

**MINUTES OF THE CABINET MEETING
HELD AT 10:00AM, ON
MONDAY 16 JANUARY 2023
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

Cabinet Members Present: Councillor Fitzgerald (Chair), Councillor Ayres, Councillor Cereste, Councillor Coles, Councillor Howard, Councillor Simons

Cabinet Advisor Present: Councillor Hussain, Councillor Moyo, Councillor Gul Nawaz, Councillor Sainsbury

72. APOLOGIES FOR ABSENCE

There were apologies from Councillor Steve Allen and Councillor Bisby.

73. DECLARATIONS OF INTEREST

There were no declarations interest received.

74. MINUTES OF THE CABINET MEETING HELD ON 19 DECEMBER 2022

The minutes of the Cabinet meeting held on 19 December 2022 were agreed as a true and accurate record.

75. PETITIONS PRESENTED TO CABINET

There were no petitions presented to Cabinet.

STRATEGIC DECISIONS

76. SECOND INDEPENDENT IMPROVEMENT AND ASSURANCE PANEL REPORT

The Cabinet received a report in relation to the second report of the Peterborough City Council Independent Improvement and Assurance Panel.

The purpose of this report was to provide the Panel's second six-monthly review of the work of the Council against the previously agreed Improvement Plan and the recommendations of the independent reports commissioned by the Department of Levelling Up, Housing and Communities (DHLUC).

The Leader and Chief Executive introduced the report and provided an overview of the key points.

Cabinet Members debated the report and in summary responses to questions raised included:

- Overall, this was a collective effort from officers across the Council to ensure the Council was on an improved footing. There had been improvements across all group leaders and the role of the Financial Sustainability Working Group had been touted as an important aspect. A significant change in the culture around the financial challenges had also

been praised. To be able to set a balanced budget was a remarkable achievement and teams were now encouraged to look forward to shaping the direction of travel within the Council. The Independent Improvement Panel and the Department for Housing and Levelling up Communities had been supportive of the work done so far.

- In the next 12 months more of the same work would continue, the panel now saw the Council as low risk due to the progress that had been made. Over the next six months discussions would take place with the panel and DHLUC, who had indicated they would want to see some reduction in terms of exposure and focus. There was some work being done that would hopefully assist other Councils who might be in a similar situation as Peterborough was a year ago. The focus going forward was around transformation and updating some of the key services.

- It was important to take forward the work with different partnerships, including boosting fostering services, digital practices and the role libraries.

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

1. Note the second report of the Independent Improvement and Assurance Panel and agree with the action to be taken as a result.
2. Request that the Growth, Resources and Communities Scrutiny Community reviews the report, Cabinet's response to it and the progress being made with the delivery of the Improvement Plan.

REASONS FOR THE DECISION

Reporting process in accordance with the governance review of September 2021.

ALTERNATIVE OPTIONS CONSIDERED

No alternative options considered.

77. JOINT WORKING AGREEMENT BETWEEN PETERBOROUGH CITY COUNCIL AND CAMBRIDGESHIRE COUNTY COUNCIL – ANNUAL REVIEW, EXIT PROTOCOL AND PROCUREMENT PROTOCOL

The Cabinet received a report in relation to the Council's Joint Working Agreement (JWA) with Cambridgeshire County Council.

The purpose of this report was to consider outcomes of an annual review of the JWA arrangements between Peterborough City Council and Cambridgeshire County Council (CCC) and to seek approval of the recommended modifications to the JWA subsequent to that review. The report is being presented to Cabinet in accordance with the JWA's governance arrangements set out within the agreement at Schedule 8, whereby the overarching governing body for the programme is the Leader and Cabinet.

The Leader of the Council introduced the report and provided an overview of the key points. In addition, the Director of Legal and Governance stated officers from across both organisations had met to discuss the joint working arrangements and had agreed a way forward. Members were informed that on 16 December 2022 this had been presented to relevant committee at Cambridgeshire County Council and had been agreed.

Cabinet Members debated the report and in summary responses to questions raised included:

- This report had been approved by Cambridgeshire County Council and delegated authority had been given if any changes needed to be made.
- An initial draft had been shared with Employment Law specialists and they had agreed that the approach was both pragmatic and strong.
- This work was project managed by both HR teams who were working closely with each other and were working to ensure a minimal disruption to essential services.

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

1. Note the Joint Working Agreement's Annual Review of 2022;
2. Approve the inclusion of the agreed Exit Protocol into the Joint Working Agreement; and
3. Approve the inclusion of the agreed Procurement Protocol into the Joint Working Agreement.

REASONS FOR THE DECISION

The JWA's annual review had considered the operation and effectiveness of the joint working arrangements between the Council and CCC. A series of recommended changes had been considered and agreed by members of the Shared Services Governance Group to reflect correct and up to date procedure which would govern the way in which the Council and CCC work together.

The Exit Protocol set out the more detailed processes required where there was a termination of either the JWA, or part of the JWA, or a Combined Team, or a Shared Post. This standardised the procedures required upon termination. The level of detail required should be reasonable but as a minimum should provide the procedures and responsibilities necessary for (i) an orderly and effective transfer of the Services falling within the JWA or part of the JWA or the Combined Team and (ii) the achievement of the Exit Protocol's objectives. This should include, amongst other things, an outline timetable and schedule of responsibilities and other critical criteria for effecting the orderly hand-over of the Services falling within the scope of the JWA or part of the JWA or Combined Team or Shared Post(s).

The decision making in respect of joint procurements was not currently within the scope of the JWA, therefore, to ensure consistency of process within all joint procurements and commissions, the Procurement Protocol should outline the procurement and legal considerations to be made and a solution to how this process may effectively be managed by both the Council and CCC.

ALTERNATIVE OPTIONS CONSIDERED

To not vary the JWA to incorporate changes as recommended by the Shared Service Governance Group. This was rejected as it was an obligation of the JWA's operation that an annual review of the JWA arrangements should be completed for the purpose of evaluating the operation and effectiveness of the arrangements.

78. PETERBOROUGH YOUTH ZONE

The Cabinet received a report in relation to the delivery of a Youth Zone for Peterborough.

The purpose of this report was to update Members on progress of the project and seek further approvals to allow the Youth Zone project to progress to the next stage of development.

The Cabinet Member for Children's Services, Education, Skills and the University introduced the report and provided an overview of the key points.

Cabinet Members debated the report and in summary responses to questions raised included:

- The Combined Authority shared prosperity investment fund bid had been accepted, with a surplus of over £300k, which was over and above the contribution that the Council was asked to make. Onside had done a lot of work to raise more funds which had totalled an extra 500k. On this basis the Council was proceeding with its plan, which had seen a youth investment bid being prepared and was to be submitted by the end of January. There was confidence and motivation in Peterborough to achieve this funding.
- The Council were likely to hear around a month after the panel had taken place as to whether the Council was successful. It was anticipated that the results from the panel would be presented to Cabinet in March. The approach taken was the most sustainable and would, if successful, get the best possible access for young people. In addition, the model being proposed was felt the best to get investment from businesses into the youth zone.
- The Council were moving forward at pace to make sure the deadlines to get the building delivered were within the required timescales. The Council were working hard with Onside to ensure these timescales could be met.

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

1. Note the progress of the project and endorse the continuation of partnership work with Onside in order to deliver a Youth Zone for Peterborough.
2. Note the projected total costs for the Youth Zone Project and approve the council's capital and resource contributions.
3. Delegate responsibility to the Executive Director of Corporate Services and S151 Officer in consultation with the Cabinet Members for Property and Resources / Children's Services, Education, Skills and University and the Leader of the Council in respect of:-
 - The final site decision for the Youth Zone.
 - The approval of associated leases and other development agreements with Onside in association with chosen site.
 - The approval to transfer SPF or other funds to Onside Youth Zones in order to complete initial feasibility, design and planning work in line with amounts set out in this report.

REASONS FOR THE DECISION

The reasons for the decision were to allow for continued work to be undertaken pending announcement of successful Youth Investment Fund Phase 2 bid, in partnership with Onside charity and successful Shared Prosperity Fund bid.

To allow for flexibility in the programme around final site options due to the timescales, complexity and risks to the project.

Allow for appropriate transfer funds to Onside youth zones in line with Shared Prosperity Fund profile and grant limits.

ALTERNATIVE OPTIONS CONSIDERED

Both Shared Prosperity Fund and Youth Investment Fund pre application had been submitted and the Council awaited the final outcome. The decision was taken at the Cabinet meeting on 20 September 2022 to proceed with feasibility and design work at risk to give the best opportunity to deliver the project and secure £10.9m capital investment as well as £1.1m yearly revenue investment for services for young people.

79. ADULT SOCIAL CARE IT SYSTEM PROCUREMENT 2023

The Cabinet received a report in relation to the procurement of an IT system supporting adult social care services.

The purpose of this report was to seek approval for the award of the contract of the current IT solution used for Adult Social Care, Mosaic. This included moving the solution from CCC's Data Centre to be hosted by the supplier, Access UK Limited.

The Cabinet Member for Adult Social Care, Health and Public Health introduced the report and provided an overview of the key points.

Cabinet Members debated the report and in summary responses to questions raised included:

- At the current time there was no consideration to merge the systems, however when the services were more aligned this was something that could be considered.
- Members were informed that the Council had managed to negotiate no RPI on the contract, so there was no annual increase on the costs, which meant the costs for this remained static.

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

Authorise the award of a contract for an IT system supporting adult social care services to Access UK Limited for a period of five years with an option to extend for a further two years from 21 July 2023, for a contract sum of approx. £2.2m.

REASONS FOR THE DECISION

Going to market with the potential of procuring a different product would give disproportionate pressure on the service and significant costs for implementation and change.

ALTERNATIVE OPTIONS CONSIDERED

Go to market for a full procurement exercise. Implications of this were additional costs for change (~£2-3m and approx. 24 months for implementation), and significant disruption to a service delivering critical and statutory care.

80. LICENSING SCHEMES – RAISING HOUSING STANDARDS

The Cabinet received a report in relation to the implementation of a Selective Licensing Scheme.

The purpose of this report was to seek views from Cabinet on the proposed approach to improve housing standards compliance in the private rented sector in the city, and for consideration to be given to endorsing the recommendations within the report.

The Cabinet Member for Climate Change, Planning, Housing and Transport introduced the report and provided an overview of the key points.

Cabinet Members debated the report and in summary responses to questions raised included:

- The Council still had the mandatory sanctions in place for five or more people in a property should the Secretary of State refuse the sanctions drawn up by the Council in the selective licensing scheme. The team were confident that there were good alternative options should it be refused.
- The enforcement element was one of the many responsibilities that the council had around housing and it was important that this element worked closely with the other elements around housing across the Council. The Council were keen to help as many people as possible who were in a crisis. This also involved much wider work with the community and working closely with organisations such as the Police was important. Officers were expected to work with other officers across the Council for example those in noise pollution and anti-social behaviour.
- It was not possible to have a city wide selective licensing policy as there were a number of different criteria that had to be met in order for the policy to be able to be put in place. Following consultation there were other localities within the city that could be improved and although would not meet the criteria set out in the report, could potentially meet the criteria for an additional licensing scheme. There was a good opportunity to have a balanced scheme across the city.
- The team were proactive in their approach and were always looking for grant funding that would help raise the standards for people in the community. Officers were confident that funding arrangements were in place and that this was affordable.
- It was important to raise living standards for people in the community. It was noted that there were good landlords who, at times, were left with properties that were ruined by bad tenants. It was important that Landlords and agents had the right guidance to know what to do in those situations.
- Looking to re-introduce the scheme to include more areas and enhance the scheme. This would also include an increase in the number of property inspections to improve the lives of residents across the city.

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

1. Approval of the submission of an application to the Secretary of State for the implementation of a Selective Licensing Scheme for the area defined within the public consultation undertaken between 20 January 2022 and 13 April 2022.
2. Agreement to support analytical work being undertaken to identify areas within the city suitable for the implementation of Additional Licensing Schemes and the subsequent public consultation on proposed scheme areas.

REASONS FOR THE DECISION

The Council had a statutory responsibility with regards to regulating housing standards in the private rented sector and could do more to improve housing standards through a refocus of the council's PSHT, a more expansive use of enforcement powers, and the introduction of a blend of licensing schemes, in the rented sector. A previous SLS ended in October 2021 having come to the end of its 5-year period, and consequently there was a gap in the regulatory controls in the locality. Housing standard complaints and officer inspections confirmed there remained properties providing poor housing condition standards.

ALTERNATIVE OPTIONS CONSIDERED

Option One (Status Quo) - The current service delivery arrangement was not sustainable financially as much of the current staffing was funded out of the previous SLS, therefore without additional revenue the size of the team would have to be reduced to reflect cash limits. The status quo position would rely on the Mandatory Licensing Scheme alone in conjunction with the enforcement sanctions available to officers. If the team were resourced based on the cash limits for 2023/24 there would be insufficient staffing to meet housing compliance needs.

Option Two (Service transformation, no SLS, or ALS) - In this case the service would still need to be adjusted to reflect cash limits, though with transformation of the PSHT the extent of the adjustment could be mitigated by raising additional revenue from the use of civil penalties to address poor housing standards. This sanction was currently underused. Transformation would in addition increase the effectiveness of the team and lead to better community outcomes. The only licensing scheme in place would be the Mandatory Licensing Scheme.

Option Three (service transformation and introduction of SLS) - This option reflected that proposed within the report other than only a SLS would be progressed with a view to obtaining approval for implementation, the Council would not develop proposals for an ALS at this time and keep matters under review. This did not provide the integrated approach that including ALS would, though would enable a review of third-party delivery arrangement performance before committing to including ALS.

Option Four (service transformation and introduction of ALS) - This option reflected that proposed within the report, though instead of a SLS the Council would pursue ALS instead. In this case it would be necessary to undertake an analytical exercise to evaluate the locality requirements for such a scheme, then undertake a public consultation exercise. If replicating that undertaken for SLS the consultation exercise would take 12 weeks. The Council could make a local determination with respect to ALS implementation. This did not provide the integrated approach that including SLS would.

81. REVIEW OF THE PETERBOROUGH LOCAL PLAN

The Cabinet received a report in relation to the commencement of a review of the Peterborough Local Plan and the approval of the Local Development Scheme.

The purpose of this report was to enable Cabinet to consider the proposal to commence preparation of a Local Plan for Peterborough and, if it was agreed a new Local Plan should be produced, seek Cabinet's recommendation to Full Council to approve an updated Local Development Scheme (LDS) which outlined the timetable for preparing the Local Plan.

The Cabinet Member for Climate Change, Planning, Housing and Transport introduced the report and provided an overview of the key points. The confirmed that

the review of the local plan would take around three years to complete and would involve a number of statutory consultations, including three rounds of public consultation and a public examination. This was done before submitting to the Secretary of State, who would at that stage appoint a planning inspector to review any outstanding issues before being recommended to Council for adoption.

Cabinet Members debated the report and in summary responses to questions raised included:

- The Local Plan was adopted in July 2019 and was set for a 15 year period, national policy required a review every five years, the Council was now in a position to start looking at reviewing this. The main focus was to look at employment and housing sites to ensure maximum benefit was achieved and ensure the Council was meeting its growth strategy.
- The new local plan would include provision for affordable housing and would test policies in place to see what could be achieved. The current local plan identified that new developments should try and achieve 30% affordable housing.
- An important part of the plan was making sure right infrastructure was in place, ensuring a joined-up approach with other departments of the Council such as Transport and Housing was a key objective. It was also important that key stakeholders, such as water and drainage companies were included.
- Some neighbourhood plans were still being prepared and Parish Councils may wish to look at theirs in light of the new local plan.
- Demand had outstripped supply and it was therefore timely to look at sites for employment opportunities as well as affordable housing. The Council was making good on their promise to businesses to have opportunities to grow as well as helping people who were looking at affordable housing options.

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

1. Authorises officers to commence a review of the Local Plan; and
2. Approves the attached Local Development Scheme (LDS), which sets out a timetable for the production of a new Local Plan, and brings it into effect from 26 January 2023.

REASONS FOR THE DECISION

It is recommended a Local Plan be commenced for the following reasons:

- i. To ensure that new development continues to take place in planned locations and help demonstration of a '5 year housing land supply' (a Government requirement), reducing the risk of challenge from speculative, unplanned development.
- ii. An opportunity to identify new locations for growth in Peterborough, which in turn will meet our longer term housing and employment needs.
- iii. Identification of additional range and choice of employment sites to accommodate increasing commercial demand. This will generate wealth, and improve local people's life chances by providing increased employment opportunities. There is evidence to suggest that the supply of employment land is tight, and a significant proportion of allocated employment land either has planning permission, is under construction, or has already been built out.
- iv. Align preparation of a new Local Plan with the review of other corporate strategies.

- v. Continued and potentially additional income via, business rate growth and council tax income.

ALTERNATIVE OPTIONS CONSIDERED

The following alternative options were considered and rejected:

- An alternative timetable (LDS) was considered which only included one round of public consultation on a Draft Plan (Regulation 18) compared to the two stages shown at Appendix 1. This option was rejected as overall this approach will not reduce the Local Plan timetable. Two rounds of consultation on the draft Plan would allow more opportunity for the parish councils, local developers and the wider community to make comments early in the process.
- Do nothing and review the situation in 12 months. This option was rejected because it would fail to take advantage of the benefits of commencing a new Local Plan.

82. TOWNS FUND BUSINESS CASE – THE VINE

The Cabinet received a report in relation to the Towns Fund project.

The purpose of this report was to set out the necessary steps to secure funding, allocated to Peterborough City Council through the 2021 Peterborough Town Deal, in relation to The Vine Town Deal project.

The Leader introduced the report and provided an overview of the key points.

Cabinet Members debated the report and in summary responses to questions raised included:

- In terms of funding it was likely to be no later than June of this year. Following this the team would be looking at design activities, public consultation and then putting in a planning application. By the end of the next winter it was hoped that the plans would be finalised and the build contract would be started in the summer of 2024. This would then lead to the building opening in early 2026.
- There were some examples of this across the Country, such as Mansfield, Tamworth, Sheffield and number of examples in London such as Peckham and Hackney. These were all useful examples that could feed into the final project for Peterborough.
- There was a Towns Fund transformation website where there were minutes and information from previous meetings that related to the vine project, there was also a quarterly electronic communication that was produced each quarter. There were a number of stages that still needed to be progressed by which members of the public could see detail for, this included market testing and looking at the longer term viability and social values of the project.
- Part of the key requirements from central government was to ensure that changes could be delivered. The vine had some unique deliverables, there would be opportunities for informal and formal learning and as central base for local communities. This would drive footfall to the area and offer a modern library on the ground floor. Both of the contingency options in the report would deliver all those key essentials. If a phased approach was the way forward it would involve creating the ground floor and then preparing the rest of the building to create the final project. A dual site approach would involve transforming the ground floor but keeping the central library and making this a more modern library facility.

- Thanks was given to the team and have had to adapt and change, costs have increased by huge margins especially in terms of building materials. The costs on this could well change again. It was important to regenerate buildings as this was not the most attractive building. The Council would continue to strive for growth in the city.

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

1. Approve the Town Deal Summary Document, as set out at Appendix 1 of the report, and its submission to the Department for Levelling Up, Housing and Communities (DLUHC) for approval in line with our agreed Towns Fund programme.

REASONS FOR THE DECISION

The objectives for the Vine project were:

- To deliver a new and transformed Library service with a strong digital offer for Peterborough's residents by providing services they value
- To create a driver of visitor footfall that will be of wider benefit to retail and other businesses in Bridge Street and ensures this part of the city remains economically vibrant
- To create new opportunities for formal and informal learning, leading to an increased take up of College, University course and work-based T levels by local residents and those living regionally
- To become the recognised centre of community based cultural enterprise and activity, enhancing the civic and cultural life of the city
- To develop a Civic Facility that will be well used by all sectors of the community including local businesses and the city's new University
- To deliver a self-sustaining operating model where commercial and intermediate uses cross-subsidise community and civic uses on peppercorn terms.

ALTERNATIVE OPTIONS CONSIDERED

Alternative options had been considered. These included Do Nothing, Do Minimum: Phase Delivery and a further contingency plan of Delivery across two locations.

Do Nothing: This option was considered and rejected because the Council would lose £13.08m investment into Peterborough and the benefits expected to be delivered through the Vine would not be realised.

Do Minimum: Phased Delivery: This would entail delivery of the Ground Floor of The Vine only during Phase 1, alongside futureproofing of structural, utility and external façade components of the overall demise of 64-68 Bridge Street. Subsequent phases would be delivered to complete fitout and occupation of upper floors subject to additional funding availability in the medium to long term. This approach sought to provide some activation of uses at The Vine and prepared upper floors for future uses and aimed to provide a minimum level of enterprise and attraction at The Vine in the short term, whilst minimising disruption to ongoing operations at the Ground Floor when future phases of development came forward in the longer term. This option could be delivered within the budget envelope.

Delivery across two locations: Delivering the Vine and its associated outputs, outcomes and impacts over two separate sites –

- 64-68 Bridge Street (i.e. TK Maxx) – utilisation of Ground Floor plus minimum works to structural, utility and external façade components of the

demise of the building to support Ground Floor occupation by events space, food and beverage/retail outlets and café/bar space.

- Central Library – utilisation of the Central Library site to house a transformed and modern library in situ on the Ground Floor, with commercial space relating to co-working spaces, maker spaces, studios and education suite provision on the upper floor.

This option could be delivered within the budget envelope.

83. ARU PETERBOROUGH PHASE 3 FULL BUSINESS CASE

The Cabinet received a report in relation to the phase 3 Full Business Case for ARU Peterborough.

The purpose of this report was to seek Cabinet approval to the full business case for phase 3 of the ARU Peterborough University programme. The Council was a shareholder in the company overseeing the development of the business case, and its approval was a shareholder consent matter requiring explicit approval from Cabinet.

The Cabinet Member for Children's Services, Education, Skills and the University introduced the report and provided an overview of the key points.

Cabinet Members debated the report and in summary responses to questions raised included:

- The University would deliver better quality job opportunities for local people and improve their earnings and reverse the economic decline. This would also help with the levelling up agenda and would put Peterborough on the map. There were a lot of students who had enrolled from PE postcodes which showed the investment being made in local people to improve their employment opportunities. This would reverse decades of economic decline in the city for its residents. This was also part of the regeneration programme of the city and helping levelling up Peterborough and the region as a whole.
- There was a challenge to the work in phase 3, both the other phases came in under budget and phase 3 estimates were coming in higher than first thought. There was no impact on the quality of the building and it was still the aspiration to deliver the university in full. Members were informed that there was a contingency in the budget just in case the costs escalated.
- There were to be more phases to the university from the original application which included five phases. Phase 4 would be worked on shortly and included a number of research programmes, of which further info would be brought forward in due course. In phase 5 more traditional teaching buildings would be constructed.
- The relationship with the University was on good standing and formal governance arrangements were in place with two board member slots filled by the Council. The principal of the University was active in making the University a key aspect of the city.
- There was a new board in place governing the curriculum. The University had been working with local employers to understand the needs of the city.

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

1. Approve the Full Business Case for phase 3 of the university programme.

2. Note the work described in section 4.9 of the report to identify ways to measure the full impact of the new university in Peterborough and the region.
3. Note the formation of a new Peterborough Skills Partnership Board, as described in section 4.10 of the report.

REASONS FOR THE DECISION

Approval of the business case was a matter reserved to shareholders of the Peterborough HE Property Company Ltd.

ALTERNATIVE OPTIONS CONSIDERED

To not bring the business case forward for approval: although it was possible for the development of the phase three building to proceed without the business case being approved, not doing so was likely to call into doubt the Council's overall support for the university programme, would not enable the Council to endorse and validate the financial case, and would not enable the Council to appropriately monitor and challenge the development as it comes forward over the next few months.

84. TRANSFER OF REGIONAL POOL CAR PARK FOR PHASE 3 OF THE UNIVERSITY PROJECT

The Cabinet received a report in relation to the development of phase 3 of the university project on land known as Regional Pool Car Park.

The purpose of this report was to inform Cabinet of the proposed disposal of the Regional Pool Car Park to the joint venture company. The site had been identified as the preferred location to facilitate phase 3 of the university project due to the proximity of the first two phases at the previously known Wirrina Car Park. Planning permission was submitted in September 2022 for the development of a two-storey building, car parking and associated works and was granted planning permission at Planning Committee on the 13 December 2022.

The Cabinet Member for Finance and Corporate Governance introduced the report and provided an overview of the key points.

Cabinet Members debated the report and in summary responses to questions raised included:

- It was unfortunate that there was not a temporary solution to the car parking issues. Officers were looking at further work in the local vicinity to help resolve some of the issues.
- There was a planning application that was granted but this was not necessarily the best location.
- Members were reassured that the Council was doing all it could to make sure no inconvenience was caused to the pool or athletic club. The Council was also in the process of releasing further details on where additional parking would be made.
- At the current time the Council did not want to invest too much money on the pool as it was still the intention to relocate and create new facilities.
- Officers were working on scaling back the facility on the back of the economic crisis and what it might cost to rebuild the pool. The Council still had the ambition to improve the ageing facility and provide a better offering for residents.

- There was still the Bishops Road car park that was a short walk to the regional pool, which members could use. In addition, there were some access issues the Council was aware of and these were to be tackled going forward.

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

1. Authorise the Council to transfer land at Regional Pool Car Park into the joint venture company to facilitate Phase 3 of the university project.
2. Delegate authority to Executive Director of Corporate Services and Director of Legal and Governance, in consultation with the Cabinet Member for Finance and Corporate Governance to finalise and agree the final land value and all relevant contract and transfer documents.
3. Note the requirement to provide a temporary car park to benefit the users of the Regional Pool.

REASONS FOR THE DECISION

To enable the joint venture company to continue to deliver the university project for the benefit of the City and wider economy

ALTERNATIVE OPTIONS CONSIDERED

The Council could choose not to transfer the site to the JVCo but this would be a breach of the joint venture agreement and may lead to the termination of the JVCo resulting in the Council incurring costs incurred in connection with the project. This would have a significant impact on the overall delivery of the university project and was not recommended.

85. CONFIRMATION OF THE ARRANGEMENTS TO TRANSFER SERVICES PROVIDED BY NPS PETERBOROUGH LIMITED FOLLOWING TERMINATION OF THEIR AGREEMENT IN RELATION TO PROPERTY AND ESTATES

The Cabinet received a report in relation to arrangements to transfer services provided by NPS Peterborough Limited.

The purpose of this report was to authorise bringing forward the termination date of the Council's Agreement with NPS Peterborough Limited to 31 January 2023, or as soon as possible thereafter, and the consequential actions required.

The Cabinet Member for Finance and Corporate Governance introduced the report and provided an overview of the key points.

Cabinet Members debated the report and in summary responses to questions raised included:

- There was a team in place to make the transaction work and this was being done on a practical basis and was in full swing, conversations and consultation had taken place with staff affected.
- It was proposed that the service would be run in house by the Council.

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

1. Agree to bring forward the termination of the Council's Agreement with NPS Peterborough Limited to 31 January 2023 or as soon as reasonably possible thereafter.
2. Note that upon termination of the Council's Agreement with NPS Peterborough Limited, property and estate management services will be provided in-house by the Council and staff will transfer accordingly.
3. Delegate authority to the Executive Director of Corporate Services and S151 Officer in consultation with the Cabinet Member for Finance and Resources and the Director of Law and Governance and Monitoring Officer to agree to decommission and wind up NPS Peterborough Limited or dispose of its shareholding in accordance with the shareholders agreement and articles of NPS Peterborough, subject to appropriate due diligence and their agreement that it is appropriate to do so.
4. Agree that the Council, as a shareholder of NPS Peterborough Limited, will exercise its vote and give such consent as may be required, to give effect to these recommendations.
5. Delegate authority to the Executive Director of Corporate Services and S151 Officer, in consultation with the Director of Law and Governance and Monitoring Officer to:
 - a. negotiate and enter into a Commercial Transfer Agreement with NPS Peterborough Limited in respect of the termination;
 - b. in respect of the earlier termination date referred to in recommendation 1 above, approve any financial payment to NPS Peterborough Limited; and
 - c. issue notices, negotiate and enter into any other documentation and take all other steps reasonably necessary in the view of the Executive Director of Corporate Services and S151 Officer to facilitate and give effect to these recommendations

REASONS FOR THE DECISION

The Cabinet's approval on 20 June 2022 to terminate the services contract with NPSPL was provided on the basis of gaining better corporate oversight and control of its property portfolio and asset management planning, including its disposals strategy. Since that decision, the Council had been running the services under the leadership of an Interim Property Services Lead, and this had led to the conclusion that the Council would realise financial and service benefits early, by bringing the transfer date forward. A number of staff had left NPSPL and because of the uncertainty surrounding the future of the joint venture, NPSPL was unable to recruit new employees, adversely impacting on the service NPSPL provided the Council. Bringing forward the transfer date, removed this uncertainty, allowing the Council to offer more certain employment to new starters and the existing staff. A full-time Service Director – Commercial Partnerships, property and Asset Management, had already been appointed to drive the service forward.

ALTERNATIVE OPTIONS CONSIDERED

Do not bring the termination date forward: Leaving the termination and transfer date as the end of June 2023 was discounted because the earlier date provides the Council more immediate control of the service and the ability to better able tailor the service to meet the Council's requirements.

86. IRRECOVERABLE DEBTS IN EXCESS OF £10,000

The Cabinet received a report in relation to the write-off of irrecoverable debt in excess of £10,000.

The purpose of this report was for Cabinet to approve the write-off of irrecoverable debt in excess of £10,000.

The Cabinet Member for Finance and Corporate Governance introduced the report and provided an overview of the key points.

Cabinet Members debated the report and in summary responses to questions raised included:

- The Council only wrote off bad debt if there was no prospect of collecting the debts. The Council used bailiffs as well as tracing agents, it was only once there was no legal recourse to collect the debt that it was written off.
- A small amount was set aside to cover debts that were not able to be collected. Any debts were then written off against this amount that was set aside.
- Members were informed that this was a cumulation of debt. The focus over the past few years had been around Covid 19. These debts write offs were usually done annually however due to the challenging circumstances it had accumulated over the past few years. The Council had good collection rates for businesses and Council Tax and there was a big drive to make sure all payments were collected.

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

1. Authorise the write-off of the debt shown as outstanding in respect of Non-Domestic (Business) Rates, Council Tax, Accounts Receivable (sundry debt) accounts and Housing Benefit overpayments, included in the Appendices to this report (which detail the financial year and the category for the write-off request).

REASONS FOR THE DECISION

The authorisation for write-off was made due to one of the following scenarios:

- the individual/ company being made insolvent/ bankrupt;
- recovery action attempted but no longer enforceable under the Limitation Act 1980 (Statute Barred);
- the ratepayer was deceased with no further income due from the estate; and
- the result of legal processes/ negotiations/ disputes concluding

Where debt being written off was in relation to companies that have gone into administration/ individuals being made bankrupt, proof of debt had been lodged with the Administrators or Liquidators in all appropriate cases and either it had been confirmed that no dividend was payable, or a final dividend payment had been received. Recovery action had therefore been exhausted and there was no further action that could be taken to obtain any further payments in relation to the debt. Table 2 in Appendix 1 to the report summarised the rationale for the different reasons for write-off decisions by year and by value.

ALTERNATIVE OPTIONS CONSIDERED

The alternative option was to not write off this debt. This would result in irrecoverable debts continuing to be shown as outstanding, with a bad debt provision apportioned to these balances. It should be noted that once a debt was no longer collectable it should be written off in the Council's accounts and the debt provision adjusted accordingly.

All other alternative options available to the Council to collect the debt had already been undertaken before making a decision to recommend a debt for write-off.

Chairman
10.00am to 11.40am
16 January 2023