

CLIMATE CHANGE AND ENVIRONMENT SCRUTINY COMMITTEE

MONDAY 5 SEPTEMBER 2022
7.00 PM

Bourges/Viersen Room - Town Hall
Contact: Charlotte Cameron, Democratic Services Officer,
charlotte.cameron@peterborough.gov.uk, 07870 153052

AGENDA

Page No

1. **Apologies**
2. **Declarations of Interest and Whipping Declarations**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification " that has been disclosed to the Solicitor to the Council. Members must also declare if they are subject to their party group whip in relation to any items under consideration.
3. **Minutes of Climate Change and Environment Scrutiny Committee Meeting held on 6 July 2022** 3 - 12
4. **Call In of Any Cabinet, Cabinet Member or Key Officer Decisions**

The decision notice for each decision will bear the date on which it is published and will specify that the decision may then be implemented on the expiry of 3 working days after the publication of the decision (not including the date of publication), unless a request for call-in of the decision is received from any three Members of a Scrutiny Committee. If a request for call-in of a decision is received, implementation of the decision remains suspended for consideration by the relevant Scrutiny Committee.
5. **Tree Management: Review of Existing Policy for Managing Tree Related Subsidence Claims Against the Council** 13 - 26
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11.	Date of Next Meeting	

Joint Scrutiny of the Budget Meeting – 13 September 2022

Climate Change and Environment Scrutiny Committee Meeting – 9 November 2022

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Committee Members:

Councillors: N Day (Chair), C Burbage, G Casey, M Farooq, JA Fox, A Jones, D Jones, M Perkins, M Sabir, L Sharp, and C Wiggin (Vice Chairman)

Substitutes: Councillors: C Fenner, N Sandford and S Qayyum

Non Statutory Co-opted Members:

Parish Councillor June Bull, Independent Co-opted Member (non-voting)

Matthew Barber, Independent Co-opted Member (non-voting)

Stuart Dawks, Independent Co-opted Member (non-voting)

Dr Esther Norton, Independent Co-opted Member (non-voting)

Further information about this meeting can be obtained from Charlotte Cameron on telephone 07870 153052 or by email – charlotte.cameron@peterborough.gov.uk

**MINUTES OF THE CLIMATE CHANGE AND ENVIRONMENT SCRUTINY COMMITTEE
MEETING
HELD AT 7.00PM, ON
WEDNESDAY 6 JULY 2022
BOURGES/VIERSEN ROOMS, TOWN HALL, PETERBOROUGH**

Committee Members Present: Councillors N Day (Chair), C Wiggin (Vice-Chair), N Bi, C Burbage, G Casey, M Farooq, JA Fox, M Perkins, M Sabir, L Sharp and H Skibsted and Co-opted Member Parish Councillor June Bull and Independent Co-opted Members Matthew Barber, Stuart Dawks and Dr Esther Norton

Also in attendance: Councillor JR Fox, representing the Group Leader of Peterborough First and Matthew Carr, Youth Council Representative

Officers Present: Adrian Chapman, Executive Director Place and Economy
Hannah Swinburne, Principal Climate Change Officer
Lewis Banks, Transport and Environment Manager
Nick Greaves Highway Development Control and Drainage Manager
Richard Whelan, Principal Officer, Flood and Water Cambridgeshire County Council
Paulina Ford, Senior Democratic Services Officer
Charlotte Cameron, Democratic Services Officer

1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

2. DECLARATIONS OF INTEREST AND WHIPPING DECLARATIONS

No declarations of interest or whipping declarations were received.

3. CALL IN OF ANY CABINET, CABINET MEMBER OR KEY OFFICER DECISIONS

No call ins were received.

4. APPOINTMENT OF CO-OPTED MEMBERS 2022/23

The Climate Change and Environment Committee received a report in relation to the appointment of Co-opted Members in accordance with the Council's Constitution Part 3, Section 4 – Overview and Scrutiny Functions.

The purpose of the report was to seek approval from the Committee to appoint Matthew Barber, Dr Esther Norton, Stuart Dawks and Parish Councillor June Bull as Non-Voting Co-opted Members for the municipal year 2022/2023 and to approve the appointment of Parish Councillor Michael Samways as the substitute for Parish Councillor June Bull for

the municipal year 2022/2023 to the Climate Change and Environment Scrutiny Committee in accordance with Part 3, Section 4 – Overview and Scrutiny Functions.

The Senior Democratic Services Officer introduced the report and explained that the nominations for Parish Council Co-opted Members had been put forward by the Parish Council Liaison Committee and that the appointments would be reviewed annually.

The Committee unanimously agreed to the appointments of Matthew Barber, Dr Esther Norton, Stuart Dawks and Parish Councillor June Bull as non-voting Co-opted Members and the appointment of Parish Councillor Michael Samways as substitute for Parish Councillor June Bull for the municipal year 2022/23.

The Chair welcomed the four Co-opted Members who were in attendance and invited them to join the committee for the rest of the meeting.

AGREED ACTIONS

1. Appoint Matthew Barber to the Committee as an Independent Co-opted Member with no voting rights for the municipal year 2022/2023. Appointment to be reviewed annually at the beginning of the next municipal year.
2. Appoint Dr Esther Norton to the Committee as an Independent Co-opted Member with no voting rights for the municipal year 2022/2023. Appointment to be reviewed annually at the beginning of the next municipal year.
3. Appoint Stuart Dawks to the Committee as an Independent Co-opted Member with no voting rights for the municipal year 2022/2023. Appointment to be reviewed annually at the beginning of the next municipal year.
4. Appoint Parish Councillor June Bull as an Independent Co-opted Member with no voting rights to represent the rural area for the municipal year 2022/2023. Appointment to be reviewed annually at the beginning of the next municipal year.
5. Appoint Parish Councillor Michael Samways as the nominated substitute for Parish Councillor June Bull should she be appointed as the non-voting Co-opted Member representing the rural area. Appointment to be reviewed annually at the beginning of the next municipal year.

5. PETERBOROUGH LOCAL FLOOD RISK MANAGEMENT STRATEGY

The Climate Change and Environment Scrutiny Committee received a report in relation to Peterborough's Local Flood Risk Management Strategy.

The purpose of the report was for the Committee to consider under its Terms of Reference No. Part 3, Section 4 - Overview and Scrutiny Functions, paragraph No. 2.1 Functions determined by Council: 2. Flood Risk Management.

The Committee were asked to review the draft Peterborough Local Flood Risk Management Strategy and recommend to Cabinet that a public consultation be undertaken.

The Highway Development Control and Drainage Manager accompanied by the Principal Officer, Flood and Water for Cambridgeshire County Council introduced the report and highlighted key points including:

The report provided an update on the Local Flood Risk Management Strategy with a review to consider changes in the industry and wider policies of the Council. The Officers advised that the aim of the report was to gather the Committees feedback and which would be presented to Cabinet with a request to go out to public consultation.

Members were advised that many of the aims and objectives in the plan had remained the same and actions had been carried forward, with the addition of case studies based on environmental and flood risk work. Additional information added to the plan included, the work surrounding community impacts, diversity and inclusion and the responsibilities of organisations.

The flooding events of July 2021 were acknowledged, and details of risk areas, related actions and alternative funding streams were included in the report to highlight the Council's ambitions with a view to be as flexible as possible to deliver outcomes.

The report went through a carbon impact assessment and a strategic environmental assessment with the results incorporated into the report.

The Climate Change and Environment Scrutiny Committee debated the report and in summary, key points raised and responses to questions included:

- Members noted that the report stated that much of the infrastructure in the Fens was reaching the end of its design life and sought clarification on when investments into renewing the infrastructure would happen and when there would be funding available for the upgrades. Members were advised of two regional projects run by Anglian Water and the Environment Agency which would be merging to look at the future of the Fens. Officers commented that this would be a long-term project that officers would be contributing too.
- Members noted that the flooding infrastructure had not been able to cope with the flash flooding which happened in July 2021 and asked if there had been any work around the cost of improving that infrastructure. Officers advised that a flood investigation process had to happen after any flood and that the report was in its final stages.
- The Principal Officer, Flood and Water highlighted that the Senior Drainage Officer had been working with Anglian Water to identify what options there would be. It was noted that older design standards were not up to date and that the replacement of infrastructure would be a large cost. However, pinch points had been identified which enabled the Council to look for national funding that would support the improvements.
- Members sought clarification on whether future developments were being reviewed with the focus on preventing further damage and were advised that there was a Flood and Water Supplementary Planning Document which provided guidance on developments. Officers advised the Committee that the document would be updated in 2023 and this was included in the report as an action.
- Members noted that heavy rain had caused issues with some of the drainage under pass pump systems in the City and asked whether there had been any work done to improve or replace them. The Highway Development Control and Drainage Manager advised the Committee that there was a bi-annual maintenance review programme that monitored issues in the local area. Members were advised that a specific area issue could be raised through the Fixmystreet scheme.
- Members acknowledged the Officers response and highlighted that underpass flooding had been an issue in the City and requested that the Highways and Development Control Drainage Manager review the effectiveness of the underpass pumps.
- Members noted that the report mentioned the need to minimise flooding to roads and asked what had been done to prevent this. Officers advised that persistent problems were being caused by various issues which included where the water goes, the amount of water there was and if there was a fault in the system. Work was needed to create more storage or drain the water away, stop the water or invest in the storage.

- Members referred to page 83 and the categorisation of risk to areas in the city and sought clarification on how the level of risk had been identified for each area. Members were advised that there had been an assessment of climate change impacts on each ward. Officers also acknowledged that the data used for this information had changed and would need to be revisited.
- Clarification was sought on how officers would ensure that parish councils were kept informed about flood and water management in their areas. Officers acknowledged that through producing the report they had identified that there was a need to increase inclusion with the rural community. It was highlighted that the OXCAM Property Flood Resilience Programme was aimed at increasing engagement with communities.
- Members referred to the effect new housing developments had on aging conduits and asked what work had been done to remove pressure on the infrastructure and aging conduits. Members were advised that the Flood and Water Management Act was under a national review which could remove the right to connect. It was noted that the Supplementary Planning Document noted that areas with known flood issues were recorded and any planning applications would have to review evidence related to those issues before approval.
- Members acknowledged the Sustainable drainage systems (SuDS) and their use on new developments but asked whether there were any plans to introduce SuDS to existing sites. The Officer advised that there were bodies called catchment partnerships which aimed to have natural flood risk management schemes within the area. It was also noted that an action had been included within the Flood Risk Management Strategy to reduce the storm water that ended up in Flag Fen through a partnership with Anglian Water.
- Members praised Officers on the success of Werrington Brook improvements and asked if there were plans to monitor them to ensure their effectiveness was maintained. The Officers noted that any improvements made across the city would be monitored.
- Members were concerned that the risk matrix identified that there would be no threat to the city by sea when the local area was significantly below sea level and sought clarification on at what point the risk from the sea would be included in the strategy. Officers advised that the risk from sea was managed in three stages, coastal defence, main rivers and internal drainage board systems (IDBS). It was noted there were options on the table and that long-term plans would lie within the Future Fens work to make sure local priorities were included.
- Members asked about work with other local areas and if an emergency water repository network had been set up. Members were advised of numerous projects where organisations were working together to create a holistic approach and an integrated water management system.
- Members asked if there was a way of identifying where old springs were so that infrastructure could be reviewed and updated if necessary. Members were advised that ground water concerns were included in the strategy and that old springs in the West of the City were well known and any action would be covered by the planned maintenance programme.
- Members referred to the increased rainfall and the subsequent risk of reservoir flooding and sought clarification on the risk status of the reservoirs and if any prevention measures had been put in place. The Officer advised that all reservoirs had a statutory requirement to have a 1 in 10,000-year level of protection. It was highlighted that Rutland and Grafham water have higher protection levels.
- Members referred to the Green Grid Strategy and sought clarification on what areas had been identified as protected green infrastructure and how that had been determined. Members were advised that the Officer did not have this information to hand and would inform the Committee at a later date.

- Members sought clarification on the timescales of the proposed actions included within the appendix. Members were advised that some targets were in place and that further timescales would be included in the strategy going forward.

AGREED ACTIONS

The Climate Change and Environment Scrutiny Committee considered the report and **RESOLVED** to:

1. Review Peterborough's updated Draft Local Flood Risk Management Strategy
2. Endorse the strategy and recommend to Cabinet that a public consultation is undertaken on the Draft Local Flood Risk Management Strategy ahead of consideration by Council later this year.

The Committee also requested the following:

- That the Highways and Development Control Drainage Manager provide the committee with a review on the effectiveness of underpass pumps and if there is any work needed to improve their functionality.
- That the Principal Officer – Flood and Water provide the committee with a list of the green spaces that have been identified for protection under the Green Grid Strategy, and; include within the Peterborough Local Flood Risk Management Strategy, under Proposed Actions, the timescales for each of the strategies and their proposed completion date.

6. LOCAL AREA ENERGY PLAN

The Climate Change and Environment Scrutiny Committee received a report in relation to the Council's Local Area Energy Plan.

The purpose of the report was to present the findings of the Local Area Energy Plan and seek support of the Committee to use this information to guide the development of the city-wide climate change action plan.

The Principal Climate Officer introduced the report and highlighted that the plan evaluated energy and heating demands so improvements could be identified. The Energy Systems Catapult had developed the local energy planning approach and they had undertaken the research used to build a solid evidence base for this report. This would be used to build the Local Area Energy Plan (LAEP) and to prioritise feasible projects and investment business cases.

The Climate Change and Environment Scrutiny Committee debated the report and in summary, key points raised and responses to questions included:

- Members sought clarification on whether the capital investment of 8.8 billion referred to the Council's budget or a wider area. The Principal Climate Change Officer advised that the figure was for Peterborough as a whole and not just the City Council. It was noted that this amount would come from multiple sources of income and investments.
- Members referred to the quoted 800 million domestics retrofits needed to reach net zero at a cost of £12,500 per dwelling and asked how that number had been determined. Members were informed that some properties would need expensive heat pumps and that those with better energy efficiency levels would not. A various list of measures had been produced to reflect the various needs of the dwellings, and the numbers were produced as an average.

- Members referred to the low emissions zones highlighted on page 144 and sought clarification on what areas the zones would cover and what the zone would mean. The Principal Climate Change Officer advised that the zone had not been put forward but was a suggestion from the Energy Systems Catapult that would help reach electric vehicle targets. Members were advised that if this suggestion was taken forward, it could be implemented in various ways to meet the right priorities.
- Members queried if the engagement campaigns with rural homeowners around energy efficiency mentioned on page 147 had been started. Members were advised that the campaigns had not started but that information had been shared on the website and that Officers were working on a Parish Council Climate Change Action Plan as a tool for Parish Councils to develop their own guide for rural residents.
- Members asked whether a payback timescale had been considered regarding the £166 million capital investment quoted for domestic rooftop solar. The Officer clarified that the sum was for the whole of Peterborough and that individual project costs would differ. It was noted that the LAEP had various stages and the next step would be to undertake a desktop feasibility assessment where the individual payback costs would be identified.
- Members sought clarification on how the risks identified on page 147 were going to be managed. The Officer advised that as the LAEP progress developed, the risks associated with each project would be identified.
- Members noted that Officer's had quoted an estimated 50,000 unique charging points against the target of 80,000 plug in vehicles and asked for clarification on how that number was determined. Members were advised that the figure was determined by the assumption that if individuals were able to charge the car at home, they would opt for that option as it would be a cheaper alternative.
- The Committee requested that the Principal Climate Change Officer clarify if the costs relating to domestic charging points included the costs for the District Network Operators to upgrade supplies and if that had been included within the estimated capital investment costs of £300 - £400 million.
- The Youth Council Representative acknowledged the information on retrofitting and how there were a high proportion of flats mentioned where retrofitting measures were unlikely to make an impact and sought clarification on whether there were any measures in place to ensure retrofitting would be accessible to those who need it. Members were advised that retrofitting was more difficult to complete in flats as you cannot put in external wall insulation. However, it was noted that the fuel poverty element has been acknowledged and Members were advised of funding that Peterborough had received through a Local Authority Delivered (LAD) Green Homes Grant which would be targeted at supporting low-income residents to improve their energy efficiency.
- The Youth Council Representative asked whether the retrofitting of solar panels had been considered and to what extent they would help the transition to a greener Peterborough. Members were advised that domestic rooftop solar had been looked at and were referred to page 146 where the significant potential of an estimated 157 megawatts solar capacity could be reached but would need to be explored further.
- Members asked what other sustainability work was being done on buses. Members were advised that the LAEP only covered 70% of Peterborough's emissions and that work on electrical bus infrastructure was outside of the scope of the report. The Officer advised that discussions were ongoing with the Combined Authority around the issue of bus franchising.
- Members followed up and noted the lack of public service improvements within the report and asked what work was being undertaken to improve this. Officers advised

that the Local Transport Plan was out for consultation and that Officers would welcome Member views.

- Members referred to electric charging points and sought clarification on how many charging points there were and whether the Council would meet the target of 50,000 charging points by 2030. Members were advised that meeting the target would depend on a variety of factors which included domestic uptake.
- Members asked whether solar panels would be offered to all residents through the LAD scheme. Members were advised that the LAD scheme would only be available to those with an annual income of less than £30,000. It was also noted that solar panels were available on the open market and that they offered a wide range of financial payback plans. The Principal Officer confirmed that the Council were looking at the Solar Together Scheme which had been run across Cambridgeshire successfully.
- Members asked what the modelling of determining the number of electric vehicle owners had been based on. Members were advised that it was based on expected growth across the city and the Combined Authority's ambitions to reduce car mileage by 15%.
- Members referred to the information around the use of hydrogen and asked whether hydrogen and micronuclear energy options were being considered. Officers advised that micronuclear had not been considered and that the assumption on hydrogen was that it would not be available until 2035 and only for large scale industrial use.
- Members asked if night-time solar panels were considered, and the Officer acknowledged the importance of being aware of emerging technologies.
- Members sought clarification on the Peterborough Integrated Renewables Infrastructure (PIRI) Network and whether homes should install heat pumps or wait for the network to become available. The Officer confirmed that the network would be technology agnostic and adaptable to other heat sources. Members were advised that the network would utilise existing energy from the waste plant. It was also noted that there would be no reason to delay if a homeowner wanted and was able to install a heat pump.
- Members sought clarification on the plan to upgrade the energy network and whether conversations had taken place to begin the work. Members were advised that UK Power Network (UKPN) and Western Power Network supply the City's energy, and both had been involved in workshops to develop the LAEP. It was noted that the report recommended to continue that relationship through a stakeholder group.

AGREED ACTIONS

The Climate Change and Environment Scrutiny Committee considered the report and **RESOLVED** to:

1. Note the findings of the Local Area Energy Plan.
2. Support the approach to incorporate findings and recommendations of the Local Area Energy Plan into the development of the City-Wide Climate Change Action Plan.
3. Support the approach to establish a Peterborough wide decarbonisation stakeholder group, hosted by Peterborough City Council, to continue to lead the delivery of the LAEP and progress towards the development of viable business cases to unlock investment.

The Committee also requested the following:

1. The Climate Change and Environment Scrutiny Committee requested that the Principal Climate Change Officer clarify if the costs relating to domestic charging

points include the costs for the District Network Operators to upgrade supplies and if that has been included within the estimated capital investment costs of £300 - £400 Million.

2. The Climate Change and Environment Scrutiny Committee requested that the Principal Climate Change Officer provide the committee with the modelling of car ownership used to produce the estimation of 80,000 plug in vehicles.

7. **CLOSURE OF CLIMATE CHANGE WORKING GROUP**

The Climate Change and Environment Scrutiny Committee received a report in relation to the Closure of the Climate Change Working Group.

The purpose of the report was to seek support to close the Climate Change Working Group, to ensure duplication of work did not occur.

The Principal Climate Change Officer introduced the report and highlighted that the recommendation to close the Climate Change Working Group was a result of the creation of the Climate change and Environment Scrutiny Committee.

The Officer commented that it had been great working with the group and highlighted that many of the ideas put forward by Members had helped shape the plans in the Council's Climate Change Action Plan.

The Climate Change and Environment Scrutiny Committee debated the report and in summary, key points raised and responses to questions included:

- There were no questions raised.

RECOMMENDATION

The Climate Change and Environment Scrutiny Committee considered the report and **RESOLVED** to **RECOMMEND** to Cabinet the closure of the existing Climate Change Working Group.

8. **CLOSURE OF CYCLING AND WALKING WORKING GROUP AND FORMATION OF CYCLING AND WALKING TASK AND FINISH GROUP**

The Climate Change and Environment Scrutiny Committee received a report in relation to the Closure of the Cycling and Walking Working Group and the Formation of a Cycling and Walking Task and Finish Group.

The purpose of the report was to present the detail for closing the existing cross-party cycling and walking group and put forward the formation of a cycling and walking task and finish group along with the proposed Terms of Reference.

The Transport and Environment Manager introduced the report and noted that the main aims of the Task and Finish Group would be to review and progress the Local Cycling and Walking Infrastructure Plan (LCWIP) and develop a rural strategy. There would also be a need to focus on Urban areas and the prioritisation of key aims within the strategy would enable to Council look for funding opportunities.

The Climate Change and Environment Scrutiny Committee debated the report and in summary, key points raised and responses to questions included:

- Members sought clarification on whether the Rural Cycling Strategy would be part of the LCWIP. Members were advised that it would be developed separately but

that Officers had not made a final decision. It was noted that the preferred plan would be to eventually include the Rural Cycling Strategy in the LCWIP.

- Members asked what the timescale was for the cycling and walking strategies. The Transport and Environment Manager advised that timescales were dependent on how frequent the task and finish group met but that the aim would be to reach a stage of completion within the 2022 calendar year.

RECOMMENDATION

The Climate Change and Environment Scrutiny Committee considered the report and **RESOLVED** to **RECOMMEND** to Cabinet the closure of the existing cross-party cycling and walking working group.

The Climate Change and Environment Scrutiny Committee also **RESOLVED** to:

1. Agree to the formation of a time-limited cross-party scrutiny task and finish group.
2. Agree the Terms of Reference for the proposed task and finish group.
3. Agree that the outcomes of the task and finish group should be presented back to the Committee at the relevant meeting.
4. Make any initial nominations from the scrutiny committee members to join the task and finish group

9. REVIEW OF 2021/22 AND WORK PROGRAMME FOR 2022/23

The Senior Democratic Services Officer presented the report which considered the relevant items presented in 2021/2022 to the Growth, Resources and Communities Scrutiny Committee and looked at the work programme for the new municipal year 2022/23 to determine the Committees priorities. Members also noted the Terms of Reference for the Committee.

- Members commented with regard to the Bretton Oak Tree decision that a review should take place into the decision-making process.
- Members were advised by the Executive Director Place and Economy that a Tree Management Policy would be drawn up and presented to the Committee to scrutinise in two stages. The draft form would be presented in September and the final document would be presented in November.

AGREED ACTIONS

The Climate Change and Environment Scrutiny Committee considered the report and **RESOLVED** to:

1. Consider relevant items which were presented to the former Growth, Environment and Resources Scrutiny Committee during 2021/2022, which now fall within the remit of this committee, and makes recommendations on the future monitoring of these items where necessary.
2. Determine its priorities and approves the draft work programme for 2022/2023 attached at Appendix 1.
3. Note the Recommendations Monitoring Report attached at Appendix 2 and considers if further monitoring of the relevant recommendations made by the former Growth, Environment and Resources Scrutiny Committee during the 2021/2022 municipal year, that now fall within the remit of this committee, is required.
4. Note the Terms of Reference for this Committee as set out in Part 3, Section 4, Overview and Scrutiny Functions attached at Appendix 3 and in particular paragraph 2.1 item 4, Climate Change and Environment Scrutiny Committee.

10. FORWARD PLAN OF EXECUTIVE DECISIONS

The Senior Democratic Services Officer introduced the report which included the latest version of the Council's Forward Plan of Executive Decisions containing decisions that the Leader of the Council, the Cabinet or individual Cabinet Members would make during the forthcoming month. Members were invited to comment on the plan and where appropriate, identify any relevant areas for inclusion in the Committee's Work Programme.

- Members sought clarification on Item 13 of the Forward Plan - Charging residents and developers for new or replacement household waste bins - KEY/9MAY2022/03 and requested to know what the agreement was. The Executive Director Place and Economy agreed to provide Committee Members with a briefing note on the Item.

AGREED ACTIONS

The Climate Change and Environment Scrutiny Committee considered the current Forward Plan of Executive Decisions and **RESOLVED** to note the report.

The Committee also requested the following:

1. That the Executive Director Place and Economy provide the committee with a briefing note on Forward Plan Item 13 Charging residents and developers for new or replacement household waste bins - KEY/9MAY2022/03

11. DATE OF NEXT MEETING

The date of the next meeting was noted as being 5 September 2022.

CHAIR

Meeting began at 7.00pm and ended at 20:37pm

CLIMATE CHANGE AND ENVIRONMENT SCRUTINY COMMITTEE	AGENDA ITEM No. 5
5 SEPTEMBER 2022	PUBLIC REPORT

Report of:	Adrian Chapman, Executive Director Place & Economy	
Cabinet Member(s) responsible:	Cllr Nigel Simons Cabinet Member for Waste, Street Scene and the Environment	
Contact Officer(s):	Jim Newton - Assistant Director Planning & Building Control (interim)	07551046980
	Darren Sharpe - Natural and Historic Environment Manager	01733453596

TREE MANAGEMENT: REVIEW OF EXISTING POLICY FOR MANAGING TREE RELATED SUBSIDENCE CLAIMS AGAINST THE COUNCIL

RECOMMENDATIONS	
FROM: Adrian Chapman - Executive Director Place & Economy	Deadline date: N/A
<p>It is recommended that Climate Change & Environment Scrutiny Committee:</p> <ol style="list-style-type: none"> 1. Note the current pressures imposed on the council by tree related subsidence and note the lessons learned from the recent Bretton Oak tree felling, and offer any further views which will subsequently be reported to Cabinet in due course 2. Endorse the draft revised policy, and recommend it to Cabinet 	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Climate Change & Environment Scrutiny Committee following a request from the Committee on 6th July 2022.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to:

1. Determine whether or not Scrutiny Committee wishes to express any recommendations to Cabinet regarding the current pressures and approach taken with dealing with tree related subsidence claims.
2. Allow the Committee to receive and comment on a draft tree subsidence risk mitigation policy and the measures outlined within it, which, if subsequently approved by Cabinet and Council, will form an addendum to the existing Trees and Woodland Strategy.

2.2 This report is for the Climate Change and Environment Scrutiny Committee to consider under its Terms of Reference Part 3, Section 4 - Overview and Scrutiny Functions, paragraph No. 2.1 Functions determined by Council

8. Trees and Woodland

2.3 The outcome of this work has the potential to directly and indirectly support all of the council's corporate priorities.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	Yes	If yes, date for Cabinet meeting	TBC
Date for relevant Council meeting	TBC	Date for submission to Government Dept. <i>(Please specify which Government Dept.)</i>	N/A

4. BACKGROUND AND KEY ISSUES

Background

4.1 This report has been written following a high profile proposed tree felling case the City Council grappled with. This was a complex case involving the felling (or not) of a mature Oak tree in Bretton, following a proven tree related subsidence property damage claim against the council. For context, the tree in question was owned by PCC, on PCC land, but causing damage to third party property (a residential property, and highly likely a second residential property). Appendix 1 focuses on many of the issues raised by that case, namely trees owned by the council, which are causing damage to other assets, whether that be third party assets (e.g., homes) or our own assets (e.g., the highway). This agenda item, including appendix 1, does not deal with trees owned by other parties; the existing Trees and Woodland Strategy (and wider planning policy and case law) responds to such issues.

4.2 For a number of reasons as explained in this report the Scrutiny Committee is asked to consider and offer its thoughts on potential changes to the existing policy. Any such recommended changes or comments will then be reported to Cabinet. Cabinet will then determine what to recommend to Full Council. The Trees and Woodland Strategy is a matter reserved for Full Council determination only.

Tree related subsidence in Peterborough

4.3 The risks posed by PCC trees have been well known for many years and is clearly identified as a risk within the current Trees and Woodland Strategy and the corporate risk register. It is, however, considered that the council are fast approaching a critical point at which the insured risk from trees needs to be more widely communicated and understood along with a review of governance processes to ensure that future cases are managed in a consistent manner and decisions taken which are understood and accepted corporately and by the community.

It is accepted that this is not an easy matter to deal with. There will be many cases where, unfortunately, the most appropriate solution is the one which has the least worst outcome.

To put the matter into context, it is a statement of fact that trees currently pose the **single most significant insurance liability to Peterborough City Council (i.e., a greater risk, for example, than that posed by our highways)**. This risk is posed through a range of circumstances, as described within the attached appendix

Proven claims totalling £1.13million have been received by the Council over the last 7 years. Over the past few years, responding to the above cases has almost entirely been on the basis of felling trees where a proven case of damage exists. Felling is the simplest, cheapest and proven way of dealing with the 'nuisance' (defined in a legal sense). Costs would have been substantially more if alternative (non-felling) options were taken (estimated to be within the range of £5-10 million), and sometimes no alternative to felling is possible (for practical or legal reasons).

Lessons learned from the Bretton Oak

4.4 Whilst it is clear that that the decision-making process on the Bretton tree was undertaken in accordance with existing policy and the constitution, there are some potential back-end process

improvements that could be made. Appendix 1 provides suggested actions for future decision making in regard to trees implicated in a similar manner.

In summary the process improvements include:

- greater transparency of evidence submitted to substantiate claims
- decisions to fell a Council owned TPO tree might have benefitted from being referred to the Planning Committee
- the age of the tree was incorrectly communicated
- the need to balance mitigation actions against the benefits delivered by trees, and communicate these clearly

Proposed Tree Related Subsidence Policy

- 4.5 Finally, the appendix provides a policy that more precisely recognises the value of the Council's tree stock in respect to claims and aligns remediation or mitigation accordingly. It provides a process that allows consideration of financial provisioning to mitigate loss other than felling for those tree assets of highest value. These cases being considered at Directorate/Corporate level and a balanced judgement being formed within a greater 'financial envelope'.

Key issues

- 4.6 There are several key issues that have informed the policy created. These include:
- The council has liability for any damage caused by their trees and are required to abate this nuisance (in a legal sense). 'Do nothing' is not an option (or, if such an option was taken, would lead to substantial legal claims and costs)
 - Often the standard of proof in subsidence cases falls to the balance of probabilities. If there is 51% chance "more likely than not" that the tree is the cause of the damage, then the claim will succeed (subject to other legal defences).
 - There is no entitlement to any particular level of evidence with a claim- either the evidence proves causation, or it does not.
 - Defences such as "the foundations were poor" or "the tree was there first" have been proven not to be acceptable defences in case law.
 - In nearly all cases the alternative options to felling are available, but with varying degrees of risk, cost and amenity loss associated with them.
 - Where mitigation is instigated, the council should also consider other foreseeable future risk beyond the implicated property.

5. CONSULTATION

- 5.1 Prior to drafting this paper, a meeting was held with the Chair of Climate Change & Environment Committee, a reserve appointee, representatives of the Woodland Trust and the Portfolio Holder which helped inform the report and appendix. However, this should not be taken to mean that the report and appendices are necessarily endorsed by such parties.

Feedback has also been sought from internal colleagues representing Natural & Historic Environment, Insurance, Highways and Aragon Direct Services.

- 5.2 The purpose of bringing the draft policy to the Committee is to seek the Committee's views on the emerging policy changes, support wider consultation on it, before drafting a final recommendation to Cabinet.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 It is anticipated that Growth, Environment and Resources Scrutiny Committee will consider and comment on the report, and set out its views for Cabinet

7. REASON FOR THE RECOMMENDATION

- 7.1 The proposed updated policy for dealing with tree related subsidence claims has considered current best practice and has been developed alongside the framework of resources available to the Council and extensive working knowledge of the tree resource within the city.

Although the existing approach taken was considered an effective form of risk mitigation it was considered that trees should be more fairly accounted for in the decision making of the council. The changes made add clarity to operational guidelines and are considered beneficial to provide a clearer understanding for all customers.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 Other alternative options include:

1. Keep policy as existing – This was dismissed as it was considered that the Council would not adequately take account of the value of trees within the decision-making process.
2. Introduce a policy that recommends alternative forms of mitigation for all tree claims. - This was dismissed as it would be financial prohibitive.
3. Breach Data Protection law and share all claim documentation within the public domain- Dismissed as not lawful.

9. IMPLICATIONS

Financial Implications

9.1 If the proposed policy is adopted there is currently scope for alternative forms of mitigation to be delivered outside of the existing tree budget, which has been shown to be historically financially prohibitive. The costs of such are somewhat unknown in scale or time however it will fall within the associated Directorate to make a balanced judgement informed by cost / benefit analysis within their much broader financial envelope.

Legal Implications

9.2 Each landowner has the right (subject to planning and any other relevant consent requirements) to do what they wish on their own land without interference from adjacent landowners. It is, thus, perfectly acceptable the Council to grow trees on its own land and for the roots to extract moisture from its own land but it is fundamentally unacceptable for a Council owned tree to extract moisture from another's land where it causes damage to their property. The Council would be liable for the damage and would have legal duty to abate the nuisance caused.

Equalities Implications

9.3 There are no known implications, positive or negative.

Rural Implications

9.4 There are no known implications, positive or negative.

Carbon Impact Assessment

Directly, there will be no impact arising, as Scrutiny Committee are not the decision maker. A full CIA will be undertaken as part of the Cabinet's consideration of recommendations arising. If Scrutiny recommend a policy that increases the number of trees retained within claims, and such a recommendation is approved by full council, then this could have a material effect on the amount of CO2 the council offsets from its operations. It should however be noted that alternative forms of mitigation such as root barriers and underpinning would in themselves have a carbon impact.

10. BACKGROUND DOCUMENTS

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

10.1 Trees and Woodland Strategy 2018

11. APPENDICES

- 11.1 Appendix 1- Managing PCC Tree Stock – Establishing an Updated and Robust Decision Taking Process for Tree Related Subsidence Claims

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Appendix 1

Managing PCC Tree Stock – Establishing an Updated and Robust Decision Taking Process for Tree Related subsidence Claims

Context

The risks posed by PCC trees have been well known for many years and is clearly identified as a risk within the current Trees and Woodland Strategy. It is, however, considered that we are fast approaching a critical point at which the insured risk from trees needs to be more widely communicated and understood along with a review of governance processes to ensure that future cases are managed in a consistent manner and decisions taken which are understood and accepted corporately and by the community.

It is accepted that this is not an easy matter to deal with. There will be many cases where, unfortunately, the most appropriate solution is the one which has the least worst outcome.

When considering the issues raised in this report, it is of critical importance to have in mind that the vast majority of PCC owned trees are only semi-mature, having been planted in the 1970-1990s during development corporation days. This means that the majority of trees are only circa half their mature size, meaning they will steadily continue to grow to maturity over the coming decades. To compound problems, the trees planted by the development corporation are widely accepted as being, in many instances, ‘the wrong tree, in the wrong location’ i.e. either too close to properties or of a species inappropriate for the location or (and quite often) both.

In addition to the development corporation related issues, there are also instances of development approved in the last 40 years that perhaps, under today’s knowledge and guidelines, would not have been permitted because of its location, design or form of construction close to PCC owned trees or woodlands.

What are the critical items/issues for focus?

Background

Trees should not, of course, be solely considered as a ‘problem’ in need of management. Trees offer considerable value to the community and should be regarded as a capital asset. A recent i-tree evaluation of our tree stock aimed to quantify and value our tree stock’s role in air pollution removal, carbon storage, carbon sequestration and reductions in surface water runoff. In addition, the amenity value of the tree stock was calculated using what is known as the Capital Asset Value for Amenity Trees (CAVAT) ‘quick method’ (NB: the ‘quick method’ is largely a desktop based exercise; a more detailed assessment can be done on a tree by tree basis, involving a site visit, but the sheer volume of trees means the ‘quick method’ is the only realistic option other than for exceptional cases). Amenity value alone provides benefits, with a total value of £5.4 billion, compared to a present value of £36.12 million over 80 years for all other benefits combined, plus total carbon storage value of £10.3 million. A full copy of the i-tree evaluation of PCC owned trees can be found within the Council’s Trees and Woodland Strategy using the following [link](#).

It is however becoming increasingly evident that trees currently pose the **single most significant insurance liability to Peterborough City Council (I.e. a greater risk, for example, than that posed by our highways)**. This risk is posed through range of circumstances, as described below.

Direct Root Damage

This results from the pressure that may be exerted by a tree's roots or trunk (Macleod and Cram 1996). This pressure can affect lightly loaded structures such as garden walls, driveways and paved surfaces but rarely affects heavily loaded structures such as houses.

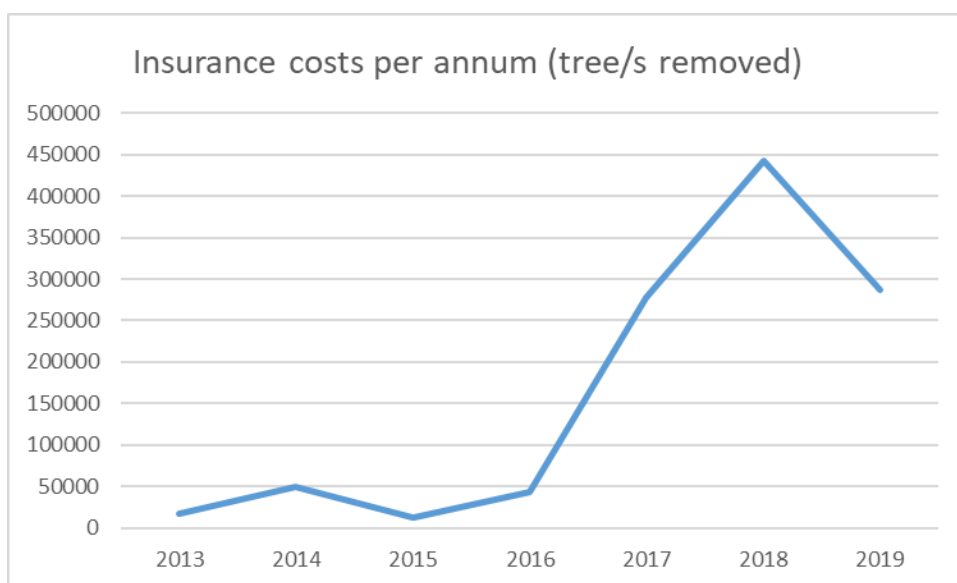
Claims are received by the council by the property owners who have suffered damage, or by members of the public that have suffered injury as a result of trip hazards created. Typically, this damage can be repaired at minimal cost (normally a few £100 per case) however these repairs are short lived and thus impose increasing financial pressures on highway budgets and insurance claims. The nature of the Council's relatively young tree stock is that these damages/claims will significantly increase with time and pose greater financial pressure on the council.

Typically, at present, the Council undertakes around 20 such relatively low cost works per annum, but, as stated, this is expected to grow exponentially in the coming years.

Tree related subsidence

This is caused when clay soils shrink when they dry. The most common cause of drying below building foundations is moisture extraction by the roots of vegetation. If the soil below the foundation shrinks as a result of drying, then the building will move downwards (subside). When the extent of movement is great the building is unable to absorb the movement and then the building will crack (damage occur). Typically, over winter when the soils are wetted again, the cracks will close a little, but over time the cracks generally get bigger and more widespread, and climate change is expected to accelerate this problem (hotter summers cause the greatest subsidence events).

The damage (and subsequent claims) is becoming a significant financial burden on the council. The number of claims will vary dependent of the rain fall (or rather lack of rain) within any given year, however there is a clear trend shown within the analysis of claims data that this issue is becoming more significant, predominantly due to the tree stock maturing annually. Proven claims totalling £1.13million have been received by the Council over the last 7 years. A summary of the last 7 years is detailed below which shows an increasing trend on the value of claims per annum. There is no doubt the trend will continue unless appropriate action is taken.



Note: It is generally accepted that the hot/dry weather conditions experienced in parts of the UK, including the southeast of England, during the summer of 2018 is considered to have been an exceptional 1 in 42 year event. Unfortunately, this year

(2022), just four years later, will likely be deemed an even more exceptional event, and some are questioning whether hot and dry years of 2018 and 2022 will actually become regarded as unexceptional and, if so, will rapidly accelerate insurance claims arising from subsidence. Note: The costs detailed do not include the mitigation pruning works.

Over the past few years, responding to the above cases has almost entirely been on the basis of felling trees where a proven case of damage exists. Felling is the simplest, cheapest and proven way of dealing with the 'nuisance' (defined in a legal sense). Costs would be substantially more if alternative (non-felling) options were taken (estimated to be within the range of 5-10 million).

However, the recent Bretton oak high profile media case involving the proposed felling to mitigate a proven subsidence case highlighted the sensitivity of such cases and pointed to the need for a greater corporate/community understanding of such cases going forward.

Typically, where alleged property damage has occurred, PCC will investigate the matter thoroughly by requesting evidence to investigate the claim objectively: measuring the cause against the 'balance of probabilities'. A Court Appeal in 1981 *Solloway v Hampshire County Council* sets out the criteria for liability to engage:

1. Encroachment of tree roots on to neighbouring land.
2. Damage to the Claimant's property as a result of encroachment.
3. That the defendant knew or ought to have known of the encroachment and the damage caused by it if it is a foreseeable risk that the encroachment will cause damage.
4. Whether there were any reasonable steps that could have been taken by the Defendant to minimise and prevent the risk.

Where possible, PCC's position is that claims are defended on the basis that damage was not foreseeable. Typically, the Claimant and PCC would then agree jointly a level of mitigation that keeps the claim value to a minimum. That is usually felling, or sometimes pruning.

The problem arises, however, when the level of mitigation (felling/pruning) results in a conflict with maintaining the visual amenity of the area e.g large scale mature tree loss has a high visual amenity loss (as well as wider loss, such as biodiversity, carbon, flood risk, air quality, though typically these, rightly or wrongly, tend to be secondary matters in the public/political eye, compared with the visual loss).

Often a compromise is reached, however this exposes the council to greater future liability as it is now a "foreseeable risk". This also goes for the many areas throughout the city where we have now gathered historic data that clearly defines the "foreseeability". The *Berent v Family Mosaic* and *Islington 2012* case highlighted that it is unreasonable to take action to fell all trees in an area due to a speculative risk of subsidence. It does however reinforce the requirement to create a reasonable course of preventative action before an incident occurs in locations that a 'real' risk of subsidence will occur.

It is the case that pressure on the available budget for management of the Council's tree stock, which has recently been reduced substantially, may hamper the council's ability to demonstrate it has taken reasonable steps to minimise or prevent risk. In recent years this work has been restricted to £10K per annum (undertaken from the insurance teams risk mitigation funds). Such small sums are being used to manage a risk of (theoretically) virtually unlimited liability, which is known to be at least in the order of millions of pounds.

Should we invest more in our tree stock?

Peterborough has a tree stock that is still relatively young and thus allows us the opportunity to address some of the issues prior to our trees reaching their full environmental & community benefits, where local controversy would be more likely, if trees are lost. Clear policies were introduced within the 2018 Trees and Woodland Strategy, in order to allow the delivery of this and opportunity to manage our tree stock, however budget pressure has meant that significant work, beyond basic H&S works have not been undertaken. Putting aside risks of claims, the maintenance costs are low compared to the £1,263,926 annual benefit these trees offer to the city. This demonstrates a cost-benefit ratio of 1:1.9 and can be credited with offsetting of 79.3% of the Council's own carbon emissions

Extra investment, or re-instatement of previously cut budgets could enable works to be undertaken to reduce the Council's insurance claims liability in respect to both direct damage and subsidence. It will allow PCC to create a reasonable course of preventative action before an incident occurs in locations that a 'real' risk of subsidence is likely. In short, it is 'invest to save'.

Provisioning of funds could also be used to protect more trees implicated in subsidence cases by seeking alternative mitigation methods that would allow for the retention of higher value trees. This would allow for an approach where the council make a financial balancing act between:

CAVAT Value –v- Cost of mitigation actions and reasonable repair work to the property

Lessons Learned and Actions from the Bretton Oak

Whilst it is clear that the correct decision making process was followed in the case of the Bretton tree, in accordance with existing policy and the constitution, there are some refinements that could be made. This part of the discussion paper is to consider these potential refinements and provide actions for future decision making in regard to trees at risk of being felled due to claims or damage.

Refinement 1

There was (and remains) some distrust among those who did not want the tree to be felled, of the evidence that informed the decision. Specifically, because the evidence included personal information, concerning individual people's human rights, that evidence was withheld when requested. While initially, the response was to challenge the evidence through the provision of alternative evidence to refute the need to fell the tree, over time there was a change to a suspicion that (for reasons that were never articulated) evidence was withheld because it was not conclusive.

Explanation

The case was unique in the sense that it was an application submitted to carry out work under a Tree Preservation Order and thus by default the supporting evidence goes into the public domain to support the application. Most typical claims against the Council are however in respect to non protected trees and thus the claimant's duty to place evidence within a public domain are negated.

It is not the case that the reports are deliberately kept secret - as soon as a claim is lodged, all documents which are provided by the claimant or their representatives relating to the claim are subject to the Data Protection Act 2018, which states data may only be used for specified, explicit and legitimate purposes. In the case of insurance claims, this means dealing with the claim itself and for no other purpose. Data breaches are dealt with by the Information Commissioners Office and could result in large fines being levied upon the Council by the ICO. During the recent Bretton Oak case an appeal to the ICO was made by protestors for the Council withholding information. The case

concluded the Council were entitled to withhold the requested information under regulation 12(5) (B) of the Environmental Information Regulation 2004 (EIR)

Action

The Council will request the consent of the claimant's insurers to publish in the public domain any evidence to support tree related claims against the Council. If withheld we must honour this decision in order to not breach the Data Protection Act.

Where consent to publish evidence is granted the Council's evaluation of this data will also be presented as part of the existing consultation protocol and viewable on the Council's website.

Refinement 2

There was disappointment that the decision to fell a Council owned TPO tree was not referred to the Planning Committee

Explanation

The current Council constitution does not require applications to fell Council owned trees, subject to a TPO, be referred to the Planning Committee, where required to mitigate subsidence damage.

Action

Refer any applications for Council owned TPO trees, proposed for felling to mitigate subsidence damage to Planning Committee; make changes to the constitution to reflect this proposal (but in the meantime these applications can be voluntarily referred to the committee by officers).

Refinement 3

The age of the tree was incorrectly communicated throughout the recent scrutiny and media coverage of the Bretton Oak Case.

Explanation

The Oak tree has widely been communicated as being up to 600 years of age. The tree in question was however not assessed to be Ancient. It was however of a large size and thus may be referred to as 'notable'. With a girth (circumference) of 5.2 metres it has an estimated age of approximately 300 years.

<http://www.wbrc.org.uk/atp/Estimating%20Age%20of%20Oaks%20-%20Woodland%20Trust.pdf>

Irrespective of the age classification the City Council considered the tree is a significant landscape feature and every effort has been made to retain it. The use of CAVAT valuations were used internally however it is equally considered that these should be communicated more publicly from the onset.

Action

Endeavour to communicate more clearly the age of trees within felling proposal at the onset, along with the CAVAT value of the tree/s.

Refinement 4

Whilst the arboricultural industry and public accept that certain actions should be taken to mitigate risk of tree related damage, there is also a very clear requirement that the local authority must balance these actions against the benefits delivered by trees.

Explanation

Although the cost/benefit analysis, informed by a risk assessment were completed for the Bretton Oak tree internally within the Council and all tiers of management made fully aware from the onset, this process could potentially be communicated more clearly within fixed parameters. Currently the options of remediation and mitigation are confined solely to the existing trees and woodland budget. Actions which did not mitigate loss in the most cost-efficient manner would have to be covered within the Tree Budget 'Financial Envelope' which is disproportionately limiting.

Action

Develop a policy that more precisely recognises the value of the Council's tree stock in respect to claims and align remediation or mitigation accordingly. Provide a process that allows consideration of financial provisioning to mitigate loss other than felling for those tree assets of highest value. These cases being considered at Directorate/Corporate level and a balanced judgement being formed within a greater 'financial envelope'.

Proposed Policy

It is recommended by officers that a new approach to dealing with mitigation works for Council owned trees implicated in direct or indirect damage and broader subsidence risk as follows:

It is essential that we first assign a tree(s) a value banding of either high, medium and low.

Specimen Trees

Currently all of the Council's tree specimen tree stock are valued using CAVAT (quick method) which allows them to be split into the three groups with the following values

- **Low - less than £5161**
- **Medium - from £5161 to £14839**
- **High - greater than £14839**

For example: there are 100 trees in the city. The trees are all valued using CAVAT and sorted by value into one list with the cheapest at the top. I look at the 33rd tree in the list to establish the range of the low value group. I look at the 66th tree in the list to establish the top of the range of the medium value etc.

The unit value will be updated periodically and the bandings recalculated.

Woodlands

CAVAT cannot be used on woodlands and thus it is deemed appropriate that implicated trees are considered slightly differently. The following categories are thus proposed:

- **Low - Loss of less than 5 cubic metres of timber. Typically, this would be 1-5 trees, depending on their maturity, before such a volume trigger was reached.**

- **Medium – Proposals resulting in more than 5 cubic metres of timber being felled, but such felling in accordance with sound arboricultural /woodland management.**
- **High - As medium yet deemed not to be sound arboricultural/ woodland management**

Applying the above to cases:

Typically, mitigation works for tree related direct or indirect damage falls into two key areas.

1. Trees which have directly implicated in the damage and beyond reasonable doubt are the causation.

2. Trees on the balance of probabilities is likely to have caused damage now or in the future

The two categories (specimen / woodlands) will be treated the same as follows:

- **Low value trees - All trees identified for felling or to be pruned will be felled, after applying the standard tree works consultation protocol ([Link](#)). defined within the Trees and Woodland Strategy.**
- **Medium value trees - All trees identified for felling will be felled following standard tree works consultation protocols. Where pruning is supported by the claimant as an alternative to felling the Council will instigate those recommendation subject to the works being in accordance with sound arboricultural/ woodland management. Where such pruning works are deemed unsound management (e.g reducing individual trees in woodlands) the trees will be felled. Where cyclical pruning regimes are instigated this work will be costed and an annual capacity bid will be presented to finance.**
- **High value trees – Following the standard consultation protocol the relevant Head of Service will be issued with a recommendation, based on the evidence and consultation feedback, for approval. Where trees fall within the top 5% of CAVAT values (greater than £51989) the claimant insurers will be asked if alternative mitigation approaches would be accepted. Where alternative mitigation are offered this will be costed and presented within the recommendation for consideration. If alternative forms of mitigation are supported by all parties a bid for resources will made to the Executive Director: Place and Economy. If funds are not available or able to be made available, the trees will need to be felled.**

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CLIMATE CHANGE AND ENVIRONMENT SCRUTINY COMMITTEE	AGENDA ITEM No. 6
5 SEPTEMBER 2022	PUBLIC REPORT

Report of:	Cllr Marco Cereste, Cabinet Member for Climate Change, Planning, Housing and Transport	
Cabinet Member(s) responsible:	Cllr Marco Cereste, Cabinet Member for Climate Change, Planning, Housing and Transport	
Contact Officer(s):	Adrian Chapman, Executive Director for Place & Economy	Tel. 07920 160441

PORTFOLIO HOLDER PROGRESS REPORT FOR CABINET MEMBER FOR CLIMATE CHANGE, PLANNING, HOUSING AND TRANSPORT

RECOMMENDATIONS	
FROM: Cllr Marco Cereste, Cabinet Member for Climate Change, Planning, Housing and Transport	Deadline date: NA
<p>It is recommended that Climate Change & Environment Committee:</p> <p>1. Consider and scrutinise this report and endorse the approach being taken under the portfolio of the Cabinet Member for Climate Change, Planning, Housing and Transport, Cllr Marco Cereste</p>	

1. ORIGIN OF REPORT

1.1 The report is presented at the request of the Committee.

2. PURPOSE AND REASON FOR REPORT

2.1 This report is being presented to the Committee to allow them to scrutinise the work being undertaken under the portfolio of the Cabinet Member for Climate Change, Planning, Housing and Transport that falls within the remit of this Committee.

2.2 This report is for Climate Change and Environment Scrutiny Committee to consider under its Terms of Reference No. Part 3, Section 4 - Overview and Scrutiny Functions, paragraph No. 2.1 Functions determined by the Council:

1. Environmental Capital;
2. Flood Risk Management;
4. Climate Change;
5. Reducing Carbon Emissions and achieving Net Zero Carbon Emissions;
6. Biodiversity;
8. Trees and Woodland;
9. Active Travel

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	NA
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4. BACKGROUND AND KEY ISSUES

4.1 **Active Travel**

4.1.1 Bikeability

Bikeability is the national cycle proficiency training programme for school pupils, and it is funded entirely by the Department for Transport (DfT) in the form of a grant. Outspoken have been providing Bikeability cycle training on behalf of the Council since 2013. The grant awarded to the Council to deliver Bikeability in 2022/23 is £84,391. Between April and July 2022, 173 Year 5 pupils across 17 primary schools have taken part in the training.

4.1.2 Local Cycling and Walking Infrastructure Plan (LCWIP)

The Council's LCWIP is currently in development. Routes have been identified and audits of the routes to identify issues as well as potential solutions that meet the requirements of both the Government's Gear Change Policy and LTN1/20 (cycle infrastructure design), have been undertaken. The formation of a cross-party Task and Finish Group was agreed at the 6th of July 2022 Climate Change and Environment Scrutiny Committee. The Task and Finish Group will support the development of the LCWIP and associated rural cycling strategy. Nominations have now been finalised and it is anticipated that the first meeting will take place in September.

4.1.3 Department for Transport (DfT) Capability Fund.

In November 2021, the council was awarded, via the Cambridgeshire and Peterborough Combined Authority (CPCA), £299,329 from the DfT's Capability Fund for 2021/22. The council has 12 months to deliver a programme of work from the date of award and activities being funded include workplace travel planning in Hampton, School Streets, Bike It, and further development of the LCWIP.

4.1.4 Active Travel Funding.

The Council was successful in securing £635k from tranche 3 of DfT's Active Travel Fund. This funding, along with the funding secured earlier in tranche 2, will be used to deliver phase 1 of the Thorpe Wood cycleway project. A kerb segregated cycleway will be constructed connecting Longthorpe to Ferry Meadows, the business park and into Bretton.

The next round of active travel funding that the council will be able to apply for is imminent. The first bidding round will be for one year of revenue funding from Active Travel England's Capability and Ambition Fund. This will be followed by a multi-year bid for both capital and revenue funding to deliver both active travel infrastructure and behavioural change measures. Guidance and documentation on these funding bids is expected in early September.

4.1.5 School Streets.

The council has delivered eleven School Streets initiatives that encourage schools to close the street outside of the school gates during drop off and pick up times. The project has realised a significant reduction in congestion close to the school sites and increased numbers of parents, pupils and staff travelling in sustainable and active modes. Further School Streets schemes are planned in the future to ensure that active travel is the first choice for all school journeys in Peterborough.

4.2 **Strategic Policies linked to Open Space Planning (including trees and biodiversity)**

4.2.1 Tree Planting

In November 2021, and in recognition of the climate and biodiversity emergency we face, the Council amended its existing Trees and Woodland Strategy which radically stepped up its ambitions and established a revised target of a 25% tree canopy coverage, with such coverage achieved by 2035 (known as the '25% by 2035' target). To achieve this target will require a ten-to twenty-fold increase in tree planting over the next 10-15 years on council land, and require around 100-150,000 trees to be planted, from small woodland 'whip' style planting to larger specimen street trees. Meeting such a target will be dependent on securing grants and other funding. Within the last planting season, a total of 4470 trees were planted on Council owned land financially assisted by DEFRA Treescape funding.

Funding bids have currently been submitted to DEFRA for Treescape2 and Woodland Creation Accelerator funding and the Council await the outcome of these bids.

4.2.2 Tree management

Following consideration at Full Council PCC (Peterborough City Council) adopted an updated and revised Tree Risk Management Plan. As with all risk management, it is important to regularly review such management processes and update any measures to meet legislative changes, case law or general current best practice guidance.

In addition to the policy document the opportunity was taken to also introduce new operational guidelines into the Trees and Woodland Strategy in respect of daylight loss and vegetation encroachment.

4.2.3 Biodiversity Net gain (BNG)

BNG is a new national initiative linked to the planning system. The basic idea is that biodiversity will be in a measurably better state after new development has happened than before the development has taken place. The Environment Act 2021 makes provision to make the achievement of 10% biodiversity gain mandatory for developments under the Town & Country planning Act 1990. The requirement is due to come into force in late 2023 and thus the Council are developing a guide to help developers and decision makers on what is expected by the Council when considering BNG proposals, prior to the predicted mandatory adoption of BNG (draft attached in Appendix1)

4.3 **Flood Risk Management**

4.3.1 Local Flood Risk Management Strategy

Following approval from both Scrutiny and Cabinet the council will be undertaking a six-week consultation on the new Peterborough Flood Risk Management Strategy, which has an indicative start date of the 15 August. This document is a revision of the previous Peterborough Flood Risk Management Strategy (2015-20) which was developed by Peterborough City Council as Lead Local Flood Authority in consultation with its partner organisations. The strategy outlines how flood risk will be managed across Peterborough up to 2027.

4.3.2 Flooding events

In July 2021 Peterborough experienced unprecedented levels of rainfall. The Council has a duty under section 19 of the Flood and Water Act 2010 to investigate internal flooding to any one dwelling, internal flooding to more than one business premises, flooding to any critical infrastructure or services or flooding that causes significant disruption to a transport link for a defined period. On completion of these investigations the Lead Local Flood Authority (LLFA) will identify and explain the likely cause(s) of flooding, identify which authorities have relevant flood risk management powers and responsibilities, and provide recommendations for each of those authorities. The LLFA cannot resolve the flooding issues or provide designed solutions; or force authorities to undertake any of the recommended actions. These investigations are still underway and are due to be published before the end of the year.

4.4 **Peterborough City Council's approach to Climate Change**

4.4.1 The climate change programme is focused upon delivery of the council's ambitions to:

1. Become a net zero carbon organisation by 2030; and
2. Support Peterborough to become a net zero carbon city.

Full Council has also requested that a proposal to create a climate change adaptation plan be developed.

4.4.2 Net zero organisation

In June 2022, Council voted to adopt the council's carbon management action plan. This is the third annual iteration of the report. It detailed the organisation's carbon emissions from the financial year 2020/21, reported on the progress made against the 2021 carbon reduction commitments and introduced 25 commitments to be delivered in the upcoming year.

The council's carbon footprint has been calculated for the year 1 April 2020 to 31 March 2021. The total emissions equal 14,789 tonnes CO₂e. Greenhouse gas emissions are reported in three scopes. Scope 1 emissions are those which are released on site. These include emissions from the fuel used in gas boilers and combustion engine vehicles. Scope 2 emissions are those which are released by purchased energy where the emissions are released offsite. These include emissions from electricity from the national grid. Scope 3 emissions are those which are released by indirect activities. These can include emissions produced by the goods and services we purchase, by staff travel, by the processing of waste produced, by the energy dissipated through the transmission and distribution of the energy supply system or by several other activities.

The council has reliably reported upon its scope 1 and 2 emissions, however reporting of scope 3 emissions presents more challenges as these emissions are difficult to measure as they are not controlled by the organisation. There is a data collection challenge in reporting upon the emissions produced by the goods and services we purchase. There is an acknowledgement that not all the council's scope 3 emissions are included in the carbon footprint presented. In this year's report, the carbon footprint calculations have included emissions from materials and sub-contractors within the Peterborough Highways Services contract which is operated by Milestone; this data was not included in previous versions of the report. In 2020/21 this equated to 6,093 tonnes CO₂e. If this data were not included in the 2020/21 carbon footprint, the resultant data would show a reduction of 917 tonnes CO₂e since 2019/20, representing a 9.5% decrease. This is mostly owing to a 27% reduction in scope 2 emissions, i.e., council purchased electricity, which is partially explained by the 9% decarbonisation of national grid from the year 2019 to 2020. If the Peterborough Highways Services materials and sub-contractor data were not included in the 2020/21 carbon footprint, the resultant data would show a reduction of 2,911 tonnes CO₂e since the baseline year 2018/19, representing a 25% decrease.

In April 2020, the council began to purchase electricity generated by renewable sources via a green electricity tariff. After considering the market-based emissions from electricity, the net carbon footprint of the council is reduced from 14,789 tonnes CO₂e to 12,076 tonnes CO₂e.

Since the action plan was adopted in June 2022, work has begun to deliver on the 25 commitments presented. Carbon literacy training has been delivered to senior colleagues within the Place and Economy Directorate. A trial of using a biodiesel, HVO (Hydrotreated Vegetable Oil), in waste collection vehicles has begun. Findings will be reported and will inform next steps. The programme will continue to deliver against the 25 commitments for the remainder of the year.

4.4.3 Net zero city

A Local Area Energy Plan (LAEP) has been developed for Peterborough. Findings of the research were reported to the Climate Change and Environment Scrutiny Committee and Scrutiny resolved to support the approach of utilising the LAEP to inform the development of the emerging city-wide climate change action plan. A separate report details the approach to engaging with members of the public to help develop the action plan.

A new member of staff joined the climate change team in July 2022. They will lead the design and delivery of a schools' engagement programme which will aim to educate and empower pupils to lead decarbonisation projects within their school environment, the details of which will be shared with schools in September.

In March 2022, a heat decarbonisation plan for 22 maintained schools was completed. This details the actions which could be undertaken to decarbonise each building, detailing costs of capital works and the cost implications on energy prices.

In 2021, Council voted to adopt the Peterborough Climate Commitment. This was developed by a group of local businesses and organisations (the Peterborough Climate Change Partnership) to encourage Peterborough's organisations to improve their impact upon the environment. The commitment requires organisations to understand, measure and improve upon their impact in

areas of carbon emissions, the natural environment and consumption of materials. Peterborough City Council continues to be a member of the Peterborough Climate Change Partnership.

A funding bid has been submitted via the Shared Prosperity Fund to facilitate the delivery of a community carbon literacy training programme. This would focus on delivering training to local businesses, organisations, community groups and schools. The council is likely to find out if the funding bid has been successful in October.

The government has committed to establishing heat network zones by 2025 where low cost, low carbon heat can be provided to consumers, potentially via mandating consumers who meet certain criteria to connect to a heat network. Peterborough was selected as one of 28 local authority areas in which to pilot an approach to developing a heat network zone. The pilot programme aims to develop and test approaches to developing heat network zones, understand how to select zones and define the principles of a heat network zone. In addition, the pilot programme will look at what data is required to develop zone boundaries, how zone boundaries may change over time, what criteria may be applied to include or exclude buildings from mandating powers and the impact of zones on meeting low carbon standards. Findings from the pilot programme in Peterborough will help inform the government's approach to zoning.

4.4.4 Climate change adaptation

In 2021 Council voted for a proposal to be created to develop a climate change adaptation plan. The plan would include actions to ensure city resilience to heatwaves, flooding, droughts, and extreme weather events. A funding bid has been submitted via the Shared Prosperity Fund. Should this be successful, the council intends to appoint an external consultant to deliver the adaptation plan. Local stakeholder organisations would be contacted to share their insight into climate risks and actions to strengthen the action plan. The council is likely to find out if the funding bid has been successful in October.

4.5 **Peterborough City Council's Environment Strategy**

4.5.1 The Council's approach to its Environment Strategy is to work with members and officers across the organisation, and with partner organisations, to embed environmental sustainability into policies, decision making processes and actions. The Council is due to produce and/or update the following policies during 2022/23:

- Citywide Carbon Management Action Plan – see separate item
- Council Carbon Management Action Plan
- Air Quality Annual Status Report
- Tree Management Strategy
- Local Cycling and Walking Infrastructure Plan

All these policies and/or associated updates will be subject to the Council's relevant scrutiny and governance processes. A list of the council's environmental policies can be found here: (insert new web link).

5. **CONSULTATION**

5.1 Consultation relevant to each aspect of the portfolio has been carried out as part of 'business as usual' operations.

6. **ANTICIPATED OUTCOMES OR IMPACT**

6.1 Following debate and discussion at committee, it is anticipated that Members will be fully informed as to the progress and priorities of the portfolio holder, and the portfolio holder will be able to consider suggestions that come forward during that debate.

7. **REASON FOR THE RECOMMENDATION**

7.1 Scrutiny committees in Peterborough receive an annual report from all portfolio holders, as part of their responsibility to scrutinise key areas of work and hold the Executive to account.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 NA

9. IMPLICATIONS

Financial Implications

9.1 None

Legal Implications

9.2 None

Equalities Implications

9.3 None

Rural Implications

9.4 None

Carbon Impact Assessment

9.5 The report contains no proposals for changes to service delivery and therefore there is no decision to take which may impact carbon emissions of the council or the city.

10. BACKGROUND DOCUMENTS

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

10.1 None

11. APPENDICES

11.1 Appendix1 – Draft – Interim Offsite BNG Protocol

Appendix 1

Draft- Interim offsite BNG protocol

August 2022

Introduction

This Guidance Note provides interim local guidance in relation to biodiversity net gain (BNG) when considering offsite BNG proposals, this note is not formal planning policy. It does not establish new planning policy, nor does it supersede any existing formally made planning policy. Instead, as explained in the note, it is a guidance note as to how Peterborough City Council intends to implement existing policy (national and local), and how Peterborough City Council intends to prepare for upcoming mandatory BNG.

What is Biodiversity Net Gain (BNG)?

BNG is a new national initiative linked to the planning system. The basic idea is that biodiversity will be in a measurably better state after new development has happened than before the development has taken place. So, if a developer wants to build some new homes on a parcel of land, the developer will have to calculate what level of biodiversity exists before development takes place, and then demonstrate how habitats will be created to increase biodiversity after the development has finished. This does not necessarily mean the same type of biodiversity or habitats are created as currently exists, or created in exactly the same place. It's about an overall increase in habitats and biodiversity, once a proposal has been adjusted for what will be lost and what will be gained. Hence the term 'net gain'.

For more details on the principles of BNG, at a national level, then a useful simple guide prepared by Natural England in April 2022 can be found here: [Biodiversity Net Gain Brochure1](#)

BNG has been identified as one of the primary mechanisms for the restoration of biodiversity across the UK. Locally, the need is recognised within Cambridgeshire's Doubling Nature vision. To achieve the vision, a strategic approach to habitat creation and enhancement will be required in line with the Lawton principles of 'more, bigger, better, and more joined up'. This will require focus on improving the condition of existing designated biodiversity sites (albeit this must demonstrate additionality), increasing their size, and improving connections between them by creating steppingstones and corridors of biodiversity rich habitats. The requirement to deliver BNG is already in place, albeit we are currently in a transition phase from BNG being a national policy expectation to BNG becoming a national mandatory requirement. In Peterborough, we have also adopted planning policy which expects BNG to be delivered, in advance of mandatory requirements.

Purpose of this Guide

This guide is help developers and decision makers on what is expected by the Council when considering BNG proposals, prior to the predicted mandatory adoption of the BNG in Autumn 2023.

BNG from a Peterborough Perspective

Introduction

In the interim period before BNG becomes mandatory, the Council's approach is to implement existing national and local policy in a way which matches best practice. Such best practice is very similar to how mandatory BNG will operate, so it's a good opportunity to help both developers and decision makers to get familiar with what BNG is and how it should be applied.

Biodiversity Net Gain Location

This is a crucial aspect of how BNG is to work. Put simply, national and local policy, as well as emerging national practice for mandatory BNG, all point to the same thing: if at all possible, BNG should be delivered 'on-site'.

By 'on-site', that means within the same boundary as the planning application (known as the 'red line boundary', which is a line which must be shown on any planning application and identifies the total area to which the planning permission will apply.

The line normally includes a much larger area than just where a new building will go, and will include land such as open space). This principle is discussed in further detail in the "Delivering BNG" section.

Quantity of Biodiversity Net Gain

Once the Environment Act (November 2021) is enacted the mandatory minimum of 10% BNG will apply to all Town and Country Planning Act (TCPA) applications which are not exempt (see below).

In the interim Peterborough City Council will aim that a minimum of 10% BNG be achieved on all development sites, in line with the mandatory minimum. This aspiration is supported by the recently formulated Doubling Nature Vision endorsed by Council's across Peterborough and Cambridgeshire. If a minimum of 10% net gain is considered to be not proposed (or it is not clear what the deliverable and enforceable gain is to be, if any), then a decision maker, in applying national and local policy, will likely conclude that the planning application is not achieving such policy, and weight against the proposal would be applied accordingly. This means there will be a good chance the development will be refused.

For the avoidance of doubt, the Council reserve the right to propose in a future update of the Peterborough Local Plan, policies to instruct a higher percentage Biodiversity Net Gain target(s) which if adopted would, under current law, take precedence over the nationally mandated 10% BNG.

A Neighbourhood Plan (as prepared by a Parish Council or other relevant neighbourhood body) may attempt to seek a higher % BNG, and if successful that would take precedent over the nationally mandated 10% BNG for proposals within the applicable neighbourhood area.

Applications exempt from requiring BNG

Whilst national policy or law is not established on this point, it is likely that certain types of development will be exempt from having to undertake mandatory BNG, further details of what will be exempt will be released in the future.

For the purpose of this guidance note, and until there is clarity nationally of those development schemes that will be exempt from mandatory BNG, the Council will therefore not require the following planning applications to make provision for BNG. These exemptions are influenced by the BNG consultation document issued by Defra in January 2022. Of course, even if exempt, the Council will still welcome BNG provision if proposed.

- Small scale developments below a 'de minimis' threshold, which we have determined in Peterborough to be a red line application boundary below 20m².
- Householder applications (such as a house extension).
- Change of use applications (which involve no new floorspace).
- Applications exclusively for biodiversity net gain.

Please note that being exempt from BNG does not mean the development is exempt from wider nature related policy requirements, such as protected species, trees or habitats.

Making Sure a Developer Implements BNG

Once a planning application is granted planning permission by a local council, that permission will always be accompanied by a set of 'planning conditions'. These conditions make it clear exactly what the developer must do, when construction takes place. Sometimes, usually larger developments, will also have other 'planning obligations' attached to the planning permission. These are legal agreements that the developer commits to doing, and are particularly useful, for example, for delivering infrastructure away from the actual development site.

Planning conditions and other obligations will be an essential part of delivering BNG, both at the mandatory stage and in the interim period before then.

The Environment Act is making it mandatory for all planning proposals which are required to undertake BNG (which as described above, will be the vast majority of proposals), to have a condition attached to any planning permission as follows:

“The development may not be begun unless—

(a) a biodiversity gain plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan”

The above requirement for a biodiversity gain plan (see section later on) is not yet mandatory (again, this is expected in late 2023), but best practice in the interim period is to implement a similar arrangement.

In Peterborough, therefore, in the interim period prior to mandatory BNG, an application should include either:

- All necessary information in order to determine whether a net gain will be achieved, and if so, the Council will include a suitably worded condition (and/or where necessary require some other planning obligation or legal agreement) to secure the delivery of the proposed gain;

or

- Sufficient information to give confidence to the decision maker that a net gain will be possible, but the details are reserved to a later date. If so, the above wording contained in the Act will be used as a condition attached to the planning permission.

Calculating and presenting BNG

Once mandatory, a crucial part of BNG is the biodiversity metric. The Environment Act requires government to publish such a metric, for use in association with BNG. The metric is a habitat-based approach used to assess an area's value to wildlife. The metric uses habitat features to calculate a biodiversity value.

Government have been trialling versions of a national metric, and the latest version at the time of writing is the biodiversity metric 3.1 calculation tool and user guide⁷ (21 April 2022), which is published on Natural England's Access to Evidence website. The user guide describes how to gather the information needed for the metric calculations.

You can use the biodiversity metric to calculate how a development, or a change in land management, will change the biodiversity value of a site. For example, building houses, planting a woodland or sowing a wildflower meadow. You can use the metric to:

- assess the biodiversity unit value of an area of land
- demonstrate biodiversity net gains or losses in a consistent way

- measure and account for direct impacts on biodiversity
- compare proposals for a site - such as creating or enhancing habitat on-site or off-site

It can help you design, plan and make land management decisions that take better account of biodiversity. The metric calculates the values as 'biodiversity units'. Biodiversity units are calculated using the size of the habitat, its quality and location. You should use the metric and calculator tool with ecological advice.

The Local Planning Authority will verify the accuracy of the biodiversity value calculations and consider the merits of any off-site net gain measures with reference to existing baseline data and strategies. Any scheme of Biodiversity Net Gain must include a mechanism for delivery of the target habitats, management, and monitoring of their condition, and an approach to remediation in the event of targets not being met. Where proposals are for enhancement to a designated Local Wildlife Sites or Local Nature Reserve, they must provide measurable additionality to existing management arrangements and not support management that should already be undertaken by a public body. Sites in private ownership that are in poor condition may be suitable for BNG contributions for enhancement.

These mechanisms of delivery will likely be presented within a 'biodiversity net gain plan'. A document that will become a mandatory application submission with any development that has a BNG requirement. The Environment Act has already set out 'matters' that will need to be included within a Biodiversity Net Gain Plan:

- “(a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat,
- (b) the pre-development biodiversity value of the onsite habitat,
- (c) the post-development biodiversity value of the onsite habitat,
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development,
- (e) any biodiversity credits purchased for the development, and
- (f) such other matters as the Secretary of State may by regulations specify.”

Inevitably, this is going to be a steep learning curve for both developers and councils in terms of what is expected to be published and scrutinised in a biodiversity gain plan, especially in the interim period before full guidance is published.

Nevertheless, it is important that the level of information that should be submitted in the plan should be proportionate to the development proposed. Crucially, this must be detailed and robust enough in order to establish the degree of net gain proposed, and how that net gain will be implemented, managed and monitored.

One potential useful guide is the CIEEM/IEMA/CIRIA publication “Biodiversity Net Gain Principles and Guidance for UK construction and developments (ciria.org)” 6 (2019). This is a free publication, which includes guidance for all parties involved in BNG, some good practice principles as well as technical guides. It also includes information on the ‘business case’ for including BNG in development.

A submitted biodiversity gain plan must include a mechanism for delivery of the target habitats, management and monitoring of their condition, and an approach to remediation in the event of targets not being met.

Delivering BNG: A Hierarchical Approach

The following hierarchy is required to be used by applicants for planning permission (and by subsequent decision takers on those applications), moving down the hierarchy only if the full proposed BNG has not been achieved at each stage of the hierarchy. Where a partial amount of BNG is delivered at one stage of the hierarchy, then this opportunity should be taken, and only the remaining amount of BNG to be delivered should be considered for the next stage of the hierarchy, and so on.

1.BNG within red line of development

BNG is provided within the red line of the development. Currently this is the simplest option to secure and deliver. The developer will be responsible for funding baseline assessments, drafting management plans, undertaking any approved scheme monitoring etc.

BNG best practice is to deliver on site (within the red line) and this approach is rewarded through the Defra BNG metric 3.1 However, it is recognised that on a few sites practical, sustainable ecological enhancement may not be viable.

Onsite

BNG will likely form part of a multifunctional space and may not be the primary function. For example, it could be associated with recreational space or Sustainable Urban Drainage Systems. Indeed, a key national policy aim of BNG is to improve people's access to nature. However, where public access and/or multifunctionality is proposed, this needs to be balanced against the risk of overwhelming the biodiversity intentions.

2. BNG offsite but adjacent

BNG is provided on land owned by the developer or someone else either immediately adjacent to the site or demonstrably functionally linked to the development site. This may require early engagement and agreement with third party landowners. The developer would be responsible for funding baseline assessments of land and drafting management plans. Legal and financial agreements would be required to secure delivery and monitoring.

3. BNG offsite within a priority Peterborough habitat or landscape area

The next preference is land within the priority landscapes that fall within the one of Natural Cambridgeshire's priority landscapes i.e., John Clare Countryside and the Nene Valley (within Peterborough unitary area (UA) only). Where the developer has demonstrated that offsite BNG proposal is not possible in any of the above locations they are then encouraged to explore a proposal that is contained within any of the following guidance or strategies (subject to them falling with the Peterborough UA):

Peterborough Green Infrastructure Strategy, Parish Nature Recovery Plans, Local Wildlife Sites Register and the Peterborough Habitat Opportunity Mapping.

Local Nature Recovery Strategies (LNRS)

The Environment Act introduces a statutory requirement for Local Nature Recovery Strategies (LNRS) to be produced by a responsible authority appointed by the Government. Covering the Peterborough area, the responsible authority is likely to be the Cambridgeshire-Peterborough Combined Authority. This means the Combined authority will have the responsibility to prepare a LNRS which covers the geographical area of Cambridgeshire and Peterborough. The Combined authority will likely assist by a partnership of Natural Cambridgeshire (the Local Nature Partnership) and all Local Authorities that make up the Cambridgeshire and Peterborough area. Other interested parties will be asked to support its preparation.

These strategies will be developed to map important habitat areas where there is an opportunity to improve the local environment, and in turn this will assist the delivery of BNG and other policies. Such areas are likely to be of a large and strategic scale, rather than smaller community based habitat areas.

The LNRS network will provide a framework upon which off-site non-adjacent BNG may be directed towards. When these strategies are published, any BNG proposals that align themselves with the strategies will be favoured compared to proposals which do not.

4. BNG offsite anywhere within Peterborough City Council area

BNG proposed to be provided on private land (including the developer's own land) anywhere within Peterborough UA and not immediately adjacent to the site or demonstrably ecologically functionally linked. To assist developers and prospective landowners wishing to offer land for offsite BNG, Peterborough City Council currently offer a list of relevant contacts, details of their approx. location within Peterborough, potential new habitats to be created and their potential compliance with existing strategic guidance. However, other than a very basic aerial check, such landowners and their land has not been subject to any due diligence, and Peterborough City Council takes no responsibility for the accuracy or suitability of the land that may be being proposed for off-site net gain. All such due diligence is the responsibility of the developer. Habitat Banks sell "units" of habitats already created to a developer to enable the net gain requirement to be met. Currently there are no known operational Habitat Banks in Peterborough. The biodiversity units made available through these banks will be considered at a same level of priority as biodiversity units made available elsewhere in the Peterborough area.

5. Buy Units from Habitat Bank outside of Peterborough City Council Area

This scenario allows for strategic delivery of BNG; however, it is the least desirable option as it is removed from the immediate impact of the development on both local biodiversity and the local community (it is possible that habitat bank land is adjacent to the applicants site although this is unlikely). This option will only be considered if clear evidence of steps 1-4 having been investigated and no suitable options exist.

For strategic habitat banks established prior to the proposed national register of habitat banks, the LPA will not provide an accreditation or specific endorsement. Proposed offsite BNG proposals will be reviewed on a case-by-case basis through the application process to ensure they meet the criteria outlined by Defra and follow BNG best practice principles. Habitat bank Biodiversity Unit credits will be recognised for habitat enhancement or creation in advance of development, provided the works began after January 2020 and clear baseline evidence is available. Strategic Habitat bank sites will be assessed against the following criteria:

- **Location:** Located within a recognised strategic biodiversity location, for example a Natural Cambridgeshire Priority Landscape Areas
- **Habitats:** baseline habitats are surveyed, and appropriate priority habitats are planned.
- **Scale:** Site is over 40 hectares or forms part of a 100-hectare wider priority habitat unit
- **Governance:** The site can be privately owned or managed by a public body or a non-statutory conservation provided that a minimum 30-year creation / enhancement and management plan is in place and can be secured for the proposed development through S106 or similar agreement

CLIMATE CHANGE AND ENVIRONMENT SCRUTINY COMMITTEE	AGENDA ITEM No. 7
5 SEPTEMBER 2022	PUBLIC REPORT

Report of:	Adrian Chapman, Executive Director for Place & Economy	
Cabinet Member(s) responsible:	Cllr Marco Cereste, Cabinet Member for Climate Change, Planning, Housing and Transport	
Contact Officer(s):	Hannah Swinburne, Principal Climate Change Officer	Tel. 01733 453479

CLIMATE CHANGE PUBLIC ENGAGEMENT APPROACH
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RECOMMENDATIONS	
FROM: Adrian Chapman, Executive Director for Place & Economy	Deadline date: NA
It is recommended that the Climate Change and Environment Scrutiny Committee:	
<ol style="list-style-type: none"> 1. Note and comment upon the proposed approach to public engagement. 2. Note and comment upon the proposed approach to utilising consultation feedback in the development of the city-wide climate change action plan. 	

1. ORIGIN OF REPORT

1.1 The report is presented at the request of the Committee.

2. PURPOSE AND REASON FOR REPORT

2.1 This report is being presented to the Committee to allow them to scrutinise the proposed process for the public engagement in the development of the city-wide climate change action plan.

2.2 This report is for Climate Change and Environment Scrutiny Committee to consider under its Terms of Reference No. Part 3, Section 4 - Overview and Scrutiny Functions, paragraph No. 2.1 Functions determined by Council:

4. Climate Change;

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

4.1 Every resident, business, organisation and community group have a role to play in supporting Peterborough to become a net-zero carbon city. This is an ambitious challenge requiring significant behavioural change and infrastructure improvements. To ensure that we have the highest chance of meeting this ambition, we need to develop plans to decarbonise which are supported by Peterborough's residents, businesses and communities. The proposed public engagement programme will aim to gather public insight to direct the development of the climate change action plan.

There are several key audiences and groups the council proposes to engage with, including;

- Residents;
- Businesses;
- Parish Councils;
- Schools.

The public engagement programme will aim to understand how people in our city believe we should decarbonise our buildings, our transport system, our waste system, the energy we produce, the purchases we make and the ways we use our land. The findings will be collated to steer the direction of the city-wide climate change action plan, which will be drafted following the public engagement programme.

There is limited capacity within the Council's climate change team to facilitate events, so it is proposed that in addition to in person events, the programme will include online events and guidance for external organisations to facilitate their own discussions.

It is proposed that the consultation period will be 8 weeks.

4.2 Peterborough Climate Debate

Citizens' assemblies are established to enable participants to discuss an issue with the aim of reaching a conclusion about what they believe should happen. Participants often discuss a single issue over multiple meetings in a defined time period. Citizens' assemblies have been used to inform local and national approaches to climate change.

There are three stages to the process: learning, discussion and decision-making. Within the learning phase, experts present information on the topic and participants have the opportunity to ask questions of the experts. Within the discussion phase, participants discuss their opinions aiming to understand the opinions of other participants. Experts can provide clarification but cannot share their opinions. In the decision-making phase, participants come to conclusions. They do not need to come to a consensus and can use voting to present multiple views.

Participants are selected who are representative of the wider population, the sample of participants is likely to match city-wide demographics such as gender, age, ethnicity, religion and disability status. In a climate citizens' assembly views on climate change may also be considered. A citizens' assembly often lasts six months and are typically hosted by an external and independent organisation from the one which commissioned the assembly.

Commissioning a citizens' assembly requires significant resources to plan, select and invite participants, run a series of expert-led discussions and collate recommendations. Whilst a citizens' assembly involves significant costs, the principles of an assembly can be adopted into engagement events.

It is proposed that a series of Peterborough Climate Debates be hosted by Peterborough City Council. The information provided may be presented by council staff or colleagues from local organisations with expertise in that field. It is proposed that the assembly format be condensed into a two-hour workshop, featuring the three stages of learning, discussion and decision-making. To ensure that there are equal opportunities to feed into the development of the action plan it is proposed that the Peterborough Climate Debates are held in various locations across the city and at different times throughout the week to maximise the likelihood of participants being able to attend.

Information may be shared before the Debate to ensure that participants are able to hold informed discussions.

It is proposed that the Peterborough Climate Debates are held as free ticketed events, with participants sharing demographic data when registering. This will enable the Council to

understand if it has engaged with a representative cohort of the city and to target future communications to ensure that we hear from a wide range of participants.

It is proposed that an additional version of the Debate, aimed for businesses, be hosted. Local businesses across the city will be invited to join this and share their views to shape the climate change action plan.

4.3 Facilitated discussions

In order to gather feedback from local organisations, it is proposed that the council provides a framework for a structured workshop that can be facilitated by external organisations. This will expand the reach of the engagement programme, enabling maximum participation. These facilitated discussions will consist of a recorded presentation introducing the climate science, setting the local context and providing details on potential solutions. Following this, discussion prompts and questions will be provided to initiate conversations. The final stage will be feedback. Depending on the group, a mechanism to feedback as a group or as an individual may be more appropriate.

It is proposed that a version of this format be developed for delivery by schools, Parish Councils and Councillors. There is no requirement that these groups run a facilitated discussion, but this format allows these groups to opt to do so.

- Schools
Children's voices are key to climate action. The format will be adapted to break the facilitated discussion into short time frames, perhaps of around 20 minutes each, to allow teachers to deliver material within lessons and/or form time. Provided presentations and discussion prompts will vary based on the age range of the intended participants.
- Parish Councils
Parish Councils have close relationships with the communities they serve and have local insight into opportunities and challenges within the local area. Parish Councils could run the facilitated discussion with members of the Parish Council, responding as a single organisation, or could facilitate the discussion as a community engagement event, asking participants to respond individually.
- City Councillors
City councillors also have close relationships with the communities they serve. It is proposed that councillors be provided with the means to run facilitated discussions with members of the public in their ward area.

4.4 Online

Materials used in the Peterborough Climate Debate and facilitated discussions will be shared online. This will allow residents who are unable to attend events in person to participate in the discussion.

A feedback mechanism will be provided online, structured in the same format as the facilitated discussions. This will be produced by the council to limit costs.

4.5 Consultation feedback

To become a net zero carbon city, every resident, business, community group and organisation will need to adopt behavioural changes and infrastructure across the city will need to be altered. The questions fielded will focus on how respondents across the city believe they can best be supported to make these changes. Questions may include topics such as: whether electric vehicle charging infrastructure should be provided on street or in a local hub; what would aid residents in cycling short journeys; what would aid residents in walking short journeys; what

would aid residents in reducing their carbon footprint from food; or what would aid businesses to promote their low carbon activities.

Due to limited resources for the evaluation of feedback, it is proposed that the majority of feedback is provided in quantifiable outputs, limiting the number of open text boxes. However, there will be some scope for ideas to be shared.

A just transition is an important concept throughout climate change action. The Cambridgeshire and Peterborough Independent Commission on Climate identified a set of principles to follow to ensure that climate change plans follow a just transition. Different members of our communities will be impacted differently both by climate change and by the actions to tackle climate change, so our approach for climate change action must be fair to all. The benefits of addressing climate change should be shared by all and everyone should have equal opportunity to engage with action. The Commission's principles will be embedded into city-wide action plans and steps to ensure that a wide range of voices, reflective of the city's population, are heard will be undertaken.

4.6 Promotion of engagement activities

It is proposed that engagement activities are promoted through press releases, social media, website and through existing relationships with public facing services. Copy can be provided for external local organisations to share via their communications mechanisms.

Findings of the engagement activities will be shared when collated and communicated by similar mechanisms.

4.7 Incorporation of feedback into the city wide climate change action plan

Once the consultation period is closed, the findings will be collated and interpreted. These will feed into the development of the draft city-wide climate change action plan alongside key findings from the Local Area Energy Plan and other relevant research. It is proposed that the draft city wide climate change action plan be available for public consultation for 6 weeks. Following this the Climate Change and Environment Scrutiny Committee then able to provide feedback on the draft action plan and the results of the consultation. The final city wide climate change action plan will then be taken to full council for adoption.

The proposed approach for incorporation into the city wide climate change action plan is outlined below:

- Public consultation on steps to decarbonise our city, as outlined in this document (8 weeks)
- Collate and analyse findings
- Incorporate public insight into the draft city wide climate change action plan
- Release the draft city-wide climate change action plan for public consultation (6 weeks)
- Climate Change and Environment Scrutiny Committee to consider feedback from the public consultation and comment on the draft action plan
- Revision of the draft document to produce the final city wide climate change action plan
- Full council to decide whether to adopt the final city wide climate change action plan

5. **CONSULTATION**

5.1 The proposal sets out a recommended consultation approach. No consultation has been carried out to date.

6. **ANTICIPATED OUTCOMES OR IMPACT**

6.1 It is anticipated that the Climate Change and Environment Scrutiny Committee supports the approach to public engagement and provide their views on the programme.

7. REASON FOR THE RECOMMENDATION

- 7.1 It is recommended that the Climate Change and Environment Scrutiny Committee note and comment on the approach to public consultation. Suggestions will be considered and may be designed into the approach.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 The option to not consult was dismissed as it will be essential to develop plans which are supported by residents, businesses and communities within the city. Public consultation was deemed a suitable mechanism to ensure that ideas included in the plan are well supported.

The commissioning of a citizens' assembly was dismissed as it was deemed that costs were prohibitively expensive. The Oxford Assembly is estimated to cost £200,000 - £250,000 with the Leeds Jury costing £30,000 - £40,000.

Purchasing external consultation software was considered, however was not deemed a suitable use of limited funds.

9. IMPLICATIONS

Financial Implications

- 9.1 There will be a small cost of delivery, mainly through room hire for hosting of the Peterborough Climate Debate. This can be met through existing budgets.

The proposed approach can be delivered by current staffing capacity.

Legal Implications

- 9.2 None

Equalities Implications

- 9.3 Once the design of the public consultation programme is finalised an equalities impact assessment will be completed. It is proposed that in person events be held at multiple locations across the city, at different times to allow maximum attendance for those who have location or time-based constraints. Information will be shared online with online feedback also available to ensure that those unable to attend an in-person event will be able to help steer the programme. Registration with demographic information will enable the council to assess whether a wide range of views have been included in the discussion. The principles of a just transition will be utilised in the delivery of the programme and reflected in the consultation questions.

Rural Implications

- 9.4 Residents and businesses in rural locations will have the opportunity to participate in the public consultation to ensure that views are reflected in the development of the city-wide climate change action plan.

Carbon Impact Assessment

- 9.5 Should the proposed approach to public engagement across the climate change programme be taken forward, there is likely to be a minimal rise in travel emissions; however, the benefits of developing a climate change action plan with actions supported by the public is likely to result in greater carbon reductions. Multiple events will be held at different locations around the city, reducing the distance a resident would have to travel to attend the closest event. Online events will be held as an alternative to travelling.

10. BACKGROUND DOCUMENTS

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

10.1 None

11. APPENDICES

11.1 None

CLIMATE CHANGE AND ENVIRONMENT SCRUTINY COMMITTEE	AGENDA ITEM No.8
5 SEPTEMBER 2022	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	Councillor Coles, Cabinet Member for Finance and Corporate Governance	
Contact Officer(s):	Charlotte Cameron, Democratic Services Officer	Tel. 07870 153052

MONITORING SCRUTINY RECOMMENDATIONS
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RECOMMENDATIONS	
FROM: Director of Law and Governance	Deadline date: N/A
<p>It is recommended that the Climate Change and Environment Scrutiny Committee:</p> <p>1. Considers the responses from Cabinet Members and Officers to recommendations made at previous meetings as attached in Appendix 1 to the report and provides feedback including whether further monitoring of each recommendation is required.</p>	

1. ORIGIN OF REPORT

1.1 In accordance with the constitution Scrutiny Committees may make reports and recommendations to the Cabinet and/or full Council and/or any Committee in connection with the discharge of any of the Council's functions. This report is therefore provided as part of this process to ensure the monitoring of any recommendations which have been made by this committee.

2. PURPOSE AND REASON FOR REPORT

2.1 The report enables the Scrutiny Committee to monitor and track progress of recommendations made to the Executive or Officers at previous meetings.

2.2 This report is for the Climate Change and Environment Scrutiny Committee to consider under its Terms of Reference No. *Part 3, Section 4 - Overview and Scrutiny Functions, paragraph 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.*

3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. **BACKGROUND AND KEY ISSUES**

4.1 Appendix 1 of the report sets out the recommendations made to Cabinet Members or Officers at previous meetings of the Scrutiny Committee. It also contains summaries of any action taken by Cabinet Members or Officers in response to the recommendations.

4.2 The progress status for each recommendation is indicated and if the Scrutiny Committee confirms acceptance of the items marked as completed, they will be removed from the list. In cases where action on the recommendation is outstanding or the Committee does not accept the matter has been adequately completed it will be kept on the list and reported back to the next meeting of the Committee. It will remain on the list until such time as the Committee accepts the recommendation as completed.

5. **ANTICIPATED OUTCOMES OR IMPACT**

5.1 Timelier monitoring of recommendations made will assist the Scrutiny Committee in assessing the impact and consequence of the recommendations.

6. **REASON FOR THE RECOMMENDATION**

6.1 To assist the Committee in assessing the impact and consequence of recommendations made at previous meetings.

7. **BACKGROUND DOCUMENTS**

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

7.1 Minutes of the Climate Change and Environment Scrutiny Committee meeting held on 6 July 2022

8. **APPENDICES**

8.1 Appendix 1 – Recommendations Monitoring Report

CLIMATE CHANGE AND ENVIRONMENT SCRUTINY COMMITTEE

Updated: 22 AUGUST 2022

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Meeting date Recommendations Made	Portfolio Holder / Directorate Responsible	Agenda Item Title	Recommendation Made	Action Taken	Progress Status
6 July 2022	Cllr Marco Cereste, Cabinet Member for Climate Change, Planning, Housing and Transport	CLOSURE OF CLIMATE CHANGE WORKING GROUP	The Climate Change and Environment Scrutiny Committee considered the report and RESOLVED to Recommend to Cabinet the closure of the existing Climate Change Working Group.	Awaiting confirmation from Cabinet on 19 September 2022.	Ongoing
6 July 2022	Cllr Marco Cereste, Cabinet Member for Climate Change, Planning, Housing and Transport	CLOSURE OF CYCLING AND WALKING WORKING GROUP AND FORMATION OF CYCLING AND WALKING TASK AND FINISH GROUP	The Climate Change and Environment Scrutiny Committee considered the report and RESOLVED to recommend to Cabinet the closure of the existing cross-party cycling and walking working group.	Awaiting confirmation from Cabinet on 19 September 2022.	Ongoing

JOINT MEETING OF GROWTH, RESOURCES AND COMMUNITIES SCRUTINY COMMITTEE AND CLIMATE CHANGE AND ENVIRONMENT SCRUTINY

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Meeting date Recommendations Made	Portfolio Holder / Directorate Responsible	Agenda Item Title	Recommendation Made	Action Taken	Progress Status
12 July 2022		<p>PETERBOROUGH CITY COUNCIL'S CONSULTATION RESPONSE TO THE CAMBRIDGESHIRE AND PETERBOROUGH LOCAL TRANSPORT AND CONNECTIVITY PLAN</p>	<p>RECOMMENDATION</p> <p>The Committee considered the report and RESOLVED to RECOMMEND that Peterborough City Council's consultation response to the Cambridgeshire and Peterborough Local Transport and Connectivity Plan be rewritten to include relevant comments made by the Committee and that the plan includes a more detailed section for Peterborough to take into account the following areas:</p> <ul style="list-style-type: none"> • Information on the connectivity between rural areas and the city • Information on rail connectivity • Additional information on bus routes and public transport connectivity • Quantifiable GDP to represent the growth of the city • The proportion of major schemes that will be Active Travel and; • The long-term view for Peterborough. 	<p>The Committee received an updated response and provided additional feedback to inform the Council's consultation response.</p>	<p>Completed</p>

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CLIMATE CHANGE AND ENVIRONMENT SCRUTINY COMMITTEE	AGENDA ITEM No. 9
5 SEPTEMBER 2022	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	Councillor Coles, Cabinet Member for Finance and Corporate Governance	
Contact Officer(s):	Charlotte Cameron, Democratic Services Officer	Tel. 07870 153052

FORWARD PLAN OF EXECUTIVE DECISIONS

RECOMMENDATIONS	
FROM: Democratic Services Officer	Deadline date: N/A
<p>It is recommended that the Climate Change and Environment Scrutiny Committee:</p> <ol style="list-style-type: none"> 1. Considers the current Forward Plan of Executive Decisions and identifies any relevant items for inclusion within their work programme or request further information. 	

1. ORIGIN OF REPORT

1.1 The report is presented to the Committee in accordance with the Terms of Reference as set out in section 2.2 of the report.

2. PURPOSE AND REASON FOR REPORT

2.1 This is a regular report to the Climate Change and Environment Scrutiny Committee outlining the content of the Forward Plan of Executive Decisions.

2.2 This report is for the Climate change and Environment Scrutiny Committee to consider under its Terms of Reference No. Part 3, Section 4 - Overview and Scrutiny Functions, paragraph 3.3:

The Scrutiny Committees will:

(f) *Hold the Executive to account for the discharge of functions in the following ways:*

ii) *By scrutinising Key Decisions which the Executive is planning to take, as set out in the Forward Plan of Executive Decisions.*

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

4.1 The latest version of the Forward Plan of Executive Decisions is attached at Appendix 1. The Forward Plan contains those Executive Decisions which the Leader of the Council believes that the Cabinet or individual Cabinet Member(s) can take and any new key decisions to be taken

after 29 August 2022.

4.2 The information in the Forward Plan of Executive Decisions provides the Committee with the opportunity of considering whether it wishes to seek to influence any of these executive decisions, or to request further information.

4.3 If the Committee wished to examine any of the executive decisions, consideration would need to be given as to how this could be accommodated within the work programme.

4.4 As the Forward Plan is published fortnightly any version of the Forward Plan published after dispatch of this agenda will be tabled at the meeting.

5. CONSULTATION

5.1 Details of any consultation on individual decisions are contained within the Forward Plan of Executive Decisions.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 After consideration of the Forward Plan of Executive Decisions the Committee may request further information on any Executive Decision that falls within the remit of the Committee.

7. REASON FOR THE RECOMMENDATION

7.1 The report presented allows the Committee to fulfil the requirement to scrutinise Key Decisions which the Executive is planning to take, as set out in the Forward Plan of Executive Decisions in accordance with their terms of reference as set out in Part 3, Section 4 - Overview and Scrutiny Functions, paragraph 3.3.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 N/A

9. IMPLICATIONS

9.1 Financial Implications

N/A

9.2 Legal Implications

N/A

10. BACKGROUND DOCUMENTS

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

None

11. APPENDICES

11.1 Appendix 1 – Forward Plan of Executive Decisions

PETERBOROUGH CITY COUNCIL'S FORWARD PLAN OF EXECUTIVE DECISIONS

PUBLISHED: 12 AUGUST 2022

PART 1 – FORWARD PLAN OF KEY DECISIONS

KEY DECISIONS FROM 29 AUGUST 2022

KEY DECISION REQUIRED	DECISION MAKER	DATE DECISION EXPECTED	RELEVANT SCRUTINY COMMITTEE	WARD	CONSULTATION	CONTACT DETAILS REPORT AUTHORS	DIRECTORATE	DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER INCLUDING EXEMPT ANNEXES
<p>1. Direct Payment Support Service – KEY/12SEP22/01 - Approval is sought to re-tender this contract for 3 years with an option to extend for two 12-month periods (3+1+1) at a total contract value of £627,460. It is further requested that delegated authority to award be granted to the Executive Director, People & Communities, Cambridgeshire and Peterborough.</p>	<p>Councillor John Howard, Cabinet Member for Adult Social Care, Health and Public Health</p>	<p>October 2022</p>	<p>Adults and Health Scrutiny Committee</p>	<p>All Wards</p>	<p>Direct payment service users engaged through satisfaction survey, soft market test to evaluation interest in the provider market, marker engagement event to inform service providers about the service and Council's vision, operational head of service, Direct Payment Monitoring Officers, Finance Managers, adult and childrens' commissioners reviewed service specification and social care practitioners shared their views on the professional support from the service.</p>	<p>Leneva Nwachuku, Commissioner, 01954 286002, leneva.nwachuku@cambridgeshire.gov.uk</p>	<p>Public Health</p>	<p>Cabinet Member's Decision Notice, Joint Commissioning Board report v7 dated 26th July 2022 (meeting held 27th July). Appendix 4 should be exempt from public circulation as it includes specific characteristics of real-life service users which may make them identifiable to members of the public, if known, this may cause these individuals embarrassment and cause people in need of the support service to be reluctant to seek help, if they believe data about their circumstances are being publicised.</p>

KEY DECISION REQUIRED	DECISION MAKER	DATE DECISION EXPECTED	RELEVANT SCRUTINY COMMITTEE	WARD	CONSULTATION	CONTACT DETAILS REPORT AUTHORS	DIRECTORATE	DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER INCLUDING EXEMPT ANNEXES
2. Adult Social Care Reform – KEY/12SEP22/02 - Decision to move forward with Adult Social Care Reform Requirements	Councillor John Howard, Cabinet Member for Adult Social Care, Health and Public Health	October 2022	Adults and Health Scrutiny Committee	All Wards	N/A	Oliver Hayward	Public Health	Adult Social Care Report
3. Cambridgeshire County Council's Pseudo Dynamic Purchasing System (Dps) For Individual Service Fund (Isf) Services - KEY/12SEP22/03 Authorise Peterborough City Council to utilise Cambridgeshire County Council's Pseudo Dynamic Purchasing Services (DPS) Agreement for the Provision of Individual Service Funds (ISF) Services to purchase ISF Services up to the value of £6,000,000 (six million pounds). Authorise the Executive Director, People & Communities to enter into the required call off contracts following the competitive process, as required under the DPS, with the successful provider who has been selected to deliver the Services.	Councillor John Howard, Cabinet Member for Adult Social Care, Health and Public Health	October 2022	Adults and Health Scrutiny Committee	All Wards	N/A	SHAIRBANO SHAIKAT, COMMISSIONING OFFICER, TEL 07739 320000, shairbano.shaukat@peterborough.gov.uk	Public Health	N/A
4. Renewal of ongoing Microsoft Software agreements – KEY/12SEP22/04 Award of contract for the ongoing supply of Microsoft software due by 15/10/2022 to allow for all relevant standstill periods and checking to be done before a PO is required for the renewal	Cabinet	19 September 2022	Growth, Resources and Communities Scrutiny Committee	All Wards	N/A	Kevin Halls, IT Finance and Contracts Manager – kevin.halls@cambridgeshire.gov.uk	Resources	Previous CMDN's
5. Extension of contract for care and support services in Extra Care schemes – KEY/12SEP22/05 To authorize an extension for one year 10 months to the existing contract at a total cost of £3,191,900.	Councillor John Howard, Cabinet Member for Adult Social Care, Health and Public Health	September 2022	Adults and Health Scrutiny Committee	Eye, Thorney & Newborough, Paston and Walton and East	Preparations to tender the services had commenced and consultation questions had been completed by people living in the schemes and family members.	Lynne O'Brien Commissioning Manager 0777 667 9591 lynne.o'brien@cambridgeshire.gov.uk	Public Health	None

PREVIOUSLY ADVERTISED KEY DECISIONS

KEY DECISION REQUIRED	DECISION MAKER	DATE DECISION EXPECTED	RELEVANT SCRUTINY COMMITTEE	WARD	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	DIRECTORATE	DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER INCLUDING EXEMPT ANNEXES
<p>1. The disposal of former playing fields at Angus Court, West Town, Peterborough - KEY/06JAN20/02 Approval to dispose of former playing fields and Angus Court</p>	Cabinet	TBA	Growth, Resources, And Communities Scrutiny Committee	West	A number of consultation events for residents have been held for the proposed disposal of land at Angus Court and the creation of new facilities at Thorpe Lea Meadows. Consultation and information events were held at West Town Academy took place on 1 November 2018 and 7 March 2019	Felicity Paddick, Manager - Estates and Valuation, Tel: 07801 910971 Email: felicity.paddick@nps.co.uk	Resources	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
<p>2. Bretton Court Redevelopment Scheme – KEY/15MAR21/04 1. Approve the surrender of the Council’s lease for the ground floor retail units of Bretton Court dated 28th June 2019, subject to the conditions to set out below and to be formalised within the Deed of Surrender 2. Approve the Council entering in to an Agreement for Lease for the ground floor retail units of the new development scheme at Bretton Court, subject to the terms set out below 3. Subject to the terms of the above Agreement for Lease being satisfied, to approve the Council entering in to a New Lease or the ground floor retail units of the new development scheme at Bretton Court</p>	Cabinet	17 October 2022	Growth, Resources and Communities Scrutiny Committee	Bretton	Relevant internal and external stakeholders	Helen Harris, Senior Estates Surveyor, NPS Peterborough Email: helen.harris@nps.co.uk Mobile: 07920 160181	Resources	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.

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KEY DECISION REQUIRED	DECISION MAKER	DATE DECISION EXPECTED	RELEVANT SCRUTINY COMMITTEE	WARD	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	DIRECTORATE	DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER INCLUDING EXEMPT ANNEXES
<p>3. Peterborough City Council Housing Related Support Procurement / Commissioning - KEY/24MAY21/02 – To Procure / Commission Peterborough City Council Housing Related Support Services. Service redesign and change form annual Grant Agreements to longer term contracts.</p>	Cabinet	14 November 2022	Growth, Resources and Communities Scrutiny Committee	All Wards	Soft market testing is underway. A Housing Related Support Commissioning Strategy has been agreed and has received all the relevant approvals	Sharon Malia, Housing Programmes Manager Sharon Malia - Housing Programmes Manager, 01733 237771, Email: sharon.malia@peterborough.gov.uk	People and Communities	To be submitted, Housing Related Support Commissioning Strategy for Cambridgeshire & Peterborough 2020 - 2022. Procurement / Commissioning information.
<p>4. Article 4 Direction - KEY/28MAR2022/01 – To agree to formulate an Article 4 Direction for public consultation that requires property owners in Bretton, Fletton & Woodston, Hargate & Hempstead, Hampton Vale, Park and Central wards, to obtain planning permission when converting single homes or residential properties into HMOs, alongside relevant planning policies to support this.</p>	Cabinet	TBA	Growth, Resources, And Communities Scrutiny Committee	Bretton, Fletton & Woodston, Hargate & Hempstead, Hampton Vale, Park and Central.	Formal public consultation within relevant wards	Jim Newton, Assistant Director Planning & Building Control (Interim) Email: jim.newton@peterborough.gov.uk	Place and Economy	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
<p>5. Clare Lodge and agency resource - KEY/28MAR2022/02 - Relating to the supply of temporary agency requirements at Clare Lodge</p>	Cabinet	TBA	Children and Education Scrutiny Committee	All Wards	Legal, Procurement, Service area, Clare Lodge, agency providers	Steve McFaden, Business, Strategy & Infrastructure Manager Clare Lodge, 01733 253246	People and Communities	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
<p>6. Contract value reconciliation to accommodate transaction charges - Pay360 Capita call-off contract via KCS Framework Agreement – KEY/11APR2022/01 - Seek authorisation for increased contract value award. The cumulative contract value now exceeds the value originally awarded within a Director's Contract Award Report.</p>	Cabinet	19 September 2022	Growth, Resources, And Communities Scrutiny Committee	N/A	Relevant internal and external stakeholders	Jason Dalby IT Projects and Programmes ICT Project Manager, t: 01733 452562 m: 07931 176848, jason.dalby@peterborough.gov.uk	Customer and Digital Services	Director's Contract Award Report dated 25 August 2021

KEY DECISION REQUIRED	DECISION MAKER	DATE DECISION EXPECTED	RELEVANT SCRUTINY COMMITTEE	WARD	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	DIRECTORATE	DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER INCLUDING EXEMPT ANNEXES
<p>7. Recommendation to deliver parkway resurfacing utilising the Peterborough Highway Services Term Service, awarding works directly to Milestone Infrastructure Services – KEY/9MAY2022/01 -</p> <p>Parkway resurfacing has an approved budget of £500,000 for the next two financial years; 2022/2023 and 2023/2024. A recommendation is being made to award the works directly to Milestone Infrastructure Services utilising the existing Peterborough Highways Services contract. Using this delivery mechanism saves time and money as a full procurement exercise is not required, increases the value of work put through to the contract to contribute to the major schemes rebate and offers confidence in the quality of work being delivered.</p>	Cabinet	TBA	Growth, Resources and Communities Scrutiny Committee	All Wards	N/A	Amy Petrie, Principal Programme and Project Officer, Tel: 01733 452272	Place and Economy	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
<p>8. Charging residents and developers for new or replacement household waste bins - KEY/9MAY2022/03 - For the Cabinet Member to approve the fees and charges for the charging for new / replacement household waste bins</p>	Councillor Nigel Simons, Cabinet Member for Waste, Street Scene and the Environment	August 2022	Climate Change and Environment Scrutiny Committee	All Wards	Full Council Budget	James Collingridge, Head of Environmental Partnerships, 01733864736, james.collingridge@peterborough.gov.uk	Place and Economy	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.

KEY DECISION REQUIRED	DECISION MAKER	DATE DECISION EXPECTED	RELEVANT SCRUTINY COMMITTEE	WARD	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	DIRECTORATE	DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER INCLUDING EXEMPT ANNEXES
<p>9. Investment in NHS Health Checks to address the backlog created by the impact of COVID-19 pandemic – KEY/23MAY22/02 - The NHS Health Checks Programme is a mandatory Local Authority function. Peterborough has very rates of cardiovascular disease and the Programme is a key prevention intervention for identifying and addressing cardiovascular disease risks. The COVID-19 pandemic had a huge impact on the number of NHS Checks completed and there is an urgent need to address the backlog of NHS Health Checks and ensure that risks in the population are reduced. The additional investment is to provide support to GP Practices to deliver the NHS Health Checks. GPs are an integral part of the Programme as their patient data is used to identify those eligible and they play a key role in addressing any identified clinical issues. The proposal is to commission the GP Federation in Peterborough to support the GPs to deliver the Programme. A GP Federation is a group of practices that come together to deliver services. The commission will be in line with the recommendations from procurement and legal services.</p>	<p>Councillor John Howard, Cabinet Member for Adult Social Care, Health and Public Health</p>	<p>20 August 2022</p>	<p>Adults and Health Scrutiny Committee</p>	<p>All</p>	<p>GP Federations, Clinical Commissioning Group, Local Medical Committee</p>	<p>Val Thomas Deputy Director of Public Health, Email: val.thomas@camb ridgeshire.gov.uk</p>	<p>Public Health</p>	<p>Cover paper</p>
<p>10. Investment to fund the NHS pay award for staff who work in NHS services commissioned by Public Health – KEY/23MAY22/03 - Public Health commission services from NHS organisations. Their staff have had a 3% pay award. The Public Health Grant funding uplift for 2022/23 reflects this pay award. Local Authorities are expected to ensure that these NHS pay awards are fully met and included in any contractual arrangements or Section 75 agreements.</p>	<p>Councillor John Howard, Cabinet Member for Adult Social Care, Health and Public Health</p>	<p>20 August 2022</p>	<p>Adults and Health Scrutiny Committee</p>	<p>All</p>	<p>NHS commissioned providers.</p>	<p>Val Thomas Deputy Director of Public Health, Email: val.thomas@camb ridgeshire.gov.uk</p>	<p>Public Health</p>	<p>Cover paper</p>

KEY DECISION REQUIRED	DECISION MAKER	DATE DECISION EXPECTED	RELEVANT SCRUTINY COMMITTEE	WARD	CONSULTATION	CONTACT DETAILS REPORT AUTHORS	DIRECTORATE	DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER INCLUDING EXEMPT ANNEXES
<p>11. Award of the Council's gas supply contract from 1st April 2023 – KEY/6JUN22/01 - Approval of contractual arrangements for the Council's supply of gas from the 1st April 2023, following the end of the existing contract on the 31st March 2023. This will run from April 2023 to March 2027 and will be supplied by Total Energies Gas & Power as part of the ESPO framework.</p>	Cabinet	19 September 2022	Growth, Resources, And Communities Scrutiny Committee	N/a	N/a	Chris Yates, Finance Manager (Business Operations), Tel: 01733 384552, Email: chris.yates@peterborough.gov.uk.	Resources	<p>Contract information/ pricing schedules</p> <p>It is not anticipated that there will be any documents other than the report and relevant appendices to be published.</p>
<p>12. To award a contract for the construction of a new temporary surface car park supporting regional pool and the University of Peterborough project - KEY6JUN22/02 The existing Regional Pool car park will become the site of the new University Phase 3 Living Lab (and second teaching building for ARU Peterborough). A new Regional Pool Car Park is therefore proposed and the planning application has already been submitted. This new project will see construction of a new 128-space temporary surface car park, linked footpaths, lighting improvements, service installations and associated landscaping works. Funding has been secured for the project, however a decision is required to approve the award of contract due to the anticipated contract value being higher than £500k</p>	Cabinet	TBA	Growth, Resources, And Communities Scrutiny Committee	Central	Regional pool staff engaged throughout the provisional design process Statutory consultees engaged as part of the planning process	Kim Davies Project Manager, NPS. Kim.Davies@nps.co.uk.	Resources	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
<p>13. Contract Award for Translation and Interpretation Services - KEY/20JUN22/02 - Capita Translation and Interpretation services provides Peterborough City Council with translation and interpretation services. This Framework agreement contract with Capita expires 7th November 2022 and needs to be renewed.</p>	Councillor Lynne Ayres, Cabinet Member for Children's Services and Education, Skills and the University	19 September 2022	Children and Education Scrutiny Committee	All Wards	Relevant internal stakeholders	Helen Andrews Commissioning Manager Tel: 07557155633 Email: helen.andrews@cambridgeshire.gov.uk	People and Communities	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.

KEY DECISION REQUIRED	DECISION MAKER	DATE DECISION EXPECTED	RELEVANT SCRUTINY COMMITTEE	WARD	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	DIRECTORATE	DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER including exempt annexes
14. Extension of Household Support Grant – KEY/18JUL22/01 - To approve proposed spend of next round of Household Support Grant funding	Cabinet	30 September 2022	Adults and Health Scrutiny Committee	All Wards	CMDN	Helen Gregg, Strategic Programmes & Partnership Manager, Tel: 07961 240462, Email: helen.gregg@pet erborough.gov.uk	Place and Economy	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
15. Tenancy Sustainment and Employment Support Grant – KEY/18JUL22/02 - The Council is going through procurement for a Tenancy Sustainment and Employment Support service until 31 March 2025. This is Rough Sleeper Initiative Funding that we have been successful for.	Councillor Marco Cereste, Cabinet Member for Climate Change, Planning, Housing and Transport	November 2022	Adults and Health Scrutiny Committee	All wards	There will be a full procurement exercise	Sarah Scase, Housing Needs Operations Manager, 07920 160502, sarah.scase@pet erborough.gov.uk	Place and Economy	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
16. Award of Insurance Contract - KEY/1AUG22/02 - The existing contract for the Councils insurance arrangements runs from 1 April 2018 - 31 March 2023. (MAR18/CMDN/113). Discussions are now being held with insurance specialists and the Procurement Team to set out the specification requirements so that this contract can go out to tender with award expected in late January 2023 / early February 2023.	Councillor Andy Coles, Cabinet Member for Finance and Corporate Governance	1 April 2023	Growth, Resources, And Communities Scrutiny Committee	All Wards	Consultation internal (Procurement), external (insurance broker advisors).	Steve Crabtree. Chief Internal Auditor. Tel: 01733 384557. Email: steve.crabtree@p eterborough.gov. uk	Resources	It is not anticipated that there will be any documents other than the report and relevant appendices to be published. The decision will include an exempt annexe. By virtue of paragraph 3, information relating to the financial or business affairs of any particular person (including the authority holding that information).
17. Debt write-offs in excess of £10,000 - KEY/1AUG22/03 - Approval of debt write-offs in excess of £10,000 if applicable for Non-Domestic Rates, Council Tax, Housing Benefit overpayments and Sundry Debtor accounts.	Councillor Andy Coles, Cabinet Member for Finance and Corporate Governance	12 September 2022	Growth, Resources, And Communities Scrutiny Committee	N/A	None	Chris Yates, Finance Manager - Business Operations, Tel:01733 384552, Email chris.yates@pete rborough.gov.uk	Resources	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.

KEY DECISION REQUIRED	DECISION MAKER	DATE DECISION EXPECTED	RELEVANT SCRUTINY COMMITTEE	WARD	CONSULTATION	CONTACT DETAILS REPORT AUTHORS	DIRECTORATE	DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER INCLUDING EXEMPT ANNEXES
18. Academy Conversion of a maintained school – KEY/15AUG22/01 - Delegation of Authority to negotiate and agree details of the Academy Conversion	Councillor Lynne Ayres, Cabinet Member for Children’s Services and Education, Skills and the University	September 2022	Children and Education Scrutiny Committee	East	The target conversion date has been tentatively set by the DfE and school as 1 Sep 22. However, a DfE Kick off meeting has yet to take place.	Clare Buckingham, Strategic Education Place Planning Manager Add: (Cambridgeshire County Council and Peterborough City Council), ALC2607 New Shire Hall, Emery Crescent, Enterprise Campus, Alconbury Weald, Huntingdon PE28 4YE Tel: 01223 699779	People and Communities	It is not anticipated that there will be any documents other than the report and relevant appendices to be published. The decision will include an exempt annexe. By virtue of paragraph 4, Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority
19. Towns Fund Business Case for The Vine Project – KEY/29AUG22/01 Assurance for Towns Fund Business Case Summaries for submission to DLUHC to apply for government funding for the Vine project. The total grant application for the project is over £12m from government.	Cabinet	17 October 2022	Growth, Resources and Communities Scrutiny Committee	Central	Towns fund board consulted and approved the programme of submissions. ,	Karen lockwood, programme manager, 07825 902794. Karen.Lockwood@peterborough.Gov.Uk	Resources	Cabinet report to be submitted for consideration September 2022

PART 2 – NOTICE OF INTENTION TO TAKE DECISIONS IN PRIVATE

DECISIONS TO BE TAKEN IN PRIVATE								
KEY DECISION REQUIRED	DECISION MAKER	DATE DECISION EXPECTED	RELEVANT SCRUTINY COMMITTEE	WARD	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	DIRECTORATE	DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER INCLUDING EXEMPT ANNEXES
None.								

PREVIOUSLY ADVERTISED DECISIONS TO BE TAKEN IN PRIVATE								
KEY DECISION REQUIRED	DECISION MAKER	DATE DECISION EXPECTED	RELEVANT SCRUTINY COMMITTEE	WARD	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	DIRECTORATE	DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER INCLUDING EXEMPT ANNEXES
1. Disposal of land at 7-23 London Road, Peterborough - KEY/06JAN20/01 Approval to dispose of surplus land to a registered provider for redevelopment to social housing The disposal will be conditional on a successful planning consent; the application has yet to be made.	Cabinet	19 September 2022	Growth, Resources, And Communities Scrutiny Committee	Central	Relevant internal and external stakeholders.	Christine Addison Interim Head of Property	Resources	It is not anticipated that there will be any documents other than the report and relevant appendices to be published. There will be an exempt annex with details of the commercial transaction.
2. 64-68 Bridge Street, dilapidation works – KEY/26APR2021/02 – Approval to carry out dilapidations works at 64-68 Bridge Street, Peterborough.	Cabinet	TBA 2022	Growth, Resources, And Communities Scrutiny Committee	Central	Relevant internal and external stakeholders	Felicity Paddick, Manager - Estates and Valuation, Tel: 07801 910971 Email: felicity.paddick@nps.co.uk	Resources	It is not anticipated that there will be any documents other than the report and relevant appendices to be published. The decision will include an exempt annexe. By virtue of paragraph 3, information relating to the financial or business affairs of any particular person (including the authority holding that information).

KEY DECISION REQUIRED	DECISION MAKER	DATE DECISION EXPECTED	RELEVANT SCRUTINY COMMITTEE	WARD	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	DIRECTORATE	DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER INCLUDING EXEMPT ANNEXES
<p>3. Disposal of land at A1/A605 – KEY/1AUG22/01 - Newlands development have proposed a development within HDC. However, to enable a larger development, the developer requires an area of CRA land, within PCC ownership, to be enhanced and enable planning permission. The land is therefore a ransom strip and a figure has been negotiated with the developer.</p>	<p>Cabinet</p>	<p>19 September 2022</p>	<p>Growth, Resources, And Communities Scrutiny Committee</p>	<p>Orton Waterville</p>	<p>Consultation has been carried out with the Interim Head of Property, external valuers</p>	<p>Christine Addison Interim Head of Property</p>	<p>Resources</p>	<p>It is not anticipated that there will be any documents other than the report and relevant appendices to be published.</p> <p>The decision will include an exempt annexe. By virtue of paragraph 3, information relating to the financial or business affairs of any particular person (including the authority holding that information).</p>

PART 3 – NOTIFICATION OF NON-KEY DECISIONS

DECISION REQUIRED	DECISION MAKER	DATE DECISION EXPECTED	RELEVANT SCRUTINY COMMITTEE	WARD	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	DIRECTORATE	DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER INCLUDING EXEMPT ANNEXES
<p>Approval of Delegation Agreement for Floating Support Service - Requesting approval to delegate authority to CCC to enable them to deliver a new jointly commissioned Floating Support service on behalf of PCC.</p>	<p>Councillor John Howard, Cabinet Member for Adult Social Care, Health and Public Health</p>	<p>November 2022</p>	<p>Adults and Health Scrutiny Committee</p>	<p><i>All Wards</i></p>	<p>Feedback gathered from existing customers, service staff and external stakeholders/partners.</p>	<p>Lisa Sparks - Senior Commin?ssioner - lisa.sparks@cambridgeshire.gov.uk - 07900163590</p>	<p><i>Public Health</i></p>	<p>It is not anticipated that there will be any documents other than the report and relevant appendices to be published.</p>
<p>Approval to award a grant for a Mental Health Supported Living service. - Approval to award a grant for revenue funding to Eastlands Mental Health Supported Living Services, for a period of 1 year period, from April 2023.</p>	<p>Councillor John Howard, Cabinet Member for Adult Social Care, Health and Public Health</p>	<p>January 2023</p>	<p><i>Adults And Health Scrutiny Committee</i></p>	<p><i>All Wards</i></p>	<p>Consultation not required as seeking no change to existing service</p>	<p>Lisa Sparks - Senior Commin?ssioner - lisa.sparks@cambridgeshire.gov.uk - 07900163590</p>	<p><i>Public Health</i></p>	<p>It is not anticipated that there will be any documents other than the report and relevant appendices to be published.</p>

PREVIOUSLY ADVERTISED NON-KEY DECISIONS

DECISION REQUIRED	DECISION MAKER	DATE DECISION EXPECTED	RELEVANT SCRUTINY COMMITTEE	WARD	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	DIRECTORATE	DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER INCLUDING EXEMPT ANNEXES
<p>1. Approval of the leasehold disposal of a brownfield site to a care provider – A site has been found for a care home and the Council are currently looking into a leasehold disposal to a care provider who will build a care facility and then contract to provide services to the Council.</p>	<p>Councillor Cereste, Cabinet Member for Climate Change, Planning, Housing and Transport</p>	<p>August 2022</p>	<p>Growth, Resources, And Communities Scrutiny Committee</p>	<p>Park Ward</p>	<p>Relevant internal and external stakeholders. A forum has been set up by the Combined Authority involving representatives from finance, legal, property and social care.</p>	<p>Felicity Paddick, Manager - Estates and Valuation, Tel: 07801 910971 Email: felicity.paddick@nps.co.uk</p>	<p>Resources</p>	<p>The decision will include an exempt annexe. By virtue of paragraph 3, information relating to the financial or business affairs of any particular person (including the authority holding that information).</p>
<p>2. Variation to the delegation agreement between Peterborough City Council (PCC) and Cambridgeshire County Council (CCC) regarding the delivery of the Healthy Child Programme (HCP) across Peterborough and Cambridgeshire This decision seeks authorisation to vary the Delegation and Partnering agreement to account for the increase in the value of PCC financial contributions to CCC in respect of the Agenda for Change pay increase. Agenda for Change is a nationally agreed UK-wide package of pay, terms and conditions for NHS staff. Under this deal, which came into effect in 2018, was the agreement for all NHS staff employed at the top pay points at bands 2-8c were to receive a 6.5% cumulative pay increase over a 3 year period.</p>	<p>Councillor Howard, Cabinet Member for Adult Social Care, Health & Public Health</p>	<p>August 2022</p>	<p>Children and Education Scrutiny Committee</p>	<p>All Wards</p>	<p>Relevant internal and external stakeholders</p>	<p>Amy Hall, Children's Public Health Commissioning Manager, Tel:07583040529</p>	<p>Public Health</p>	<p>CMDN to authorise delegation of HCP commissioning functions from PCC to CCC - https://democracy.peterborough.gov.uk/mgIssueHistory/Home.aspx?IId=22331&PlanId=395&RPID=0</p>

DECISION REQUIRED	DECISION MAKER	DATE DECISION EXPECTED	RELEVANT SCRUTINY COMMITTEE	WARD	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	DIRECTORATE	DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER INCLUDING EXEMPT ANNEXES
<p>3. Approval of the Peterborough Sufficiency Strategy Every top tier local authority is required to publish a sufficiency strategy. This must set out how we seek to avoid children coming into care through the provision of family support services, and identify steps that we are taking to ensure that we have sufficient placements for children in care in our area, so that as many children and young people in care can live locally, provided that this is in their best interests.</p>	<p>Councillor Lynne Ayres, Cabinet Member for Children's Services and Education, Skills and the University</p>	<p>August 2022</p>	<p>Children and Education Scrutiny Committee</p>	<p>All Wards</p>	<p>There has been widespread consultation including with children and young people in care.</p>	<p>Nicola Curley: Director of Children's Service, Email: nicola.curley@peterborough.gov.uk</p>	<p>People and Communities</p>	<p>Scrutiny Report</p>
<p>4. Werrington Fields and Ken Stimpson Secondary School - Following a public meeting held on 20 September 2021 at Ken Stimpson School, a decision needs to be taken on whether or not to proceed with plans to erect a fence to enclose part of the school's playing fields. The area is currently open access to the public. The school has not been using the area for over two years due to concerns over the safeguarding risk to the young people attending the school.</p>	<p>Councillor Lynne Ayres, Cabinet Member for Children's Services and Education, Skills and the University</p>	<p>August 2022</p>	<p>Children and Education Scrutiny Committee</p>	<p>Werrington</p>	<p>Public meeting held on 20 September 2021 at Ken Stimpson School. Prior to this, a detailed background information document was circulated to interested parties.</p>	<p>Jonathan Lewis, Service Director, Education Email:jonathan.lewis@peterborough.gov.uk</p>	<p>Education</p>	<p>Cabinet Member Decision Notice, Background Information Document</p> <p>It is not anticipated that there will be any documents other than the report and relevant appendices to be published.</p>
<p>5. Approval to enter into a Section 75 Partnership Agreement with Cambridgeshire and Peterborough NHS Foundation Trust This agreement will ensure the provision of CPFT mental health specialist working with mental health practitioners who are part of multiagency Family Safeguarding teams working as part of children's social care safeguarding teams.</p>	<p>Councillor Lynne Ayres, Cabinet Member for Children's Services and Education, Skills and the University</p>	<p>August 2022</p>	<p>Children and Education Scrutiny Committee</p>	<p>All Wards</p>	<p>Relevant internal and external stakeholders</p>	<p>Helen Andrews, Children's Commissioning Manager helen.andrews@cambridgeshire.gov.uk</p>	<p>People and Communities</p>	<p>It is not anticipated that there will be any documents other than the report and relevant appendices to be published.</p>
<p>6. Approve the Joint Cambridgeshire and Peterborough Suicide Prevention Strategy 2022-2025 – to discuss and agree the Joint Cambridgeshire and Peterborough Suicide Prevention Strategy 2022-2025, for final approval by the Health and Wellbeing Board.</p>	<p>Councillor John Howard, Cabinet Member for Adult Social Care, Health and Public Health</p>	<p>September 2022</p>	<p>Adults and Health Scrutiny Committee</p>	<p>Dogsthorpe</p>	<p>Chair and vice chair of adults and health committee, Director of Public Health, Mental health boards</p>	<p>Joe Davies Email: joseph.davies@cambridgeshire.gov.uk</p>	<p>Public Health</p>	<p>It is not anticipated that there will be any documents other than the report and relevant appendices to be published.</p>
<p>7. PCC/CCC Delegation Agreement for jointly procured Floating Support service - Approval of Delegation Arrangements to allow CCC to implement and manage this contract on behalf of PCC</p>	<p>Councillor Howard, Cabinet Member for Adult Social Care, Health & Public Health</p>	<p>August 2022</p>	<p>Adults and Health Scrutiny Committee</p>	<p>All Wards</p>	<p>Feedback sought from existing customers, staff and external partners/stakeholders prior to commencing re-procurement</p>	<p>Lisa Sparks, Senior Commissioner (ASC Commissioning), 07900163590, lisa.sparks@cambridgeshire.gov.uk</p>	<p>Public Health</p>	<p>It is not anticipated that there will be any documents other than the report and relevant appendices to be published.</p>

DECISION REQUIRED	DECISION MAKER	DATE DECISION EXPECTED	RELEVANT SCRUTINY COMMITTEE	WARD	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	DIRECTORATE	DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER INCLUDING EXEMPT ANNEXES
<p>8. Enhanced falls prevention service section 75 - Delegation to Cambridgeshire County Council to enter into a section 75 agreement with Cambridgeshire and Peterborough NHS Foundation Trust for an enhanced falls prevention service</p>	<p>Councillor Howard, Cabinet Member for Adult Social Care, Health & Public Health</p>	<p>August 2022</p>	<p>Adults and Health Scrutiny Committee</p>	<p>All wards</p>	<p>N/A</p>	<p>Emily Smith, Consultant in Public Health, emilyr.smith@cambridgeshire.gov.uk</p>	<p>Public Health</p>	<p>It is not anticipated that there will be any documents other than the report and relevant appendices to be published.</p>
<p>9. Approval and Endorsement of a new countywide Infant Feeding Strategy - Decision sought to approve and endorse a countywide Infant Feeding Strategy developed collaboratively between Public Health and the Cambridgeshire & Peterborough Clinical Commissioning Group (CCG). This decision includes approval of overall strategy and underpinned action plans required to implement this.</p>	<p>Councillor Lynne Ayres, Cabinet Member for Children's Services and Education, Skills and the University</p>	<p>September 2022</p>	<p>Children and Education Scrutiny Committee</p>	<p>All Wards</p>	<p>Maternity Voices Partnerships, who are made up of service user representatives and key stakeholders spanning maternity, health visiting and the third sector have coproduced the strategy alongside Local Authority and CCG colleagues.</p>	<p>Amy Hall, Children's Public Health Commissioning Manager, amy.hall@peterborough.gov.uk, 07583040529</p>	<p>Public Health</p>	<p>Paper and Strategy to be submitted closer to the Cabinet meeting</p>
<p>10 Dynamic Purchasing System - Temporary Accommodation & Private Rented Sector Scheme</p> <p>To implement a Dynamic Purchasing System in order to procure accommodation for homelessness households who approach Peterborough City Council for assistance. We look to be more responsive and flexible with the accommodation we provide, and to ensure we provide value for money through a more competitive system.</p>	<p>Councillor Marco Cereste, Cabinet Member for Climate Change, Planning, Housing and Transport</p>	<p>August 2022</p>	<p>Growth, Resources, And Communities Scrutiny Committee</p>	<p>All Wards</p>	<p>Housing Needs are currently undertaking a soft market test and engagement with providers.</p>	<p>Caroline Rowan, Housing Manager, 01733 864095, caroline.rowan@peterborough.gov.uk</p>	<p>Place and Economy</p>	<p>It is not anticipated that there will be any documents other than the report and relevant appendices to be published</p>
<p>11 Uplift in payments for delivery of public health services in primary care - Stop smoking and Long-Acting reversible contraception services are delivered in primary care. This CMDN seeks approval for an uplift in the price paid for each unit delivered.</p>	<p>Councillor John Howard, Cabinet Member for Adult Social Care, Health and Public Health</p>	<p>31 August 2022</p>	<p>Adults And Health Scrutiny Committee</p>	<p>All Wards</p>	<p>Consultation has been undertaken with the local medical committee which represents GPs.</p>	<p>Val Thomas Deputy Director of Public Health, 07884 183373 val.Thomas@cambridgeshire.gov.uk</p>	<p>Public Health</p>	<p>It is not anticipated that there will be any documents other than the report and relevant appendices to be published.</p>

PART 4 – NOTIFICATION OF KEY DECISIONS TAKEN UNDER URGENCY PROCEDURES

<i>DECISION TAKEN</i>	<i>DECISION MAKER</i>	<i>DATE DECISION TAKEN</i>	<i>RELEVANT SCRUTINY COMMITTEE</i>	<i>WARD</i>	<i>CONSULTATION</i>	<i>CONTACT DETAILS / REPORT AUTHORS</i>	<i>DIRECTORATE</i>	<i>DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER INCLUDING EXEMPT ANNEXES</i>
<i>None.</i>								

FORWARD PLAN

PART 1 – KEY DECISIONS

In the period commencing 28 clear days after the date of publication of this Plan, Peterborough City Council's Executive intends to take 'key decisions' on the issues set out below in **Part 1**. Key decisions relate to those executive decisions which are likely to result in the Council spending or saving money in excess of £500,000 and/or have a significant impact on two or more wards in Peterborough.

If the decision is to be taken by an individual Cabinet Member, the name of the Cabinet Member is shown against the decision, in addition to details of the Councillor's portfolio. If the decision is to be taken by the Cabinet, this too is shown against the decision and its members are as listed below:

Cllr Fitzgerald (Leader of the Council), Cllr Steve Allen (Deputy Leader); Cllr Ayres; Cllr Cereste; Cllr Howard; Cllr Coles and Cllr Simons.

This Plan should be seen as an outline of the proposed decisions for the forthcoming month and it will be updated on a fortnightly basis to reflect new key-decisions. Each new Plan supersedes the previous Plan and items may be carried over into forthcoming Plans. Any questions on specific issues included on the Plan should be included on the form which appears at the back of the Plan and submitted to philippa.turvey@peterborough.gov.uk, Democratic and Constitutional Services Manager, Legal and Governance Department, Town Hall, Bridge Street, PE1 1HG (fax 08702 388039). Alternatively, you can submit your views via e-mail to or by telephone on 01733 452460. For each decision a public report will be available from the Democratic Services Team one week before the decision is taken.

PART 2 – NOTICE OF INTENTION TO TAKE DECISION IN PRIVATE

Whilst the majority of the Executive's business at the Cabinet meetings listed in this Plan will be open to the public and media organisations to attend, there will be some business to be considered that contains, for example, confidential, commercially sensitive or personal information. In these circumstances the meeting may be held in private, and on the rare occasion this applies, notice will be given within **Part 2** of this document, 'notice of intention to hold meeting in private'. A further formal notice of the intention to hold the meeting, or part of it, in private, will also be given 28 clear days in advance of any private meeting in accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Council invites members of the public to attend any of the meetings at which these decisions will be discussed (unless a notice of intention to hold the meeting in private has been given).

PART 3 – NOTIFICATION OF NON-KEY DECISIONS

For complete transparency relating to the work of the Executive, this Plan also includes an overview of non-key decisions to be taken by the Cabinet or individual Cabinet Members, these decisions are listed at **Part 3** and will be updated on a weekly basis.

You are entitled to view any documents listed on the Plan, or obtain extracts from any documents listed or subsequently submitted to the decision maker prior to the decision being made, subject to any restrictions on disclosure. There is no charge for viewing the documents, although charges may be made for photocopying or postage. Documents listed on the notice and relevant documents subsequently being submitted can be requested from Philippa Turvey, Democratic and Constitutional Services Manager, Legal and Governance Department, Town Hall, Bridge Street, PE1 1HG (fax 08702 388038), e-mail to philippa.turvey@peterborough.gov.uk or by telephone on 01733 452460.

All decisions will be posted on the Council's website: www.peterborough.gov.uk/executivedecisions. If you wish to make comments or representations regarding the 'key decisions' outlined in this Plan, please submit them to the Democratic and Constitutional Services Manager using the form attached. For your information, the contact details for the Council's various service departments are incorporated within this Plan.

DIRECTORATE RESPONSIBILITIES

RESOURCES DEPARTMENT Sand Martin House, Bittern Way, Fletton Quays, Peterborough, PE2 8TY

Financial Services

Internal Audit, Insurance and Investigations

Peterborough Serco Strategic Partnership (Business Support, Corporate Procurement, Business Transformation and Strategic Improvement, Customer Services, Shared Transactional Services)

Corporate Property

Registration and Bereavement Services

BUSINESS IMPROVEMENT AND DEVELOPMENT Sand Martin House, Bittern Way, Fletton Quays, Peterborough, PE2 8TY

Transformation and Programme Management Office, Business Intelligence, Commercial, Strategy and Policy, Shared Services

CUSTOMER AND DIGITAL SERVICES Sand Martin House, Bittern Way, Fletton Quays, Peterborough, PE2 8TY

IT, Customer Services – contact centres, walk-in customer service sites, reception services and web & digital services;

Communications;

Emergency Planning, Business Continuity and Health and Safety.

PEOPLE AND COMMUNITIES DEPARTMENT Sand Martin House, Bittern Way, Fletton Quays, Peterborough, PE2 8TY

Adult Services and Communities (Adult Social Care Operations, Adult Social Care and Quality Assurance, Adult Social Care Commissioning, Early Help – Adults, Children and Families, Housing and Health Improvement, Community and Safety Services, Offender Services)

Children's Services and Safeguarding (Children's Social Care Operations, Children's Social Care Quality Assurance, Safeguarding Boards – Adults and Children's, Child Health, Clare Lodge (Operations), Access to Resources)

Education, People Resources and Corporate Property (Special Educational Needs and Inclusion, School Improvement, City College Peterborough, Pupil Referral Units, Schools Infrastructure)

Business Management and Commercial Operations (Commissioning, Recruitment and Retention, Clare Lodge (Commercial), Early Years and Quality Improvement)

Performance and Information (Performance Management, Systems Support Team)

LAW AND GOVERNANCE DEPARTMENT Sand Martin House, Bittern Way, Fletton Quays, Peterborough, PE2 8TY

Democratic Services (Town Hall, Bridge Street, Peterborough, PE1 1HG)

Electoral Services (Town Hall, Bridge Street, Peterborough, PE1 1HG)

Information Governance, (Freedom of Information and Data Protection)

HUMAN RESOURCES - Sand Martin House, Bittern Way, Fletton Quays, Peterborough, PE2 8TY

(Business Relations, HR Policy and Rewards, Training and Development, Occupational Health and Workforce Development)

PLACE AND ECONOMY DEPARTMENT Sand Martin House, Bittern Way, Fletton Quays, Peterborough, PE2 8TY

Development and Construction (Development Management, Planning Compliance, Building Control)

Sustainable Growth Strategy (Strategic Planning, Housing Strategy and Affordable Housing, Climate Change and Environment Capital, Natural and Built Environment)

Opportunity Peterborough

Peterborough Highway Services (Network Management, Highways Maintenance, Street Naming and Numbering, Street Lighting, Design and Adoption of Roads, Drainage and Flood Risk Management, Transport Policy and Sustainable Transport, Public Transport)

(Markets and Street Trading, City Centre Management including Events, Regulatory Services, Parking Services, Vivacity Contract, CCTV and Out of Hours Calls)

PUBLIC HEALTH DEPARTMENT Sand Martin House, Bittern Way, Fletton Quays, Peterborough, PE2 8TY

Health Protection, Health Improvements, Healthcare Public Health.

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Climate Change and Environment Scrutiny Committee Work Programme 2022/23

Updated: 22 AUGUST 2022

Meeting Date	Item	Indicative Timings	Comments
Meeting date: 5 July 2022 Joint Scrutiny Meeting	Medium Term Financial Strategy Contact Officer: Cecilie Booth		
Meeting date: 6 July 2022 Draft report deadline: 17 June Final report deadline: 24 June	Appointment of Co-opted Members 2022/23		
	Review of 2021/2022 and Draft Work Programme for 2022/23		
	Local Flood Risk Management Strategy Contact Officer: Nick Greaves and Richard Whelan		
	Local Area Energy Plan Contact Officer: Hannah Swinburne		
	Closure of Climate Working Group Contact Officer: Hannah Swinburne		
	Closure of Cycling Working Group and creation of a Walking and Cycling Task and Finish Group Contact Officer: Lewis Banks		
	Forward Plan of Executive Decisions		

Meeting date: 5 September 2022 Draft report deadline: 18 August Final report deadline: 23 August	Tree Management: Review of Existing Policy for Managing Tree Related Subsidence Claims Against the Council Contact Officer: Darren Sharpe		
	Portfolio Progress Report of Cabinet Member for Climate Change, Planning, Housing and Transport Cllr Marco Cereste Contact Officer: Adrian Chapman		
	Climate Change Public Engagement Approach Contact Officer: Hannah Swinburne		
	Monitoring Recommendation Report Contact Officer: Charlotte Cameron		
	Forward Plan: Contact Officer: Charlotte Cameron		
	Work Programme 2022/2023 Contact Officer: Charlotte Cameron		
Meeting date: 13 September 2022 Joint Scrutiny Meeting	Medium Term Financial Strategy Contact Officer: Cecilie Booth		

Meeting date: 9 November 2022 Draft report deadline: 21 October Final report deadline: 28 October	Council Climate Change Action Plan Contact Officer: Hannah Swinburne		
	Active Travel LCWIP (Local Transport & Connectivity Plan) – (could be moved to January if required) Contact Officer: Lewis Banks		
	Trees and Woodland – Ash Dieback Action Plan Contact Officer –Darren Sharpe		
	Cabinet Member Report Waste, Street Scene and Environment (inc. Recycling Rates, Open Space Management) Contact Officer: James Collingridge and Richard Pearn		
	Monitoring Recommendation Report		
	Forward Plan		
	Work Programme 2022/2023		
Meeting date: 4 January 2023 Draft report deadline: 14 December Final report deadline: 21 December	Schools Climate Change Programme Contact Officer: Hannah Swinburne		
	Progress monitoring report on 2018 PCC Biodiversity Strategy. The report to include updates of other ongoing GI projects undertaken within Peterborough where PCC are partners e.g John Clare Countryside Contact officer: Darren Sharpe		

	City Climate Change Action Plan – (update after consultation) (could be moved to Feb) Contact Officer: Hannah Swinburne		
	Monitoring Recommendation Report		
	Forward Plan		
	Work Programme 2022/2023		
Meeting date: 23 January 2023 Joint Scrutiny Meeting	Medium Term Financial Strategy Contact Officer: Cecilie Booth		
Meeting date: 28 February 2023 Draft report deadline: 9 February Final report deadline: 16 February	Climate Change Adaptation Plan Contact Officer: Hannah Swinburne		
	Monitoring Recommendation Report		
	Forward Plan		
	Work Programme 2022/2023		

Items Pending:

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