress.
Jan 24 – Cabinet to consider the first report from the Independent Improvement and Assurance Panel, to provide a response and write to the Secretary of State.
Feb 24 – Growth, Environment and Resources Scrutiny Committee to review the Cabinet response to the first report from the Independent Improvement and Assurance Panel.
March 24 – Full Council to receive the Growth, Environment and Resources Scrutiny Committee review of the Cabinet response to the first report from the Independent Improvement and Assurance Panel.

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Section 4 – Overview and Scrutiny Functions & Terms of Reference

1. OVERVIEW AND SCRUTINY COMMITTEES

- 1.1 The Council has appointed the following Overview and Scrutiny Committees to carry out those functions under Sections 9F to 9FI of the Local Government Act 2000, as amended by:
- (a) Section 19 of the Police and Justice Act 2006 in relation to the scrutiny of crime and disorder matters;
 - (b) Section 244 of the Health & Social Care Act 2012 in relation to health matters; and
 - (c) Section 22 of the Flood Risk Management Act 2010 in relation to flood risk management.

2. TERMS OF REFERENCE

- 2.1 Council has established the following Scrutiny Committees and they shall have responsibility for overview and scrutiny in relation to the matters set out below:

1.	Children and Education Scrutiny Committee	
	No of Elected Members appointed by Council: Eleven, none of whom may be a Cabinet Member.	Chairman and Vice-Chairman Appointed by Council.
	Quorum: At least half the Members of the Committee (including voting co-opted members).	Co-opted Members to be appointed by the Committee/Council <u>Four representatives as follows with full voting and call-in rights on education matters only:</u> (a) 1 Church of England Diocese representative; (b) 1 Roman Catholic Diocese representative; and (c) 2 parent governor representatives. No more than four non-voting members.
	Functions determined by Council 1. Children’s Services including <ul style="list-style-type: none"> a) Social Care of Children; b) Safeguarding; and c) Children’s Health. d) Targeted Youth Support (including youth offending). 2. Education, including <ul style="list-style-type: none"> a) University and Higher Education; b) Careers; and c) Special Needs and Inclusion; 	
	Functions determined by Statute	

	All powers of an Overview and Scrutiny Committee as set out in Sections 9F to 9FI Local Government Act 2000, Local Government and Public Involvement in Health Act 2007, and any subsequent regulations.
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2.	Growth, Resources and Communities Scrutiny Committee	
	No of Elected Members appointed by Council:	Chairman and Vice-Chairman
	Eleven, none of whom may be a Cabinet Member.	Appointed by Council.
	Quorum:	Co-opted Members to be appointed by the Committee/Council
	At least half the Members of the Committee.	No more than four non-voting members.
	Functions determined by the Council	
	<ol style="list-style-type: none"> 1. Housing need (including homelessness, housing options and selective licensing); 2. Neighbourhood and Community Support (including cohesion and community safety); 3. Equalities; 4. Libraries, Arts and Museums; 5. Tourism, Culture & Recreation; 6. Adult Learning and Skills; 7. City Centre Management; 8. Economic Development and Regeneration including Strategic Housing and Strategic Planning; 9. Transport, Highways and Road Traffic; 10. Strategic Financial Planning; 11. Partnerships and Shared Services; and 12. Digital Services and Information Management. 	
	Functions determined by Statute	
	To review and scrutinise crime and disorder matters, including acting as the Council's crime and disorder committee in accordance with Sections 19 of the Police and Justice Act 2006;.	

3.	Adults and Health Scrutiny Committee	
	No of Elected Members appointed by Council: Eleven, none of whom may be a Cabinet Member or the Health and Wellbeing Board.	Chairman and Vice-Chairman Appointed by Council.
	Quorum: At least half the Members of the Committee.	Co-opted Members to be appointed by the Committee/Council No more than four non-voting members.
	Functions determined by the Council <ol style="list-style-type: none"> 1. Public Health; 2. The Health and Wellbeing including the Health and Wellbeing Board; and 3. Scrutiny of the NHS and NHS providers; 4. Adult Social Care; and 5. Safeguarding Adults. 	
	Functions determined by Statute <p>To review and scrutinise local authority services under Sections 9F to 9FI Local Government Act 2000, Local Government and Public Involvement in Health Act 2007, and any subsequent regulations</p> <p>To review and scrutinise matters relating to the Health Service and to make reports and recommendations to local NHS bodies in accordance with section 244 of the National Health Service Act 2006. This will include establishing joint health committees in relation to health issues that cross local authority boundaries and appointing members from within the membership of the Committee to any joint health overview and scrutiny committees with other local authorities.</p> <p>(Also see The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013)</p>	

4. Climate Change and Environment Scrutiny Committee		
	No of Elected Members appointed by Council: Eleven, none of whom may be a Cabinet Member.	Chairman and Vice-Chairman Appointed by Council.
	Quorum: At least half the Members of the committee.	Co-opted Members to be appointed by the Committee/Council No more than four non-voting members.
	Functions determined by the Council <ol style="list-style-type: none"> 1. Environmental Capital; 2. Flood Risk Management; 	

3. Waste Strategy & Management;
4. Climate Change;
5. Reducing Carbon Emissions and achieving Net Zero Carbon Emissions;
6. Biodiversity;
7. Green Space;
8. Trees and Woodland; and
9. Energy Generation and Consumption.

Functions determined by Statute

To review and scrutinise flood risk management in accordance with Section 21F of the Local Government Act 2000 (as amended by the Flood and Water Management Act 2010 and under the Flood Management Overview & Scrutiny (England) Regulations 2011 No. 697).

3. SPECIFIC ROLE OF OVERVIEW AND SCRUTINY

- 3.1 To review and scrutinise the planning, decisions, policy development, service provision and performance within their terms of reference as follows:

POLICY DEVELOPMENT AND REVIEW

- 3.2 Within their terms of reference the scrutiny functions will:

- (a) Help the Council and the Executive to develop its budget and policy framework and service Budgets;
- (b) Carry out research into and consultation about policy issues and possible options;
- (c) Consider and promote ways of encouraging the public to take part in developing the Council's policies;
- (d) Question Members of the Cabinet, Committees and senior officers about their views on policy proposals;
- (e) Work with outside organisations in the area to make sure the interests of local people are taken into account;
- (f) Question, and gather evidence from, any person who gives their permission; and
- (g) Monitor and scrutinise the implementation of Council policy.

SCRUTINY

- 3.3 The Scrutiny Committees will:

- (a) Review and scrutinise the Executive, Committee and officer decisions and performance in connection with the discharge of any of the Council's functions;
- (b) Review and scrutinise the Council's performance in meeting the aims of its policies and performance targets and/or particular service areas;
- (c) Question Members of the Executive, Committees and senior officers about their decisions and performance of the Council, both generally and in relation to particular decisions or projects;
- (d) Make recommendations to the Executive and the Council as a result of the scrutiny process;
- (e) Question, and gather evidence from any person with their consent;
- (f) Hold the Executive to account for the discharge of functions in the following ways:
 - i. By exercising the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive or decisions which have been delegated to an officer;
 - ii. By scrutinising Key Decisions which the Executive is planning to take, as set out in the Forward Plan of executive decisions;

- iii. By scrutinising decisions the Executive are planning to make; and
 - iv. By scrutinising Executive decisions after they have been implemented, as part of a wider policy review.
- (g) To consider petitions submitted to it;
- (h) Establish ad-hoc Task and Finish Groups to investigate specific topics on a time-limited basis in accordance with the Scrutiny Committee Procedure Rules; and

CRIME AND DISORDER

- 3.4 The Scrutiny Committee responsible for crime and disorder shall, and any sub committees may:
- (a) Act as the crime and disorder committee within the meaning of Section 19 of the Police and Justice Act 2006;
 - (b) Review or scrutinise decisions made, or other actions taken by bodies or persons responsible for crime and disorder strategies in the Peterborough area;
 - (c) Make reports or recommendations to the local authority on any local crime and disorder matter in relation to a member of the authority; and
 - (d) Consider any crime and disorder matters referred by any Member of the Council.

HEALTH ISSUES

- 3.5 The Scrutiny Committee responsible for health and any sub committees shall undertake their responsibilities under section 244 of the National Health Service Act 2006 as follows:
- (a) May review and scrutinise any matter relating to the planning, provision and operation of the health service in the Peterborough area (including NHS Bodies and other NHS providers);
 - (b) Must invite interested parties to comment on the matter and provide reasonable notice;
 - (c) Take account of relevant information available to it and, in particular, from a Local Healthwatch organisation or representative;
 - (d) Acknowledge any referral within 20 working days and keep the referrer informed of any action taken;
 - (e) Request information about the planning, provision and operation of health services in the area to enable it to carry out its functions;
 - (f) Make reports or recommendations on a matter it has reviewed or scrutinised including:
 - i) An explanation of the matter reviewed or scrutinised;
 - ii) A summary of the evidence considered;
 - iii) A list of the participants involved in the reviews; and
 - iv) An explanation of any recommendations made.
 - (g) Where the Committee asks for a response, the person must respond in writing within 28 days of the request.

- 3.6 The Committee will consider any proposals received from a National Health Service body, Clinical Commissioning Groups or other provider about;
- (a) Any substantial development of the health service in Peterborough; or
 - (b) Any substantial variation to the provision of NHS Services as set out the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.
- 3.7 In considering the proposals, the Committee must take account of the effect or potential effect of the proposals on the sustainability of the Health Service in its areas and may refer proposals to the Secretary of State in certain circumstances.

FLOOD RISK MANAGEMENT

- 3.8 The Scrutiny Committee responsible for flood risk management, and any sub committees shall undertake their responsibilities under the Flood and Water Management Act 2010 as follows:
- (a) May review and scrutinise any matter relating to the planning, provision and operation of the flood risk management in the Peterborough area;
 - (b) May invite those authorities responsible for flood risk management to comment on the matter;
 - (c) Request information from them to enable it to carry out its responsibilities; and
 - (d) Make reports or recommendations and request a response from flood risk management authorities.

4. MEMBERSHIP

- 4.1 All Members, except Members of the Executive, may be a member of a Scrutiny Committee. However, no Member may be involved in scrutinising a decision with which he or she has been directly involved. Members of the Health and Wellbeing Board should not be a member of the Health Scrutiny Committee.
- 4.2 It is advised that Members undertake relevant training within the past three years in order to hold a seat on a Scrutiny Committee.

CO-OPTTEES

- 4.3 The Scrutiny Committees shall be entitled to co-opt, as non-voting members, up to four external representatives or otherwise invite participation from non-members where this is relevant to their work.
- 4.4 There must be at least one non-voting position reserved for a Parish Councillor from a rural area with one substitute member. The Parish Council Liaison Committee will decide these.
- 4.5 A Scrutiny Committee can co-opt a further three members at its discretion. One of these can be a second parish council member identified by the Parish Council Liaison Committee.
- 4.6 The Children and Education Scrutiny Committee shall include in its membership the following representatives. These representatives will have full voting and call-in rights on education matters only, and when other matters are dealt with they may stay in the meeting and speak:
- (a) 1 Church of England Diocese representative;

- (b) 1 Roman Catholic Diocese representative; and
- (c) 2 parent governor representatives.

ANNUAL COUNCIL	AGENDA ITEM No. 9
23 MAY 2022	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	N/A	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Director	Tel. 452460

POLITICAL BALANCE AND ALLOCATION OF COMMITTEE SEATS

RECOMMENDATIONS	
FROM: <i>Director of Law and Governance</i>	Deadline date: <i>N/A</i>
<p>It is recommended that Council:</p> <ol style="list-style-type: none"> 1. Notes that there are 109 seats on committees 2. Agrees the allocation of seats on those committees subject to political balance arrangements (Appendix 1 to be tabled). 3. Agrees the allocation of seats on those committees not subject to political balance arrangements (Appendix 2 to be tabled). 	

1. PURPOSE AND REASON FOR REPORT

- 1.1 The purpose of this report is to consider the impact on the political balance of the Council, following the results of the local elections in May 2022.

2. ALLOCATION OF SEATS TO POLITICAL GROUPS

- 2.1 Section 15 of the Local Government and Housing Act 1989 imposes a duty on the City Council at its Annual meeting to review the allocation of seats on its committees between political groups. The section does not apply to the statutory Licensing Committee or Health and Wellbeing Board and so the political balance rules are not applied to these (**Appendix 2** to be tabled).
- 2.2 Political Groups are allocated seats proportionate to their size, subject to the majority group being first given a majority of seats on the committees.

3. NUMBER OF SEATS ON COMMITTEES

3.1 In order to allocate seats, the Council must first decide the total number of seats on each committee. For the purpose of calculating the entitlement of each political group to seats on committees, it is proposed that the following be included:

Committee	Seats
Climate Change and Environment Scrutiny Committee	11
Growth, Resources, and Communities Scrutiny Committee	11
Adults and Health Scrutiny Committee	11
Children and Education Scrutiny Committee	11
Employment Committee	7
Licensing Committee (Regulatory)	11
Planning and Environmental Protection Committee	11
Appeals and Planning Review Committee	11
Corporate Parenting Committee	11
Audit Committee	7
Constitution and Ethics Committee	7
TOTAL	109

4. POLITICAL PROPORTIONALITY

4.1 Once it has decided the number and size of committees, Council needs to decide how many seats each group is to have on its committees. In accordance with the legislation, the following principles should apply to the allocation of seats as far as reasonably practicable:

- 1) That not all the seats on the body to which appointments are being made are allocated to the same political group;
- 2) That the majority of the seats on each committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- 3) Subject to (1) and (2) above, when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
- 4) Subject to (1) to (3) above, that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.

4.2 The political balance of the Council can be calculated by using the following formula.

$$\frac{\text{No of Group Members} \times 100}{60}$$

4.3 Following the above changes to Groups numbers, the political balance of the Council is as follows:

Group	Conservative	Labour	Lib Dems	Peterborough First	Green	Total
Councillors (in Groups)	28	17	8	4	3	60
Proportionality %	46.67	28.33	13.33	6.67	5.00	100.00

4.4 The calculation to determine the strict entitlement of political groups to seats on committees is:

$$\frac{\% \text{ from table 1}}{100} \times \text{Total No of seats available (109) – see above}$$

5. APPLYING THE RULES

5.1 The majority of seats on each committee has to be allocated to the political group that forms the majority of the authority's membership to comply with the second principle (paragraph 4.1(b)). Under the current structure there are committees of 7 members and 11 members. To ensure compliance with s15 of the Local Government and Housing Act 1989, the majority group has to be allocated:

- 1) 4 of the 7 seats for committees of 7
- 2) 6 of the 11 seats for committees of 11

5.2 Once the seats have been allocated to the majority group, the remainder will need to be shared out proportionately across the committees to ensure that the third principle (paragraph 4.1(c) above) is applied. The fourth principle is then applied to ensure that the seats then allocated are not unfairly weighted. A Group's seat on a committee will be allocated automatically in terms of whole numbers.

5.3 The allocations of seats between the political groups for each committee are set out in **Appendix 1** (to be tabled) based on a total of 109 seats. This allocation as outlined is the current political make-up of all the committee's concerned.

6. APPOINTMENTS EXEMPTED FROM POLITICAL BALANCE

6.1 Some Committees are automatically exempt from the internal political balance rules. These Committees are as follows:

- The Licensing Committee (Licensing Act 2003); and
- The Health and Wellbeing Board.

6.2 These Committees have statutory exemption from the political balance calculations. As agreed at the Annual Council meeting the membership of the Licensing Committee (Licensing Act 2003) reflects the same membership as the Licensing Committee (Regulatory). The Health and Wellbeing Board has a prescribed membership.

7. IMPLICATIONS

Financial Implications

7.1 There are no direct financial consequences arising from this report.

Legal Implications

7.2 All the relevant legal implications are addressed within the report.

Equalities Implications

7.3 There are no equalities implications arising from this report.

8. BACKGROUND DOCUMENTS

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

8.1 Peterborough City Council's Constitution

9. APPENDICES

9.1 **Appendix 1** – Allocations of seats on committees subject to political balance (to be tabled)

9.2 **Appendix 2** – Allocation of seats on committees not subject to political balance (to be tabled)

ANNUAL COUNCIL	AGENDA ITEM No. 10
23 MAY 2022	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	N/A	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Director	Tel. 452460

APPOINTMENTS TO COMMITTEES AND OTHER AUTHORITIES

RECOMMENDATIONS	
FROM: <i>Director of Law and Governance</i>	Deadline date: <i>N/A</i>
<p>It is recommended that Council:</p> <ol style="list-style-type: none"> 1. Agrees that appointments to those committees where the allocation of seats has been determined under Agenda item 9 (Appendix 1 to be tabled). 2. Appoints the Chair and Vice-Chair of each of the Council's committees (Appendix 1 to be tabled). 3. Confirmed the non-elected members of committees, as described at paragraph 2.3 of the report. 4. Makes the following appointments or nominations for the 2021/2022 municipal year: <ol style="list-style-type: none"> (a) Appoint the Leader of the Council to act as the Council's appointee to the Cambridgeshire and Peterborough Combined Authority and one substitute member (Appendix 4 to be tabled). (b) Nominate two members to the Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee, and two substitute members from the same political parties as those nominated (Appendix 4 to be tabled). (c) Nominate one member Cambridgeshire and Peterborough Combined Authority Audit and Governance Committee and one substitute member from the same political party (Appendix 4 to be tabled). (d) Appoint three members to the Police and Crime Panel and three substitute members from the same political parties as those appointed (Appendix 4 to be tabled). (e) Appoint four members to the Fire Authority and four substitute members from the same political parties as those appointed (Appendix 4 to be tabled). 5. Appoints to the position of Armed Forces Champion, as set out at paragraph 2.7 of the report. 6. Authorises the Monitoring Officer as Proper Officer, in respect of any other appointments to be made, to carry out the wishes of the Leaders of Political Groups in allocating Members 	

to committees or other authorities, and to appoint those Members with effect from the date at which the Proper Officer is advised of the names of such Members.

1. PURPOSE AND REASON FOR REPORT

- 1.1 In accordance with the Constitution, Full Council must appoint the members, the Chair, and the Vice-Chair of non-executive committees. Full Council must also make the relevant appointments to the Cambridgeshire and Peterborough Combined Authority, Police and Crime Panel, and Fire Authority for the municipal year 2022/23.

2. BACKGROUND AND KEY ISSUES

2.1 Committee Appointments

- 2.1.1 The Council must note which councillors should be appointed to each of its committees at its annual meeting.
- 2.1.2 Appointments should be made in accordance with the seats allocated to political groups as described in item 9 of this meeting's agenda.
- 2.1.3 The list of available appointments has been circulated to the political groups and the wishes of each group is to be confirmed at the annual meeting.

2.2 Committee Chairs and Vice-Chairs

- 2.2.1 The Council must decide which Councillors to appoint as the Chair and Vice-Chair of its committees at its annual meeting.

2.3 Non-Elected Committee Membership

- 2.3.1 The Council is required under the Parent Governor Representative (England) Regulations 2001 to appoint parent governor representatives to any scrutiny committee which considers education issues. Schedule 1 (paragraph 7) of the Local Government Act 2000 similarly requires that the Church of England and Roman Catholic churches may each nominate a co-opted member with voting rights. (The voting rights of the faith and parent governor representatives only apply when the Scrutiny Committee is considering educational matters; for other issues the co-opted members may participate in the debate but not vote).
- 2.3.2 Within the structure, education matters are discussed at the Children and Education Scrutiny Committee. All of the education co-opted members need to be formal members of this Committee, with voting rights for education matters.
- 2.3.3 The education co-opted members for the year will be:
- Peter Cantley, Statutory Education Co-opted Member Representing the Church of England (nominated substitute Peter French)
 - € Flavio Vettese, Statutory Education Co-opted Member Representing the Roman Catholic Church (nominated substitute Julie O'Connor)
 - € VACANT, Parent Governor Representative
- 2.3.4 Under their Terms of Reference, as agreed by Council, Scrutiny Committee may co-opt up to four additional non-voting members. There must be at least one non-voting position reserved for a Parish Councillor from a rural area with one substitute member. The Parish Council Liaison Committee will provide nominations for these.

- 2.3.5 The Council is required under the Localism Act 2011 to appoint at least one independent person of the Council. The role of the Independent Person is to oversee the process for dealing with allegations that a member has breached the Member's Code of Conduct.
- 2.3.6 The Independent Person for the year will be Gillian Holmes.
- 2.3.7 The Health and Wellbeing Board has appointed to it certain post holders under the Board's terms of reference. In addition the Audit Committee has the ability to appoint Independent Persons. These appointments are either subject to statutory regulation or are delegated under the Council's Constitution to the Committee concerned.

2.4 Cambridgeshire and Peterborough Combined Authority

Board

- 2.4.1 In accordance with the Cambridgeshire and Peterborough Combined Authority Order 2017, each Constituent Council must appoint one of its elected members and a substitute member to the Combined Authority. This is normally the Leader. The Council is now asked to appoint a member and substitute member for the municipal year 2021/22.

Non-Executive Committees

- 2.4.2 The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2016 requires the Combined Authority to establish an Overview and Scrutiny Committee and an Audit Committee. The Order sets out the rules for membership. The membership of the Overview and Scrutiny and the Audit Committees as a whole should reflect so far as reasonably practicable the balance of political parties of the constituent councils when taken together. The balance is based on membership of political parties, not political groups, on constituent councils across Cambridgeshire and Peterborough.

Overview and Scrutiny Committee

- 2.4.3 The Combined Authority agreed that to ensure an equitable representation across each constituent authority, two members from each council should be appointed to the Overview and Scrutiny Committee representing a total membership of fourteen members. The Council is required to nominate two members to the Overview and Scrutiny Committee for the municipal year 2021/22 based on the political balance set out in **Appendix 2** (to be tabled).

Audit and Governance Committee

- 2.4.4 The Combined Authority agreed to establish an Audit and Governance Committee consisting of seven constituent members: one member from each constituent council.
- 2.4.5 The implications of applying political proportionality to a seven member Audit and Governance Committee are detailed in Appendix 2. The Council is required to nominate one member to sit on the Audit and Governance Committee for the municipal year 2021/22 based on the political balance set out in **Appendix 3** (to be tabled).

Substitute Members

- 2.4.7 The Combined Authority has agreed that substitute members should be appointed for each position on the Audit and Governance Committee and the Overview and Scrutiny Committee. Any substitute members should come from the same party as the Member they are substituting for to maintain political balance.
- 2.4.8 For the Overview and Scrutiny Committee, if constituent councils have appointed members from the same political parties, i.e. East Cambs and Fenland, those Councils might only wish to appoint one substitute rather than two. The quorum set down in legislation is two thirds of the

total membership. Therefore, it is preferable to appoint two members in case both members are absent from a meeting and need to substitute.

Consequential Changes

- 2.4.9 If there are consequential changes to the overall political balance, the Combined Authority may need to review the membership and the allocation of seats to political parties on the above committees. The Monitoring Officer will advise constituent councils if any subsequent changes have been necessary, and whether any changes need to be made to their nominations.
- 2.4.10 If there is no provision in constituent council's standing orders, the Council may wish to consider giving delegated powers for the Chief Executive to approve any consequential changes to these appointments in consultation with the relevant Party Group leaders.

2.5 Cambridge Police and Crime Panel

- 2.5.1 The Council is required to appoint 3 members – as determined by the political make-up across the Cambridgeshire and Peterborough Authority Areas when taken together – established by the Police Reform and Social Responsibility Act 2011. There are 13 seats on the Cambridgeshire Police and Crime Panel.

2.6 Cambridgeshire and Peterborough Fire Authority

- 2.6.1 There are 17 seats on the Cambridgeshire and Peterborough Fire Authority, 4 of which are allocated to Peterborough City Council representatives and 13 of which are allocated to Cambridgeshire County Council representatives. The seats are allocated on a proportionate basis.

2.7 Armed Forces Champion

- 2.7.1 The Council has previously appointed to the position of Armed Forces Champion in formally. This position has been held by Councillor John Fox since the Council signed the Armed Forces Covenant in 2013. It is proposed to formalise the appointment of Councillor John Fox through Council agreement, to be reviewed each year at Annual Council.

3. CONSULTATION

- 3.1 Consultation has been undertaken with all Group Leaders to ensure that the appointments and nominations proposed reflect their Groups wishes.

4. IMPLICATIONS

Financial Implications

- 4.1 In accordance with the Cambridgeshire and Peterborough Combined Authority Order 2017, no remuneration is to be payable by the Combined Authority to its members.

Legal Implications

- 4.2 The legal implications are set out in the report. The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2016 requires a combined authority to ensure that the members of the committee taken as a whole reflect so far as reasonably practicable the balance of political parties for the time being prevailing among members of the constituent councils when taken together.

Equalities Implications

- 4.3 There are no equalities implications arising from this report.

5. **BACKGROUND DOCUMENTS**

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

5.1 [Policing and Crime Act 2017](#)

5.2 Peterborough City Council Constitution

6. **APPENDICES**

6.1 **Appendix 1** – Committee Membership, Chairs and Vice-Chairs (to be tabled)

6.2 **Appendix 2** – Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee political balance calculations (to be tabled)

6.3 **Appendix 3** – Cambridgeshire and Peterborough Combined Authority Audit and Governance Committee political balance calculations (to be tabled)

6.4 **Appendix 4** – Appointments and Nominations to Other Authorities (to be tabled)

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COUNCIL	AGENDA ITEM No. 11
23 MAY 2022	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Contact Officer(s):	Pippa Turvey, Constitutional and Democratic Services Manager	Tel. 452460

APPOINTMENTS AND NOMINATIONS TO OUTSIDE BODIES

RECOMMENDATIONS	
FROM: <i>Director of Law and Governance</i>	Deadline date: <i>N/A</i>
<p>It is recommended that Council approve:</p> <ol style="list-style-type: none"> 1. The appointments to outside bodies as set out in Appendix 2 (to be tabled); and 2. The nominations to outside bodies as set out in Appendix 3 (to be tabled). 	

1. PURPOSE AND REASON FOR REPORT

- 1.1 The purpose of this report is to update the list of appointments and nominations to outside organisations, to ensure that the organisations on the list and the Council representation on them remain relevant and appropriate.

2. BACKGROUND AND KEY ISSUES

- 2.1 The Council makes appointments to outside bodies on an annual basis in accordance with Part 3, Delegations Section 6 of its Constitution.
- 2.2 The current lists that the Council use to appoint and nominate Members to outside organisations each year have undergone a review for the municipal year 2022/2023, to ensure that the organisations contained on it are still relevant and have the appropriate number of representatives.

Additional Seats

- 2.3 Additional seats to be added to the appointment list this year are:
- Strategic and Executive (National): PATROL (Parking and Traffic Regulations Outside London) – 1 Executive
 - Strategic and Executive (Local): City College Governing Board – 1 Executive
 - Local Engagement (Community Association): Nepalese Community Association – 1 Member

Removed Seats

- 2.4 Bodies that have been removed, and the reasons for this are:
- Cohesion and Diversity Forum – No longer in existence

- Cambridgeshire and Peterborough Road Safety Partnership – Board now moved to officer level
- Peterborough Sight – Group remodelled, Councillor representation no longer required
- Charity Consisting of Cups etc. of Former 336 Field Battery RA (TA) Board of Trustees – Cups returned to the Council, Board no longer required
- East Community Association – No contact
- Glington Community Association – Parish Council representation considered by the Association to be sufficient
- Hampton Vale Community Association – No representatives requested by the Association going forward
- Millfield and New England Regeneration Partnership – No contact
- South Bretton Community Association – No contact

Disputed Seats

- 2.5 Any disputed seats between political groups will be presented to the Leader, as per the constitution, with the Leader's determination to be included within the proposals at Appendix 2 and 3. Details of any disputed seats will be included in Appendix 1.

3. CONSULTATION

- 3.1 Consultation has taken place on the proposed outcome of the annual review with the Group Leaders and council officers. Group Leaders have provided officers with a list of proposed appointments and nominations, which are reflected in the appendices.

4. IMPLICATIONS

Financial Implications

- 4.1 There are no financial implications arising from this report.

Legal Implications

- 4.2 Members placed on outside bodies fall into two distinct categories.
- 4.3 The first, a minority, is the appointment of Members to outside bodies. There are distinct rules around appointments concerning payment, duties, insurance and so forth. A Member who is appointed in such a way will be there to fulfil a specific representational role on behalf of the Council. Examples include membership of a representational body, such as Local Government Association body, or a functional body, such as a council owned company.
- 4.4 The second is the more general. This is where a body approaches the Council because it wishes, or is sometimes required, to have a councillor as part of its membership. The actual appointment of the Councillor, however, is made by the body concerned and not the Council. That Councillor's role as a member is then determined by the nature of that organisation. The Council's role in relation to this category begins and ends with the nomination of the Councillor(s) to the organisation concerned, although the Council may wish to approach one of those Councillors later on to obtain expertise or input to a scrutiny committee or commission. Examples include the Citizens Advice Bureau and to a whole range of community or local charitable bodies.

Equalities Implications

- 4.5 There are no equalities implications arising from this report.

Carbon Impact Assessment

- 4.6 There is no change in the Council's carbon impact arising from this decision.

5. BACKGROUND DOCUMENTS

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

5.1 Appointments and Nominations to Outside Bodies 2021-22 CMDN

6. APPENDICES

6.1 Appendix 1 (to be tabled) – Disputed Appointments or Nominations

Appendix 2 (to be tabled) – Appointments to Outside Organisations

Appendix 3 (to be tabled) – Nominations to Outside Organisations

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ANNUAL COUNCIL	AGENDA ITEM No. 12
26 MAY 2021	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	N/A	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Director	Tel. 452460

CALENDAR OF MEETINGS 2022/23

RECOMMENDATIONS	
FROM: <i>Director of Law and Governance</i>	Deadline date: <i>N/A</i>
It is recommended that Council approve the Calendar of Meetings (Appendix 1) for 2022/2023.	

1. PURPOSE AND REASON FOR REPORT

- 1.1 The Council at its annual meeting will agree the date and time of ordinary meetings of Council (and its committees) for the forthcoming municipal year.
- 1.2 Members are asked to agree the calendar of the Council and its committees for the 2022/2023 municipal year.

2. BACKGROUND AND KEY ISSUES

- 2.1 As required by Schedule 12 of the Local Government Act 1972, a notice is published on the notice board at the Town Hall informing the public of the meetings of the Council and its committees. If changes are made to the public notice by the Proper Officer, the notice will be updated and information fully publicised on the Council's website.

3. CONSULTATION

- 3.1 Relevant internal officers have been consulted when drafting the calendar of meetings. The calendar was submitted to Council in draft form at its meeting in January 2022 in order to obtain the views of Members.

4. IMPLICATIONS

- 4.1 There are no financial, legal, or equalities implications arising from this report.

5. BACKGROUND DOCUMENTS

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

- 5.1 None.

6. APPENDICES

- 6.1 **Appendix 1** – Calendar of Meetings 2022/2023

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