

**MINUTES OF THE EXTRAORDINARY CABINET MEETING
HELD AT 10:00AM, ON
THURSDAY 23 MARCH 2023
COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH**

Cabinet Members Present: Councillor Fitzgerald (Chair), Councillor Steve Allen (Vice-Chair), Councillor Ayres, Councillor Cereste, Councillor Coles, Councillor Howard, Councillor Simons

Cabinet Advisor Present: Councillor Bisby, Councillor Hussain, Councillor Gul Nawaz

110. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Moyo and Councillor Sainsbury.

111. DECLARATIONS OF INTEREST

There were no declarations interest received.

112. PETITIONS PRESENTED TO CABINET

There were no petitions presented to Cabinet.

STRATEGIC DECISIONS

113. RECOMMISSIONING OF DRUG AND ALCOHOL SERVICES IN PETERBOROUGH

The Cabinet received a report in relation to the recommissioning of the Drug and Alcohol Treatment Service in Peterborough.

The purpose of this report was to secure support for a contract modification to PCC's current Integrated Drug and Alcohol Treatment Services contract, in consideration of Regulation 72(1)(b), Public Contracts Regulations 2015, to modify the contract to allow for a two-year contract extension until 31 March 2026.

Councillor Howard, 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:

- Members were advised that the grant came with delivery requirements that officers felt were currently being met.
- It was noted that there was sufficient time to renegotiate another contract, however, the potential disruption to service delivery and performance that may result was deemed undesirable, given the ongoing requirements of the grant.
- It was advised that this route had been proposed in consultation with procurement and legal advice.

- Members considered the issue of dirty needles being left in open areas. It was suggested that further work needed to be done to co-ordinate different Council's areas to address the issue.
- It was noted that family safeguarding arrangements were central to the service, with Drug and Alcohol staff being within the social care services and working directly with families, which had been well evaluated and had received funding to continue the arrangement.

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

A contract modification for a 2-year contract extension to the Change Grow Live (CGL) Aspire Integrated Drug and Alcohol Treatment Service for the period 1 April 2024 to 31 March 2026.

REASONS FOR THE DECISION

- To provide stability in the current services to increase the numbers in treatment, improve the quality of services and provide stability in staffing in line with the expectations of the additional grant finding which was allocated to support delivery of the National Drugs Strategy
- To provide sufficient time and stability to deliver and evaluate the services established through the grants and ensure that the expectations and Terms and Conditions of the grants are met.
- It was likely that the Rough Sleeper and potentially the other grants would be extended into 2025/26 adding further to the complexity of delivering new models. A longer period without substantial changes enabled them to become embedded and established.
- The Provider Selection Regime (PSR) would come into force during any re-commission undertaken in 2023/24. Its adoption would allow the complexities of health service contracts to be addressed.
- The option to jointly commission with Cambridgeshire County Council from the 1 April 2026 would enable pooling of resources and take a more collaborative approach across Cambridgeshire and Peterborough especially in relation to organisations that work across the two local authorities.
- The current provider was performing to high standard and had worked hard to implement the new grant requirements despite huge challenges with workforce recruitment.

ALTERNATIVE OPTIONS CONSIDERED

Procurement and New Service commencing April 2024 - The option of undertaking a competitive procurement for Adult and Children and Young People's Drug and Alcohol Treatment Service in Peterborough during 2023/24 with only with a new contract commencement of 1 April 2024 was explored and dismissed due to service disruption and non-delivery of the grants' expected outcomes, and procurement and financial risks.

Direct award for a two-year period - To direct award to the supplier following contract expiry of these services would be a breach of the Council's Contract Rules and Public Contracts Regulations 2015, therefore this option was not considered further.

114. ADOPTION OF THE PLANNING COMPLIANCE PLAN 2022

The Cabinet received a report in relation to the Planning Compliance Plan for 2022.

The purpose of this report was to seek approval for adoption of the revised Planning Compliance Plan (2022). The revision is a result of the Planning Service review which

found that the current Planning Compliance Plan adopted in 2013 (the 2013 plan) is not sufficiently up to date.

Councillor Cereste, 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:

- Members noted that a significant intention of the policy was to improve the service and focus on addressing national criticism for slow and unpredictable delivery through the implementation of a triage process.
- It was highlighted that the new policy removed the requirement to update informants of the process and would now rely on informants requesting updates.
- This, it was advised, would be communicated to informants and the initial triage stage, with a generic inbox having been set up in order to better manage communications.
- It was noted that decisions in relation to planning applications for listed buildings may take longer than non-listed building, due to the need to consult with government heritage advisors.
- Members were reassured that the triage process was to keep cases at a manageable level. If new or additional information became available in relation to previously closed cases, these would be reopened.

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

1. Adopt the Planning Compliance Plan 2022 included at Appendix A.

REASONS FOR THE DECISION

The current Compliance Policy was adopted in 2013 and, whilst the planning legislation was still relevant, the policy had been made more concise. It required updating to reflect more effective working practices and new service timescales according to the priority of the case.

ALTERNATIVE OPTIONS CONSIDERED

The alternative would be to retain the 2013 Plan. However, this had led to time being wasted on the investigation of alleged breaches of planning control that could have been dealt with more quickly had the informant provided additional information at the start of the process. This had resulted in additional staff costs and in less time being focused on breaches of planning control that were more harmful or irreversible.

115. SUBSIDIARY PROPOSAL: LEISURE SERVICES

The Cabinet received a report in relation to subsidiary arrangements for leisure services.

The purpose of this report was to present recommendations to Cabinet following Peterborough Limited's review of options relating to the company structure operated by Peterborough Limited for the delivery of leisure services, to ensure that the delivery of the leisure services achieves best value for money.

Councillor Steve Allen, Deputy Leader and Cabinet Member for Communication, Culture and Communities, introduced the report and provided an overview of the key points.

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

- Members were advised that external support was being sought for taxation advice and legal advice around corporate entities, as the Council did not have this expertise in-house.
- It was noted that the nature of the guarantee for the Company Limited by Guarantee would be part of the next stage of considerations, and would be taken under advice.

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

1. Subject to the undertaking of due diligence on and receipt by the Council of satisfactory legal, financial, procurement and taxation advice in connection with the proposed delivery structure, approve that Peterborough Limited establish a not-for-profit company limited by guarantee as a wholly owned subsidiary to deliver the Council's leisure services on an interim basis until 31 March 2024.
2. Approve the amendment of Peterborough Limited's Articles of Association, accounting and reporting practises as may be necessary to affect the decision in recommendation 1, and the adoption of a further Peterborough Limited reserved matter, namely that Cabinet must approve the alteration of any matter reserved to Peterborough Limited in relation to any subsidiary.
3. Following receipt and approval by the Executive Director of Corporate Services of the satisfactory legal, financial, procurement and taxation advice referred to in Recommendation 1, to approve the delegation of authority to the Executive Director of Corporate Services, in consultation with the Director of Governance, the Executive Director for Place and Economy, and the Cabinet Member for Communication, Culture and Communities, to take all necessary steps to protect the interests of the Council and effect the decision in Recommendations 1 and 2, including negotiating and entering into agreements.

REASONS FOR THE DECISION

A not-for-profit company limited by guarantee was P-Ltd's preferred option in principle, but this was subject to further due diligence on the part of the Council and receipt of advice in accordance with Recommendation 1.

The Council would then be able to assess which option would enable P-Ltd to continue to deliver leisure services on behalf of the Council in the most cost-effective way. This report did not impact on the separate work which was being carried out to explore long-term delivery options for the leisure services.

ALTERNATIVE OPTIONS CONSIDERED

Alternative options were set out within Appendix 1 - Exempted Section Not for Publication Business Case.

116. SALE OF OPTION - NURSERY LANE DEPOT

The Cabinet received a report in relation to the sale of option for Nursey Lane Depot.

The purpose of this report was to enter into an Option Agreement with Cambridgeshire and Peterborough Combined Authority for the sale of Nursery Lane Depot as detailed in the report and exempt appendix.

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

Cabinet Members noted that the matter had been discussed at length by the Cambridgeshire and Peterborough Combined Authority.

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

1. That the Council enters into an Option Agreement with Cambridgeshire and Peterborough Combined Authority for the disposal of the freehold land at Nursery Lane Depot at Market Value but subject to all current constraints being resolved, as detailed below and in the exempt annex.
2. That authority is delegated to the Executive Director of Corporate Services and Director of Law and Governance after consultation with the Cabinet Member for Finance and Corporate Governance to take all necessary steps to negotiate the terms of the option agreement following receipt of satisfactory, legal and property advice on the terms of the option agreement.

REASONS FOR THE DECISION

A new bus depot would enable the Council to achieve a future-proofed, accessible, and sustainable public transport system.

ALTERNATIVE OPTIONS CONSIDERED

The Council could decide not to agree to the disposal of the site to CPCA but this could risk the grant funding secured and capital receipt programme.

As it was the last Cabinet meeting of the municipal year, the Leader of the Council thanked Members and officers for their hard work throughout the year.

Chairman
10.00am to 11.33am
23 March 2023