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PETERBOROUGH CITY COUNCIL SUMMONS TO A MEETING

You are invited to attend a meeting of the Peterborough City Council, which will be held in the Council Chamber, Town Hall, Peterborough on

WEDNESDAY 6 DECEMBER 2023 at 6.00 pm

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Chief Executive

28 November
2023
Town Hall
Bridge Street
Peterborough



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**MINUTES OF THE COUNCIL MEETING
HELD WEDNESDAY 1 NOVEMBER 2023
COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH**

THE MAYOR – COUNCILLOR SANDFORD

Present:

Councillors Ahmed, Jackie Allen, Steve Allen, Asif, Ayres, Barkham, Bi, Bisby, Andrew Bond, Sandra Bond, Casey, Cereste, Cole, Day, Dowson, Elsey, Mohammed Farooq, Saqib Farooq, Fenner, Fitzgerald, Judy Fox, John Fox, Harper, Haseeb, Hemraj, Hiller, Hogg, Howard, Hussain, Iqbal, Jamil, Jones, Khan, Knight, Lane, Mahmood, Nawaz, Perkins, Ray, Rush, Sabir, Sainsbury, Sandford, Seager, Sharp, Simons, Skibsted, Stevenson, Strangward, Thulbourn, Trust, Tyler, Warren, Wiggin

48. Apologies for Absence

Apologies for absence were received from Councillor Casey, Councillor Coles, Councillor Over, Councillor Qayyum, Councillor Rangzeb and Councillor Shaheed.

49. Declarations of Interest

Councillor Wiggin declared that in respect of the Motion from Councillor Fenner under item 12 of the agenda, he currently worked for the Passport Office which is part of the Home Office. As action was requested in the Motion from the Home Office, he would not be taking part in the debate or voting on the Motion.

Ms Adesuwa Omoregie declared that for item 13e on the agenda, Appointment of the Interim Monitoring Officer, she would not be taking part in consideration of this item and would be leaving the room.

Ms Rachel Edwards declared that she would be leaving the room for item 13g on the agenda, Appointment of Statutory Scrutiny Officer and would not take part in the consideration of this item.

50. a) Minutes of the Meeting held on 21 June 2023

The minutes of the Council meeting held on 26 July 2023 were approved as a true and accurate record.

b) Minutes of the Public Meeting held on 31 August 2023

The public minutes of the Extraordinary Council meeting held on 31 August 2023 were approved as a true and accurate record.

COMMUNICATIONS

51. Mayor's Announcements

The Mayor introduced the Mayor's Announcement report, outlining the recent civic events attended by the Mayoral Party, and upcoming events, including:

- His attendance at the annual Black History month celebration and Diwali events.
- His officiating at the start of the Great Eastern Run.
- His attendance at the opening day of the Peterborough Beer Festival.
- His joining in the Starlight Hike run by one of his mayoral charities, Sue Ryder.
- Mayoral fundraising events had been successful in September and October with over £600 raised at the Sausage Supper held at the Town Hall and over £800 at the first of the 'Curry Nights'.
- He referred to Remembrance Weekend on 11th and 12th November.

Members were encouraged to join the Mayor in attending fundraising events. These were a Caribbean evening at the Millennium Centre on 18th November, a mayoral curry night at Maharani's restaurant in Hampton Hargate on 26th November and a coach tour around the John Clare Countryside on 2nd December.

52. Leader's Announcements

The Leader made a number of announcements on the following areas:

- He wished Dan Kalley, who was due to leave his role as Democratic & Constitutional Services Manager at the Council shortly, all the best for the future and thanked him for his contribution.
- He had attended and given a speech at the Opportunity Peterborough Bondholder Dinner on 19th October.
- He stated that the Station Quarter re-development project would be used as a Levelling Up Fund case study by the Department for Levelling Up, Housing and Communities.
- Two officers from the Council's Housing Needs Team, Megan English-Stevens and Ella Evans, were congratulated for being shortlisted for the Housing Occupational Therapist of the Year accolade at this year's National Healthy Housing Awards. He wished them well at the ceremony in the National Football Museum in Manchester next month.
- Officers would be attending a 'Love Local Government' event in London in a fortnight's time to celebrate the creative work taking place in the face of unprecedented challenges.
- The Cabinet had recently approved the route to delivery of the Peterborough Integrated Renewables Infrastructure 'PIRI' project, via a partnership arrangement. The project delivered low carbon heat and electrical power to key businesses and public buildings.
- ARU Peterborough had recently announced that work had started Work on XRP eXtended Reality Peterborough, a new Centre of Excellence on the ground floor of the Peterborough Innovation and Research Centre at the ARU Peterborough campus.

Other Group Leaders responded to the Leader's announcements and raised the following points:

- Dan Kalley was thanked for his contribution by the Group Leaders and they wished him well in his new role at Cambridge City Council.
- The Group Leaders congratulated Megan English-Stevens and Ella Evans for their shortlisting and wished them well at the National Healthy Housing Awards.
- Members welcomed the progress at ARU Peterborough in a short period of time.
- Further information would be appreciated on the plans for a replacement of the regional pool.
- Members looked forward to hearing more about the PIRI scheme as it develops.

QUESTIONS AND PETITIONS

53. Questions from Members of the Public

Five questions were received from members of the public in respect of the following:

1. Appearance and noise nuisance of monopole and boxes – why it was authorised to be located so close to a dwelling.
2. Criteria used to decide the area of land suitable for masts and how Coniston Road met this criterion..
3. Would the Council consider placing masts on the grass verge along the Parkways.
4. A request to remove the telecoms mast at Coniston Road.
5. Communications and Council decisions in respect of the situation in Israel and Palestine, including regarding the lighting in Peterborough city centre.

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

54. Petitions

(a) Presented by Members of the Public

There were no petitions presented by Members of the public at the meeting.

(b) Presented by Members

There was one petition presented by Members at the meeting. Councillor Hussain presented a petition from the Peterborough Hackney Carriage Association. Financial pressures such as the cost of living and high fuel costs had had a drastic impact on their taxi trade and as a result the Association was requesting an increase to the age limit of their vehicles by three years. The Association was also seeking that the waiting times for MOT checks were reduced as the existing waiting times of two to four weeks were having a significant impact on their livelihoods.

55. Questions on Notice

(a) To the Mayor

(b) To the Leader or Member of the Cabinet

(c) To the Chair of any Committee of Sub-Committee

(d) To the Combined Authority Representatives

Questions (a)-(d) were raised and taken as read in respect of the following:

1. Charging of new and replacement bins.
2. Update on the implementation of the Small Homes in Multiple Occupation.
3. Status of the Gravel Car Park.
4. Status of the loan to the developers of the Hilton Gardens Hotel.
5. Vote against the adoption of the new combined authority's Local Transport and Connectivity Plan.

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

RECOMMENDATIONS AND REPORTS

56. Executive and Committee Recommendations to Council

56(a) Employment Committee Recommendation – Appointment of S151 Officer

Council received a report from the Employment Committee recommending the appointment of Cecilie Booth as the permanent Chief Finance Officer and Section 151 Officer for Peterborough City Council.

Councillor Alison Jones moved the recommendation and referred to Ms Booth's experience and suitability for the role, having been Chief Finance and Section 151 Officer at the Council on a temporary basis since January 2022. Councillor Jackie Allen seconded the recommendation, confirming she had nothing further to add.

A vote was taken on the recommendation and Council **RESOLVED** (unanimous with no Members indicating to vote against or abstain) to approve the appointment of Cecilie Booth as the permanent Chief Finance Officer and Section 151 Officer for Peterborough City Council.

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

Cllr Fitzgerald introduced the report which outlined the record of Executive decisions made since the last meeting.

Members asked questions on the following Executive Decisions.

Disposal of the Dickens Street and Wellington Street Car Parks

In response to a question from Councillor Hogg regarding the impact on car parking at the Millennium Centre following the disposal of Dickens Street Car Park, Councillor Fitzgerald advised that the disposal of the Dickens Street Car Park was separate from the Millennium Centre's specific car parking area.

Citizens Advice Peterborough Grant 2023-24

In response to a question from Councillor Jamil around whether the award of grant funding would lead to an employee being available in person at Citizens Advice Peterborough rather than contactable by telephone, Councillor Steve Allen advised that the direction of travel was to have a member of staff in the library area.

Councillor Fitzgerald also clarified in response to a question from Councillor Hogg that it was deemed necessary for the Cabinet Member to authorise the delegation of authority to Cambridgeshire County Council in some of the Public Health decisions due to Public Health being a joint service.

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

Transport and Infrastructure Committee

In response to a question from Councillor Fitzgerald, Councillor Simons as the representative of the Combined Authority's Transport and Infrastructure Committee stated that he did not believe that the Committee had discussed that the drawdown of £200,000 which Councillor Fitzgerald had said that the Council had not received was reliant on the Local Transport and Connectivity Plan being passed at the subsequent Combined Authority Board meeting.

Combined Authority Board – 20 September 2023

In response to a question from Councillor Hogg, Councillor Fitzgerald advised that as the Council's representative on the Combined Authority Board, he had voted against the Local Transport and Connectivity Plan due to congestion charging proposals in the document.

COUNCIL BUSINESS

59. Reports to Council

It was agreed by the Mayor and Group Leaders prior to the meeting that item 13 on the agenda, Reports to Council would be considered before item 12, Notices of Motion.

59(a) Children's Improvement Board

Council received a report in relation to the setting up of the Children's Improvement Board

Councillor Jackie Allen moved the recommendations as outlined in the report.

Councillor Ayres seconded the recommendation and reserved her right to speak later in the debate.

A vote was taken on the recommendation and Council **RESOLVED** (unanimous with no Members indicating to vote against or abstain) to:

1. Approve the establishment of a Children's Improvement Board in line with the statutory notice of improvement issued by the Department for Education.
2. Approve the terms of reference of the Peterborough City Council Children's Improvement Board as set out at appendix 2 and in doing so appoint Sally Rowe as its independent chair.
3. Approve the remuneration of the panel chair as set out in para 2.1.
4. Approve the delegation to the Chief Executive, Executive Director of Children's Services and Young People and Executive Director of Corporate Services & S151 officer to take all necessary actions to appoint independent board members as outlined within the terms of reference.

5. Approve the delegation of authority to the Director of Legal and Governance and Monitoring Officer:
 - to make any necessary changes to the constitution and incorporate the terms of reference for the Children's Improvement Board
 - Outline the route for recommendations from the Children's Improvement Board through Cabinet, Children and Education Scrutiny Committee and Full Council.
6. Receive regular reports from the Cabinet Member for Children's Services and Education following each Improvement Board Meeting.
7. Note that improvement work commenced in March 2023 following the initial feedback from Ofsted.

59(b) Notification of Changes to the Leader's Scheme of Delegations

Council received a report in relation to Changes to the Leader's Scheme of Delegations

Councillor Fitzgerald moved the recommendation as set out in the report.

Councillor Steve Allen seconded the recommendation and reserved his right to speak.

A vote was taken on the recommendation and Council **RESOLVED** (unanimous with no Members indicating to vote against or abstain) to note the changes made by the Leader of the Council to the Executive Scheme of Delegations.

59(c) Appointment of Independent Audit Committee Chair

Council received a report in relation to the appointment of the Independent Audit Committee Chair.

Councillor Haseeb moved the recommendation as set out in the report.

Councillor Dennis Jones seconded the recommendation and reserved his right to speak.

A vote was taken on the recommendation and Council **RESOLVED** (unanimous with no Members indicating to vote against or abstain) to:

1. Approve the appointment of Daniel Schumann to the position of Independent Audit Committee Chair for a period of four years until September 2027.

59(d) Health and Wellbeing Board Annual Report

Council received a report in relation to the Health and Wellbeing Board Annual Report.

Councillor Hussain moved the recommendation.

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

A vote was taken on the recommendation and Council **RESOLVED** (unanimous with no Members indicating to vote against or abstain) to:

1. Note the annual report of the Joint Cambridgeshire & Peterborough Health and Wellbeing Board for 2022-2023.

59(e) Appointment of Interim Monitoring Officer

Council received a report in relation to the appointment of the Interim Monitoring Officer.

Councillor Fitzgerald moved the recommendation.

Councillor Steve Allen seconded the recommendation and reserved his right to speak.

A vote was taken on the recommendation and Council **RESOLVED** (unanimous with no Members indicating to vote against or abstain) to:

1. Approve the appointment of Adesuwa Omoregie as the Interim Monitoring Officer for Peterborough City Council.

59(f) Appointment of Education Statutory Co-Opted Member

Council received a report in relation to the appointment of the Education Statutory Co-Opted Member

Councillor Jackie Allen moved the recommendation.

Councillor Ayres seconded the recommendation and reserved her right to speak.

A vote was taken on the recommendation and Council **RESOLVED** (unanimous with no Members indicating to vote against or abstain) to:

1. Approve the appointment of Peter French as a co-opted member of the Children and Education Scrutiny Committee

59(g) Appointment of Statutory Scrutiny Officer

Council received a report in relation to the Statutory Scrutiny Officer

Councillor Fitzgerald moved the recommendation.

Councillor Steve Allen seconded the recommendation and reserved his right to speak.

A vote was taken on the recommendation and Council **RESOLVED** (unanimous with no Members indicating to vote against or abstain) to:

1. Approve the appointment of Rachel Edwards as the authority's Statutory Scrutiny Officer.

60. Notices of Motion

The Mayor adjourned the meeting prior to this item in keeping with 14.1 of the Council's Constitution.

60(1) Motion from Councillor Harper

Councillor Harper moved his motion, which asked for members to undertake a vote of no confidence to remove the Leader of the Council. He commented that opposition members had no confidence in the Leader of the Council, his Cabinet or the administration and would be seeking an alternative leader and administration. He added that the political attacks and weaponization of the Council administration against

opposition members had led to the relationship between the Leader (including his cabinet) and the opposition groups (including former group members) deteriorating to such an extent that the delivery of council services and having majority consent on major policy including the budget were at risk. He placed an emphasis on the council needing stability and leadership to navigate through the difficult financial and governance challenges it was facing.

Councillor Iqbal seconded the motion and reserved his right to speak.

The designated speaker on behalf of the Conservative Group was Councillor Sainsbury. He referred to the issues he believed had been created by lack of opposition support and commented that a new administration would put delivery of services at risk. Councillor Sainsbury also referred to some examples which he believed demonstrated the success of the Leader and the current administration.

The designated speaker on behalf of the Liberal Democrat Group was Councillor Hogg. He reserved his right to speak.

The designated speaker on behalf of the Green Party was Councillor Day. She supported the motion, expressing the view that the Council required a fresh approach. She confirmed she would be supporting the proposed 'Peterborough First' administration.

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

- Members from the Conservative Group stated that the Council was in an improved position due to the actions of the current Leader, Cabinet and administration. Further points included that the current administration had provided strong leadership and created stability, including through the creation of the all-party Financial Stability Working Group and that progress had been reflected in the report of the Independent Improvement and Assurance Panel. Achievements were referred to that they believed were linked to the work of the current administration, including the establishment of the University, the development of the PIRI project and the number of houses being built which made Peterborough one of the fastest growing cities in the country. They disputed that there had been no attempt to work in a spirit of co-operation with opposition members and expressed the view that the Leader had encouraged cross party engagement.
- Opposition members spoke in favour of the motion, expressing their concerns that there had been political and personal attacks by the current administration against opposition members and a lack of an attempt to work in partnership or in a spirit of co-operation with them. Further points included that it was not considered that it was the way to run a minority administration and that decisions were taken in political interests rather than the City's interests. The decision to vote against the Combined Authority's Local Transport and Connectivity Plan was raised as a decision of concern. The lack of progress in the OFSTED report was also given as a reason for supporting the motion.
- Members of the Conservative Group had made the point that the Council's Independent Improvement and Assurance Panel would need to remain in place due to the challenges that were likely to be raised by a new administration. Members of the Council were advised that it was the intention of 'Peterborough First' Members to keep the Panel in place should they become the new administration as the journey to seek improvements continued. It was stated that it was responsible to retain the Panel's support.

- Councillor Lane did not support the motion on the grounds that he believed the priority was for Members to work together, using collective skills and experience to achieve financial stability.

Councillor Hogg addressed Council, commenting that there had been good measures brought forward by the current administration such as the Financial Stability Working Group but also some negative aspects. He referred to Npower, Hilton Hotel and the Local Transport and Connectivity Plan not being signed as examples of those. He considered that at July Council there had been combative motions submitted and he believed there had been criticism of that from the Independent Improvement and Assurance Panel. Councillor Hogg also confirmed there had been discussions between the Liberal Democrat Group and Peterborough First regarding cross party working and he would be supporting the motion.

Councillor Iqbal then spoke, stating that the current administration and Leader had not sought to build trust with the opposition parties. He considered that the Conservative Group's criticisms of Peterborough First were unfair and he had found them competent, experienced, aware of the financial challenges the Council faced and in his view they would do their best for the people of Peterborough.

Councillor Harper, in his summing up, thanked those who had supported his motion. The aim, he stated, was to put the citizens of Peterborough first with collaboration, listening, transparency, stability and financial competence.

A recorded vote was taken on the motion (32 voting in favour, 20 voting against, 2 abstaining from voting.) The motion was **CARRIED**.

Councillors For – 32 – Barkham, Bi, Bisby, Andrew Bond, Sandra Bond, Cole, Day, Dowson, Mohammed Farooq, Saqib Farooq, Judy Fox, John Fox, Harper, Haseeb, Hemraj, Hiller, Hogg, Howard, Iqbal, Jamil, Alison Jones, Dennis Jones, Knight, Mahmood, Rush, Sabir, Seager, Skibsted, Stevenson, Strangward, Thulbourn, Wiggin

Councillors Against – 20 – Ahmed, Jackie Allen, Steve Allen, Asif, Ayres, Cereste, Fenner, Fitzgerald, Hussain, Khan, Lane, Nawaz, Perkins, Ray, Sainsbury, Sharp, Simons, Trust, Tyler, Warren

Councillors Abstaining – 1 – Sandford

60(1) Motion without notice to suspend standing orders

Councillor Harper moved a procedural motion to suspend the following Council Standing Orders set out in the Constitution relating to Motions: 19.1, 19.2, 19.3, 19.4, 20.1, 21.2, 23.1 and 23.2. He advised this was intended to be for the duration of the motion to elect a new Leader and subsequent matters arising from this motion.

Councillor Hogg seconded the motion and reserved his right to speak.

A recorded vote was taken on the motion (32 voting in favour, 19 voting against, 2 abstaining from voting.) The motion was **CARRIED**.

Councillors For – 32 – Barkham, Bi, Bisby, Andrew Bond, Sandra Bond, Cole, Day, Dowson, Mohammed Farooq, Saqib Farooq, Judy Fox, John Fox, Harper, Haseeb,

Hemraj, Hiller, Hogg, Howard, Iqbal, Jamil, Alison Jones, Dennis Jones, Knight, Mahmood, Rush, Sabir, Seager, Skibsted, Stevenson, Strangward, Thulbourn, Wiggins

Councillors Against – 19 – Ahmed, Jackie Allen, Steve Allen, Asif, Ayres, Cereste, Fenner, Fitzgerald, Hussain, Khan, Nawaz, Perkins, Ray, Sainsbury, Sharp, Simons, Trust, Tyler, Warren

Councillors Abstaining – 2 – Lane, Sandford

60(1) Motion without notice to elect a new leader

Councillor Harper moved his motion to appoint Councillor Mohammed Farooq as the new Leader of the Council.

Councillor Hogg seconded the motion and reserved his right to speak.

60(1) Motion without notice to elect Councillor Wayne Fitzgerald as Leader

Councillor Steve Allen proposed an amendment to the motion to elect Councillor Fitzgerald as Leader of the Council. Addressing Council on the amended motion, he stated that all Members of the Conservative Group were supportive of Councillor Fitzgerald as their leader. He expressed the view that it was personal enmities held by a group of disparate opposition parties and the ambition of the new administration rather than reasons of substance which had led to the vote of no confidence.

Councillor Tyler seconded the amended motion and reserved his right to speak.

It was agreed that Members would speak on the Motion without notice to elect a new leader and the amended Motion without notice to elect Councillor Fitzgerald at the same time.

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

- Members of the Conservative Group expressed concerns that many of the Members who were now part of the new administration had formerly been elected as Members of the Conservative Group and not on a Peterborough First mandate. Further points included that Councillor Farooq had originally been elected as a Member of the Group and was now seeking to be Leader of the Council as a Member of Peterborough First. It was questioned whether this was legitimate or moral. It was queried whether the numbers in Peterborough First were sufficient to run the administration and it was doubted whether it was appropriate that the largest party was no longer being asked to form the administration. There were concerns expressed that opposition groups were voting for the new administration of former Conservative Group councillors and would take no part in it.
- Members of the Conservative Group spoke in favour of the motion to elect Councillor Fitzgerald on the grounds that he was the best leader for Peterborough.
- There were concerns expressed from opposition members about the level of debate from Councillor Fitzgerald during this item, including in relation to Members of Peterborough First. This was stated as a reason as to why a new Leader and administration was required.

Councillor Hogg, in his capacity as the seconder of the motion to elect Mohammed Farooq as the new Leader of the Council, queried the legitimacy of seeking to elect Councillor Fitzgerald as Leader following the vote of no confidence. He hoped that Councillor Fitzgerald would be able to play a part in seeking better outcomes for the Council with the other parties in the future, given his experience.

Councillor Harper summed up, having moved the motion to appoint Councillor Mohammed Farooq as the new Leader of the Council. He concurred with Councillor Hogg that it was necessary for all parties to work together and the Members who had stated that the level of debate was the reason why it was necessary to seek a change of administration. He asked that Members vote for Councillor Farooq in order for the City to make progress.

It was clarified by the Mayor that the amended motion to elect Councillor Fitzgerald as Leader would be taken first and in the event it was carried, it would become the main motion. A recorded vote was taken on the amended motion. (20 voting in favour, 32 voting against, 1 abstaining from voting.) The motion was **DEFEATED**.

Councillors For – 20 – Ahmed, Jackie Allen, Steve Allen, Asif, Ayres, Cereste, Fenner, Fitzgerald, Hussain, Khan, Lane, Nawaz, Perkins, Ray, Sainsbury, Sharp, Simons, Trust, Tyler, Warren

Councillors Against – 32 – Barkham, Bi, Bisby, Andrew Bond, Sandra Bond, Cole, Day, Dowson, Mohammed Farooq, Saqib Farooq, Judy Fox, John Fox, Harper, Haseeb, Hemraj, Hiller, Hogg, Howard, Iqbal, Jamil, Alison Jones, Dennis Jones, Knight, Mahmood, Rush, Sabir, Seager, Skibsted, Stevenson, Strangward, Thulbourn, Wiggan

Councillors Abstaining – 1 – Sandford

A recorded vote was then taken on the motion to appoint Councillor Mohammed Farooq as the new Leader of the Council (32 voting in favour, 19 voting against, 2 abstaining from voting.) The motion was **CARRIED**.

Councillors For – 32 – Barkham, Bi, Bisby, Andrew Bond, Sandra Bond, Cole, Day, Dowson, Mohammed Farooq, Saqib Farooq, Judy Fox, John Fox, Harper, Haseeb, Hemraj, Hiller, Hogg, Howard, Iqbal, Jamil, Alison Jones, Dennis Jones, Knight, Mahmood, Rush, Sabir, Seager, Skibsted, Stevenson, Strangward, Thulbourn, Wiggan

Councillors Against – 19 – Ahmed, Jackie Allen, Steve Allen, Asif, Ayres, Cereste, Fenner, Fitzgerald, Hussain, Khan, Nawaz, Perkins, Ray, Sainsbury, Sharp, Simons, Trust, Tyler, Warren

Councillors Abstaining – 2 – Lane, Sandford

60(1) Motion without notice to note leader's scheme of delegations

Councillor Farooq moved his motion for Council to note the new Cabinet Members and their respective portfolios. He thanked colleagues, including from the different political groups, for voting for him as the new Leader of the Council. He also referred to four key priorities for the new administration that were growth and prosperity, protecting the vulnerable, education and environment. He stated that the vision was for the core values of transparency, compassion and ambition to become embedded in a financially stable and collaborative council.

The new Cabinet Members were as follows:

- Councillor Howard – Deputy Leader and Cabinet Member for Finance, Corporate Services, Legal and Communities
- Councillor Bisby – Cabinet Member for Children's Services
- Councillor Hiller – Housing, Growth and Regeneration
- Councillor Saqib Farooq - Cabinet Member for Adults and Health
- Councillor Elsey - Cabinet Member for Infrastructure, Environment and Climate Change
- Councillor Harper - Cabinet Advisor for Housing, Growth and Regeneration
- Councillor John Fox - Cabinet Advisor for Adults and Health.

Councillor Farooq added that the new administration was well aware of the financial challenges the council was facing and the plan was to deliver a long term financial strategy in order to provide stability in the medium to long term. It appreciated all the hard work of officers and looked forward to working with them having taken on the new roles. It also planned to work closely with all political groups and extend a hand of friendship to Conservative Group colleagues. Co-operation of the Conservative Group would lead to stronger and more stable leadership.

Councillor Howard seconded the motion and reserved his right to speak.

It was clarified by the Mayor that the vote taken on the motion was to note the leader's scheme of delegations. The vote was as follows (33 voting in favour, 18 voting against, 1 abstaining from voting.) The motion was **CARRIED**.

60(1) Motion without notice to elect Committee Chairs, Vice Chairs and Appointments to Outside Organisations

Councillor Farooq moved his motion, asking Council to approve the appointments of the following as Chairs and Vice-Chairs of Council Committees:

- Growth, Resources and Communities Scrutiny Committee – Chair, Councillor Wiggin and Vice Chair, Councillor Jamil.
- Children and Education Scrutiny Committee – Chair, Councillor Shahid and Vice Chair, Councillor Hemraj.
- Climate Change and Environment Scrutiny Committee – Chair, Councillor Day and Vice Chair, Councillor Sandford.
- Adults and Health Scrutiny Committee – Chair (To Be Confirmed) and Vice Chair, Councillor Shahid.
- Employment Committee – Chair, Councillor Alison Jones and Vice Chair, Councillor Jamil.
- Planning and Environmental Protection Committee – Chair, Councillor Iqbal and Vice Chair, Councillor Jamil.
- Appeals and Planning Review Committee – Chair, Councillor Thulbourn and Vice Chair, Councillor Qayyum.
- Audit Committee – independent Chair, Daniel Schumann and Vice Chair, Councillor Haseeb.
- Corporate Parenting Committee – Chair, Councillor Dennis Jones and Vice Chair, Councillor Bi.
- Constitution and Ethics Committee – Chair, Councillor Qayyum and Vice Chair, Councillor Hiller.
- Licensing Committee – Chair (To Be Confirmed) and Vice Chair, Councillor Sandra Bond.

Councillor Farooq asked Council to note the Committee membership, to approve the appointment of Councillor John Fox as the Armed Forces Champion and to note the membership of all other outside bodies (these had been provided to Members at the meeting).

Councillor Howard seconded the motion and reserved his right to speak.

A vote was then taken on the motion (47 voting in favour, 3 voting against, 2 abstaining from voting.) The motion was **CARRIED**.

60(2). Motion from Councillor Fenner

Councillor Fenner moved the motion. He stated that it was noted that the Council had received £48 million for the Station quarter. The redevelopment was likely to include the Great Northern Hotel site. At present the hotel was being used as a hostel for migrants that had crossed the channel on small boats.

Councillor Fenner commented that Peterborough supports more asylum seekers than any other city in the east of England. There was a strong track record of helping those that faced persecution and who are in need. However, any further use of this hotel as a place for migrants could potentially impact and delay any redevelopment plans. The use of the hotel for this purpose was not in the long-term interests of Peterborough and the young men themselves.

It was proposed that the Council resolve to press ahead with the station quarter redevelopment plans as quickly as possible, lobby government to find alternative accommodation, outside of Peterborough, for the asylum seekers and support the government in its campaign to stop the boats and illegal immigration.

Councillor Hussain seconded the motion, thereby reserving his right to speak.

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

- The Government had now advised that the Great Northern Hotel would no longer be used as a place for asylum seekers to stay after the end of January 2024.
- The view was expressed that given there were 'no spades in the ground' as yet in the redevelopment, the position regarding the hotel was not currently impeding it.
- It was agreed that there was no wish to see asylum seekers risk their lives in boat crossings and for human traffickers to profit. However, there was a difference of opinion between Conservative Group members who supported Government policy and added that those who travelled in the boats were not following due process and Liberal Democrat and Labour Group members who expressed concerns about the Government's policy, including the cost of people staying in hotels and the number of cases yet to be processed. Opposition members asked that asylum seekers were not called illegal immigrants on the basis they were able to seek asylum and it was for the system to ascertain whether they met the legal criteria.

During this item, in according with the Council's Standing Orders in the Constitution, it was noted that at 10.15pm the meeting would be formally brought towards its

conclusion unless there was a motion to suspend Standing Order 14.2 in order that the meeting could be extended.

Councillor Hogg moved a motion to suspend the Standing Order in order that the meeting could be extended. Councillor Ray seconded the motion.

A vote was taken on the motion to extend the meeting of Council by 30 minutes (29 voting in favour, 23 voting against, 1 abstaining from voting.) The motion was **CARRIED**.

Councillor Farooq moved a procedural motion under Standing Order 20 to refer Councillor Fenner's motion to the Growth, Resources and Communities Scrutiny Committee. Councillor Jamil seconded the motion and reserved his right to speak.

A vote was taken on the procedural motion moved by Councillor Farooq (30 voting in favour, 20 voting against, 2 abstaining from voting.). The motion was **CARRIED**.

60(3). Motion from Councillor Trust

Councillor Trust moved her motion. She stated that according to the Office of National Statistics, one in five adults experienced domestic abuse. The majority were women. Reflecting conversations she had had with residents, there was a lack of knowledge about support services available to them. Earlier in the year, the Youth MP Eva Woods and Paul Bristow MP had contacted Councillor Trust about exploring the prospects of launching a Violence Against Women and Girls Commission in Peterborough which emphasised the ongoing work of the Cambridgeshire and Peterborough Domestic Abuse and Sexual Violence Partnership. Driven by high profile inroads made by Plymouth City Council around violence against women and girls, it had been decided to take action to address the lack of understanding and discussion of this issue amongst elected representatives and the general public in Peterborough. In response the Partnership Board had outlined a highly impressive map of ongoing work at a strategic and operational level to support and protect known victims and facilitate reporting and strategies to further meet the need in the City. It was considered that the need in Peterborough was not a gap in provision but a lack of knowledge of the support available.

Councillor Trust added that to help combat the lack of profile of this work across the community, it was requested that members engaged with plans for wider communications of the campaign, including male members to take the White Ribbon Pledge to support the eradication of violence against women and girls. White Ribbon Day was being held on 25 November. The motion also included that the draft domestic abuse and violence guidance for members be referred to scrutiny and then to the relevant Cabinet Member for sign off.

Councillor Jackie Allen seconded the motion and reserved her right to speak.

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

- The motion was welcomed. It was requested that there was support not only for victims of domestic abuse and violence but also those working to help victims.
- Councillor Cole was thanked for her work in this area.
- Members were encouraged to sign up to the White Ribbon Pledge and be an ambassador.

A vote was taken on the motion and it was **CARRIED** (unanimous with no Members indicating to vote against or abstain).

60(4). Motion from Councillor Hussain

Councillor Hussain moved his motion. He stated that the Government had opted to extend the date of the petrol and diesel car ban to 2035 to ensure a more fair and pragmatic approach towards achieving net zero. He commented that the delay aimed to provide an opportunity for individuals and businesses, including taxi drivers, to take advantage of the decreasing costs of electric vehicles, thus promoting an eco-friendlier way of travelling.

Councillor Hussain requested that in alignment with the Government's approach, the council ensured that the transition to net zero remained fair and pragmatic while not punishing Peterborough taxi drivers with further financial burdens. By allowing taxi drivers to license vehicles which were Euro 6 compliant would allow those drivers a greater choice of vehicles there by guarantee convenient taxi services for the residents of Peterborough.

He added that Euro 6 vehicles not only allowed a greater choice of vehicle but a wider choice of type of vehicle from small hybrids to larger MPVs, which was able to help school runs and improve accessibility for individuals with mobility challenges. By permitting Euro 6 emissions vehicles, it would strike the right balance between reducing harmful emissions and considering economic conditions, thereby offering taxi drivers a practical and fair path forward that protected their livelihoods.

The motion requested Council recommend that the Licensing Committee consider bringing forward the Hackney Carriage and Private Hire Licencing Policy Review to allow for Euro 6 emission standards taxi vehicles and recommend to the highway authority to review road layouts to allow private hire and taxi cabs access to previously restricted areas around the city where practicable thereby reducing journey times, cost to public and emissions.

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

Councillor Hogg moved a procedural motion under Standing Order 20 to refer Councillor Hussain's motion to the Growth, Resources and Communities Scrutiny Committee. He explained that his reason for this was that the proposals needed to be explored in more detail, including whether there were major financial implications. He stated that Euro 6 vehicles were already permitted and questioned whether the actual aim that was being sought was for ULEZ and ULEV vehicles to be permitted for a longer period. Councillor Hogg also remarked that the Council was the highway authority and clarity was sought on what road layouts were being referred to and whether this was the network of bus lanes.

Councillor Day seconded Councillor Hogg's motion and reserved her right to speak.

Councillor Hussain emphasised that his motion had requested that the Hackney Carriage and Private Hire Licencing Policy Review be considered by the Licensing Committee and that the Highway Authority review the road layouts to allow private hire cabs access to previously restricted areas around the city where practicable thereby

reducing journey times, cost to public and emissions. He was therefore not requesting that wider matters were considered at the current Council meeting.

Councillor Day stated in her capacity as seconder of the procedural motion that she wished to support the hard working taxi drivers of Peterborough. However, Councillor Hussain's motion required officer time and needed to be considered in detail, including with the receipt of officer reports. Further details were required of which road layouts were proposed to be reviewed. Councillor Day added that in the event the motion was taken to the Growth, Resources and Communities Scrutiny Committee, she would also support it being taken to the Climate Change and Environment Scrutiny Committee as part of that work.

Councillor Hogg, in summing up, said that he had consulted licensing officers and they had informed him that the changes requested in Councillor Hussain's motion would require changes in the Council's net zero target policy. He had also consulted the Head of Highways Department on private hire and taxi cabs access to previously restricted areas and been advised that it would need a large body of work, including introducing Traffic Regulation Orders, changing signage if it included bus lanes and a wider consultation with the likes of bus companies and health and safety.

A vote was taken on the procedural motion moved by Councillor Hogg. (32 voting in favour, 18 voting against, 1 abstaining from voting). The motion was **CARRIED**.

60(5). Motion from Councillor Ray

Councillor Ray moved his motion, making the point that in local elections in Peterborough and elsewhere the public were able to cast their vote to elect councillors based largely on the political manifestos set out by each candidate and a general belief in the same principles of the party or person they choose to support. Generally, people voted for likeminded people, whether that be for a smaller party candidate or one of the main ones such as Labour, the Liberal Democrats or the Conservatives.

He expressed the view that it was simply not right that once elected, an individual Councillor was able to abandon that manifesto and swap to another party or claim to be independent of the party they stood for and the promises they made, without displaying accountability by going back to the public to face a further vote in the ballot box.

He believed it betrayed the trust of the people that voted for them when rather than displaying openness, individuals misled the electorate by standing on a political platform, only to cross the floor within a matter of weeks or months.

He asked that Council resolved to write to the City's MPs, Paul Bristow and Shailesh Vara, to take the necessary steps in Parliament to gain cross-party support and change the law to state "Any MP or Councillor that crosses the floor mid term should call a by election". This, he added, would hold elected representatives accountable and would ensure when they stand on a set of policies, funded by those that believe them and are elected by those that support them, they were doing so with honest and selfless intentions.

Councillor Steve Allen seconded the motion, commenting that it was particularly pertinent in terms of what had taken place at the Council meeting. He made the point that for every member that stood for a political party, people worked on their behalf and money was invested in them as a candidate. Crossing the floor was undemocratic.

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

- The comment was made that there had been no calls previously for legislation when members of opposition parties had crossed the floor.
- There would be a cost for any additional by-elections required.
- Members spoke about how they felt that their political views or values had not changed but that the parties they represented had or representatives of the parties, they believed, had acted in an unacceptable fashion. It was also felt that in certain cases the electorate voted for the candidate rather than the party. The member still represented residents no matter which party was represented.

At 10.45pm, in keeping with the Council's Standing Orders, there was no further discussion of the remaining business and a vote taken.

A recorded vote via the electronic voting system was taken on the motion moved by Councillor Ray (19 voting in favour, 32 voting against, 1 abstaining from voting.) The motion was **DEFEATED**.

The Mayor
6.00pm –10:47pm
1 November 2023

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FULL COUNCIL	AGENDA ITEM No.4
	PUBLIC REPORT

MAYOR'S ANNOUNCEMENTS

1. PURPOSE OF REPORT: FOR INFORMATION

This report is a brief summary of the Mayor's activities on the Council's behalf during the last meetings cycle, together with relevant matters for information. (Events marked with * denotes events attended by the Deputy Mayor on the Mayor's behalf).

2. ACTIVITIES AND INFORMATION – From 2nd November to 6th December 2023

Attending	Event	Venue
Mayor and Mayoress	02.11.23 Visit to Y3 pupils at Dogsthorpe Academy.	Dogsthorpe Academy
Mayoral Party	03.11.23 Mayors Open Day	Town Hall
Mayoral Party	03.11.23 Mayor of Raunds Charity Quiz	Saxon Hall, Raunds
Mayor	04.11.23 Smoke & Mirrors Family Bonfire Event	Paston Farm
Mayor & Mayoress	06.11.23 Islamophobia Awareness Event	Jack Hunt School
Deputy Mayor	07.11.23 Citizenship Ceremony	Town Hall
Mayor & Mayoress	10.11.23 Gurkha Nepalese Community Dashain & Tihar Party	Gurkha Durbarr, Broadway
Deputy Mayor	10.11.23 Scout Show	Ormiston Academy
Mayor & Mayoress	10.11.23 Mayor of Bourne Charity Race Night	Bourne Corn Exchange
Mayoral Party	11.11.23 Armistice Two Minute Silence	War Memorial/Town Hall
Mayoral Party	12.11.23 Remembrance Wreath Laying & Service	War Memorial/Cathedral
Mayor & Mayoress	12.11.23 Peterborough Symphony Orchestra Autumn Concert	Queen Katherine Academy
Mayor & Mayoress	14.11.23 Celebration of Lithuanian Culture & Heritage	Central Library
Mayor & Mayoress	16.11.23 US Forces Thanksgiving & Pie Social Event	RAF Alconbury
Deputy Mayor	16.11.23 Guides & Brownies Visit to Parlour	Mayors Parlour
Mayor & Mayoress	17.11.23 Visit to Christmas Market	Peterborough Cathedral
Deputy Mayor	17.11.23 Opening of Josben College	Long Causeway
Mayor & Mayoress	18.11.23 The Maples Orton Goldhay Xmas Fayre	1 The Maples, Goldhay Way
Mayoral Party	18.11.23 Charities Caribbean Evening	Millenium Centre
Deputy Mayor	19.11.23 Redeemed Christian Church of God Annual Multi Cultural Day	Grace Taberacle, Wellington Street
Mayor	21.11.23 Citizenship Ceremony	Town Hall
Mayor & Mayoress	22.11.23 Good Neighbours Rural AGM	Barnack Village Hall
Mayor	24.11.23 UK Economy Bondholder Event	RNIB Peterborough
Mayor & Mayoress	24.11.23 White Ribbon Flag Raising and Parlour Reception	Mayors Parlour
Mayoral Party	24.11.23 Christmas Light Switch on	Cathedral Square
Mayoral Party	26.11.23 Charities Curry Evening	Maharani's Hampton
Mayor & Mayoress	28.11.23 Excellence Awards Ceremony	Mayors Parlour

Deputy Mayor	28.11.23 Surprise Presentation for Jenny Farnham	Ormiston Bushfield Academy
Mayor	28.11.23 Citizenship Ceremony	Town Hall
Mayor & Mayoress	28.11.23 Mimi & the Mountain Dragon	New Theatre, Broadway
Deputy Mayor	29.11.23 Nova School Turf cutting ceremony	Nova Primary Academy
Mayoral Party	01.12.23 Magpas/EAAA CPR Day followed by Mayors Open Day	Town Hall
Mayor & Mayoress	01.12.23 Christmas Lights Switch on	Crown Garden, Gunton's Road
Mayor & Mayoress	03.12.23 Candlelit Advent Service	Peterborough Cathedral
Mayor & Mayoress	05.12.23 ARU Graduation Ceremony	Peterborough Cathedral

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COUNCIL	AGENDA ITEM No. 9(a)
6 DECEMBER 2023	PUBLIC REPORT

EXECUTIVE AND COMMITTEE RECOMMENDATIONS TO COUNCIL

TREASURY MANAGEMENT MID YEAR UPDATE

The Audit Committee, at its meeting on 27 November 2023, received a report in relation to the Treasury Management Mid-Year update. The original report and relevant appendices are attached with this report and can also be found here [Audit Committee 27 November 2023](#)

The Audit Committee recommends that Council:

1. Reviews and considers the Treasury Management Strategy Statement (TMSS) Mid-year position and performance against the Prudential Indicators.
2. Notes the current forecast for the interest receivable and payable for the financial year 2023/23 as at 30 September 2023.

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AUDIT COMMITTEE		AGENDA ITEM No. 6
27 NOVEMBER 2023		PUBLIC REPORT
Report of:	Cecilie Booth, Executive Director of Corporate Services /S151 Officer	
Cabinet Member(s) responsible:	Councillor John Howard, Deputy Leader and Cabinet Member for Corporate Governance and Finance	
Contact Officer(s):	Cecilie Booth, Executive Director of Corporate Services and S151 Officer	

TREASURY MANAGEMENT MID YEAR UPDATE

RECOMMENDATIONS	
FROM: Cecilie Booth, Executive Director of Corporate Services and S151 Officer	Deadline date: N/A
<p>It is recommended that Audit Committee:</p> <ol style="list-style-type: none"> 1. Review and consider the Treasury Management Strategy Statement (TMSS) Mid-year position and performance against the Prudential Indicators. 2. Notes the current forecast for the interest receivable and payable for the financial year 2023/23 as at 30 September 2023. 	

1. ORIGIN OF REPORT

- 1.1 This report has been written in accordance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2021), which recommends that Members receive reports on its treasury management policies, practices, and activities, including an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close.

Treasury management is defined as:

"The management of the local authority's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

- 1.2 This mid-year report covers the following:
- An update on interest rate forecasts;
 - A review of compliance with Treasury and Prudential Limits for 2023/24;
 - The Council's capital expenditure, as set out in the Capital Strategy, and prudential indicators;
 - A review of the Council's borrowing strategy for 2023/24; and
 - A review of the Council's investment portfolio for 2023/24.

1.3 Interest rate Forecasts

The Council has appointed Link Group as its treasury advisors and part of their service is to assist the Council to formulate a view on interest rates.

Link Group's latest forecast on 25th September 2023 has a forecast peak in Bank Rate of 5.25%, which runs through to September 2024, when it starts to reduce. By December 2025 they see Bank Rate falling to 2.75%. Public Works loan Board (PWLB) rates are expected to trend in line with bank rate or higher across the curve, from Q4 2023 through to Q4 2026.

Link Group Interest Rate View 25.09.23													
	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26	Dec-26
BANK RATE	5.25	5.25	5.25	5.00	4.50	4.00	3.50	3.00	2.75	2.75	2.75	2.75	2.75
3 month ave earnings	5.30	5.30	5.30	5.00	4.50	4.00	3.50	3.00	2.80	2.80	2.80	2.80	2.80
6 month ave earnings	5.60	5.50	5.40	5.10	4.60	4.10	3.60	3.10	2.90	2.90	2.90	2.90	2.90
12 month ave earnings	5.80	5.70	5.50	5.20	4.70	4.20	3.70	3.20	3.00	3.00	3.00	3.00	3.00
5 yr PWLB	5.10	5.00	4.90	4.70	4.40	4.20	4.00	3.90	3.70	3.70	3.60	3.60	3.50
10 yr PWLB	5.00	4.90	4.80	4.60	4.40	4.20	4.00	3.80	3.70	3.60	3.60	3.50	3.50
25 yr PWLB	5.40	5.20	5.10	4.90	4.70	4.40	4.30	4.10	4.00	3.90	3.80	3.80	3.80
50 yr PWLB	5.20	5.00	4.90	4.70	4.50	4.20	4.10	3.90	3.80	3.70	3.60	3.60	3.60

The PWLB rate forecasts above are based on the Certainty Rate (the standard rate minus 20 bps) which has been accessible to most authorities since 1st November 2012.

- 1.4 The Treasury Management Strategy Statement, (TMSS), for 2023/24 was approved by this Council on 13 February 2023.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to present current performance and the forecast outturn position against the Prudential Indicators in the Treasury Management Strategy.
- 2.2 To give an update on interest receivable and payable for the financial year 2023/24 and the actuals as at 30 September 2023. – **Please see appendix D**
- 2.3 This report is for Audit Committee to consider under its Terms of Reference No. 2.2.2.18 to consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. TREASURY MANAGEMENT STRATEGY PRUDENTIAL INDICATORS

- 4.2 The 2023/24 Prudential Indicators are shown in Appendix A. During the half year ended 30th September 2023, the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy Statement for 2023/24.

5. CONSULTATION

- 5.1 The Council's Prudential Indicators and Treasury Management Strategy 2023/24 - 2025/26 forms part of the Annual MTFs and so has undertaken a public consultation, and been through the scrutiny process, as part of that.
- 5.2 The Council continues to liaise with its treasury advisors, Link Group.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 As set out in the report.

7. REASON FOR THE RECOMMENDATION

- 7.1 This report is given to the Committee to review performance against the Prudential Indicators in the TMSS set in the MTFS.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 The Treasury Management Strategy 2023/24 – 2025/26 is required to be prepared in accordance with the Treasury Management in the Public Services: Code of Practice 2021. This report sets out the performance against the associated prudential indicators. The options are therefore limited.

9. IMPLICATIONS

Financial Implications

- 9.1 To provide the Committee the opportunity to review current performance against the Prudential Indicators.

Legal Implications

- 9.2 This report is presenting an update on the Treasury Management Statement which is required to have regard to the CIPFA Prudential Code, the CIPFA Treasury Management Code of Practice.

10. BACKGROUND DOCUMENTS

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

- 10.1 The Prudential Code for Capital Finance in Local Authorities – 2021 Edition, CIPFA; and Treasury Management in the Public Services, Code of Practice and Cross-Sectoral Guidance Notes – 2021 Edition, CIPFA.

11. APPENDICES

- 11.1 Appendix A - Treasury Management Strategy – Prudential Indicators – Forecast Outturn as at 30 September 2023
Appendix B – Borrowing strategy as at 30 September 2023
Appendix C - Investment Portfolio as at 30 September 2023
Appendix D – An update on Interest receivable and payable as at 30 September 2023
Appendix E - CFR, Debt Liability Benchmark and Borrowing

Treasury Management Strategy – Prudential Indicators – Forecast Outturn as at September 2023

The Council operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned, with surplus monies being invested in low-risk counterparties, providing adequate liquidity initially before considering optimising investment return.

The second main function of the treasury management service is the funding of the Council's capital plans. The Capital Plans identify the borrowing need of the Council and the longer-term cash flow planning to ensure the Council can meet its capital spending requirements. Cashflow management may involve long or short-term loans and investments, using longer term cash flow surpluses for investment purposes, and / or restructuring of the Council's debt portfolio.

The Prudential Code for Capital Finance in Local Authorities provides a framework for local authority capital finance to ensure that:

- (a) capital expenditure plans are affordable,
- (b) all external borrowing and other long-term liabilities are within prudent and sustainable levels;
- (c) treasury management decisions are taken in accordance with professional good practice.

In taking decisions in relation to (a) and (c) above, the local authority is accountable by providing a clear and transparent framework.

The Code requires the Council to set a range of Prudential Indicators for the forthcoming financial year and at least the following two financial years.

The actual and forecast outturn, compared to those contained in the MTFs for the Prudential Indicators for this financial year are detailed below. The indicators include the Invest to Save schemes however the costs of borrowing associated with these schemes will be offset by the income generated by these projects.

The Councils Capital Position

This part of the report is structured to update:

- a) The Council's capital expenditure plans;
- b) How these plans are being financed;
- c) The impact of the changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow; and
- d) Compliance with the limits in place for borrowing activity.

1. Indicator 1: Capital Expenditure

This indicator is the estimated capital expenditure for the year based on the Capital Programme for that period.

Capital Expenditure	2023/24 Indicator £m	2023/24 Actual at 3 £m	2023/24 Forecast Outturn £m
New Capital Bids and Slippage	76.9	65.7	125.9
Transformation/Invest to Save	5.6	0.0	5.6
Total	82.5	65.7	131.5

The actual and outturn now includes £51.8m of additional approved capital funding in the capital programme. This includes the purchase of Sand Martin House for £50m and funding of phase 3 of the University for £1.3m. The table includes £14m of slippage from 22/23.

Financed By	2023/24	2023/24
	Indicator	Forecast
	£m	Outturn £m
Capital receipts (used to fund capital Programme)	13.4	13.4
Capital Grants & Third Party Contributions	63.5	76.5
Transformation/Invest to Save	5.6	5.6
Net Financing Requirement	0	36
Total	82.5	131.5

The table above draws together the main strategy elements of the capital expenditure plans, highlighting the original supported and unsupported elements of the capital programme, and the expected financing arrangements of this capital expenditure. The borrowing element of the table increases the underlying indebtedness of the Council by way of the Capital Financing Requirement (CFR), although this will be reduced in part by revenue charges for the repayment of debt (the Minimum Revenue Provision). This direct borrowing need may also be supplemented by maturing debt and other treasury requirements.

The Council's Capital Strategy 2023-2025 sets out that borrowing is only allowed for projects that have a sound business case and/or failure to do so would result in a breach of our Health & Safety/Statutory duties.

2. Indicator 2: Capital Financing Requirement (CFR)

The CFR measures the Council's underlying need to borrow money in the long term for capital purposes. Any capital expenditure which has not immediately been paid for will increase the CFR.

Capital Financing Requirement	2023/24	2023/24
	Indicator	Forecast
	£m	Outturn £m
CFR brought forward	586.8	608.7
Borrowing / Repayment	(13.0)	17
Invest to Save	0	0
CFR carried forward	573.8	625.7
Movement in CFR	(13.0)	17
Net financing requirement	6.0	36
Less MRP & other financing	(19.0)	(19.0)
Movement in CFR	(13.0)	17

3. Indicator 3: Actuals and Estimates of the Ratio of Financing Costs to Net Revenue Budget

The Council must estimate the proportion of the revenue budget, which is taken up in financing capital expenditure i.e. the net interest cost and to make provision to repay debt.

Ratio of Gross Financing Costs to Net Revenue Budget	2023/24	2023/24	2023/24
	Indicator	Actuals at 30.09.223	Forecast Outturn
Total Ratio	17%	15%	14%

4. Indicator 4: Liability benchmark – Please see appendix E

5. Indicator 5: The council's treasury position

The Council's treasury position as at 30 September 2023 is summarised below. The table below shows the actual external borrowing (Gross debt) against the CFR.

Gross debt & capital financing requirement	2023/24 Indicator £m	2023/24 Actual at 30.09.2023 £m
External Borrowing		
Market Borrowing	420.5	457.5
Repayment of borrowing	(50.1)	(72.0)
Expected change in borrowing	35.9	66.0
Other long-term liabilities	46.3	46.3
Gross Debt on 30 September 2023	452.6	497.7
CFR	573.8	-
% Of Gross Debt to CFR	78.9%	-

6. Indicator 6: The Operational Boundary

The Operational Boundary is a measure of the day to day likely borrowing for the Council. The code recognises that circumstances might arise when the boundary might be exceeded temporarily, but if this continues for a lengthy period then it ought to be investigated.

This indicator takes into consideration the capital programme over the life of the MTFS and the ability to phase the borrowing over this period. The indicator provides flexibility for the Council to take advantage of favourable interest rates in advance of the timing of the actual capital expenditure.

Operational Boundary	2023/24 Indicator £m	2023/24 Actual at 30.09.2023 £m	2023/24 Forecast Outturn £m
Borrowing	586.8	451.5	517.3
Other long-term liabilities	46.3	46.3	46.3
Total	633.1	497.7	563.8

7. Indicator 7: The Authorised Limit for external borrowing

The Authorised Limit represents the maximum amount the Council may borrow at any point in time in the year. It is set at a level the Council considers is "prudent".

The indicator takes account of the capital financing requirement estimated at the start of each year, plus the expected net borrowing requirement for the year. This makes allowance for the possibility that the optimum time to do all borrowing may be early in the year. It reflects the level of borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term.

Authorised Limit	2023/24 Indicator £m	2023/24 Actual at 30.09.2023 £m	2023/24 Forecast Outturn £m
Borrowing*	606.8	451.5	517.3
Other Liabilities	46.3	46.3	46.3
Total Authorised Limit	653.06	497.76	563.8

*This limit also incorporates a margin to allow for exceptional short-term movements in the Council's cash flow, bids from service departments to finance efficiencies, changes to the timing of capital payments and fluctuations in the realisation of capital receipts.

It is ultra vires to exceed the Authorised Limit so this should be set to avoid circumstances in which the Council would need to borrow more money than this limit. However, the Council can revise the limit during the course of the year and has done so in 2023/24 to enable it to buy Sand Martin House without risking breaching the limit. The forecast outturn is lower than the indicator as the Council does not currently anticipate any exceptional cashflow movements or borrowing in advance of need.

8. Indicator 8: Fixed Interest rate exposure

This indicator places an upper limit on the total amount of net borrowing which is at fixed rates secured against future interest rate movements. The upper limit for fixed interest rate exposure was set to allow for flexibility in applying a proportion of the investment portfolio to finance new capital expenditure. It also reflected a position where the majority of borrowing was at fixed rates to provide budget certainty.

Upper limit for fixed rate exposure	2023/24 Est £m	2023/24 Actual at 30.09.2023 £m	2023/24 Forecast Outturn £m
Limits on fixed interest rate net debt	624.4	451.5	517.3
% Of fixed interest rate exposure	100%	100%	100%

9. Indicator 9: Variable interest rate exposure

The indicator for actual and forecast outturn is zero due to the current borrowing strategy of borrowing only at a fixed interest rate in the current economic climate of volatile interest rates. Borrowing at fixed interest rates provides budget certainty for the Council.

Upper limit for variable rate exposure	2023/24 Indicator £m	2023/24 Actual at 30.09.2023 £m	2023/24 Forecast Outturn £m
Limits on variable interest rate on net debt	156.1	0	0
% Of variable interest rate exposure	25%	0%	0%

10. Indicator 10: Maturity structure of borrowing

The prudential limits have been set with regard to the maturity structure of the Council's borrowing and reflected the relatively beneficial long-term rates that were expected to be available over the next few years. The borrowing that the Council has taken up to the end of September 2023 is £451.5m shown in the indicator below.

Period	Upper Limit	As at 30th September 2023	As at 30th September 2023
		£m	%
Under 12 months	40%	78.5	17.4%
12 months to 2 years	40%	14.0	3.1%
2 years to 5 years	80%	28.5	6.3%
5 years to 10 years	80%	15.8	3.5%
10 years and above	100%	314.6	69.7%
Total Borrowing		451.5	

** The borrowing for under 12 months includes £12.5m of Lenders Option Borrowers Option (LOBO) loans. Although the loans are due to mature in 2054 years' time, they are classed as loans repayable within the financial year due to LOBO's having a call-in date every 6 months.*

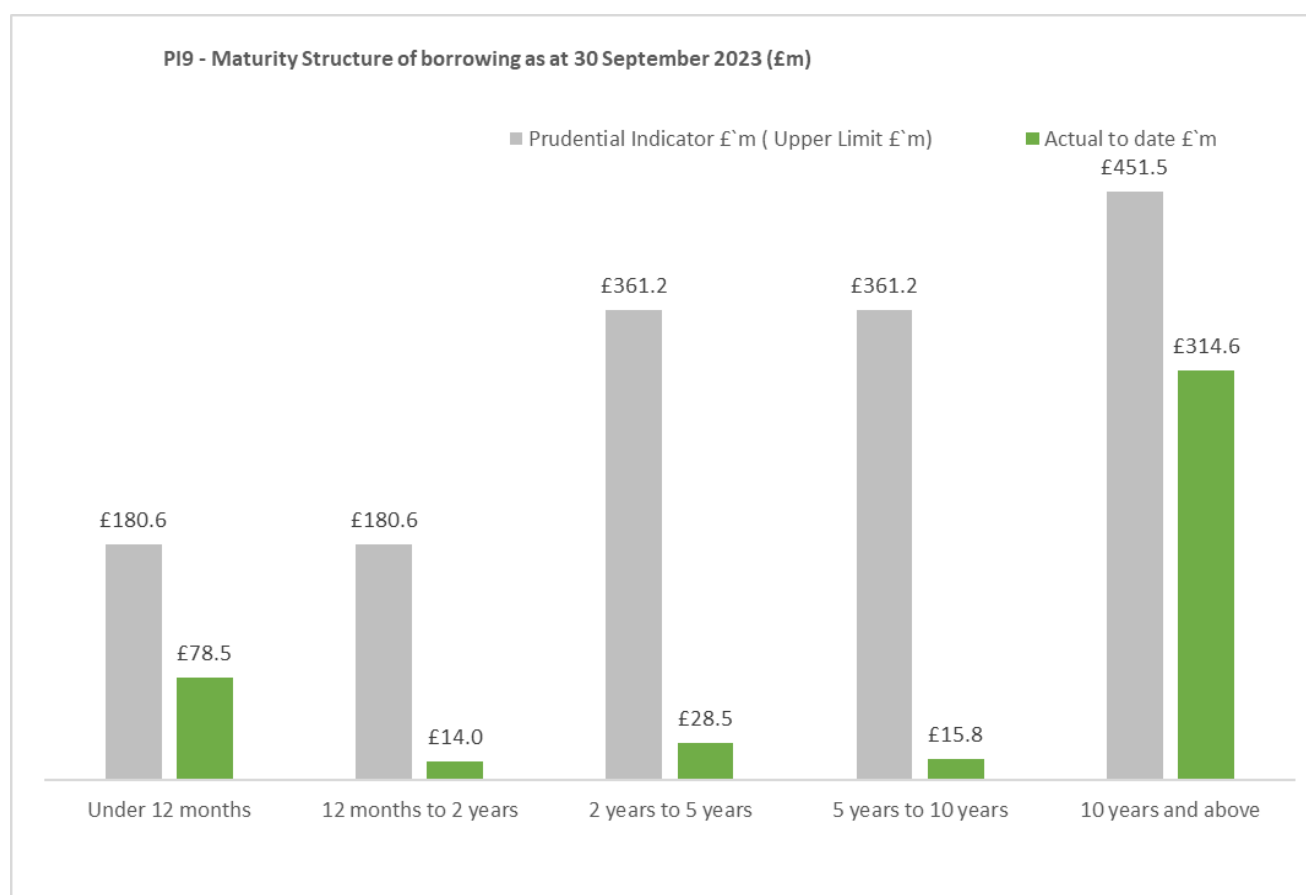
A LOBO loan valued at £7.5m was repaid on 9 October 2023.

11.Indicator 11: Total Investments for periods longer than 365 days

Authorities are able to invest for longer than 365 days excluding loans. It would be unwise to lend a disproportionate amount of cash for too long a period particularly as the Council must maintain sufficient working capital for its operational needs, however if higher rates are available, it would be advantageous to consider other types of financial instruments to invest in.

	2023/24 Indicator £m	2023/24 Actual at 30.09.2023 £m	2023/24 Forecast Outturn £m
Principal sums invested >365 days	10.0	0.0	0.0

This indicator reflects the Council's current lending policy of keeping investments short term for liquidity purposes. Also, the Council has minimised its available cash balances as an alternative to new borrowing and has internally borrowed. This is in line with the current strategy for revenue savings and avoids the 'cost of carry' associated with taking borrowing in advance of need.



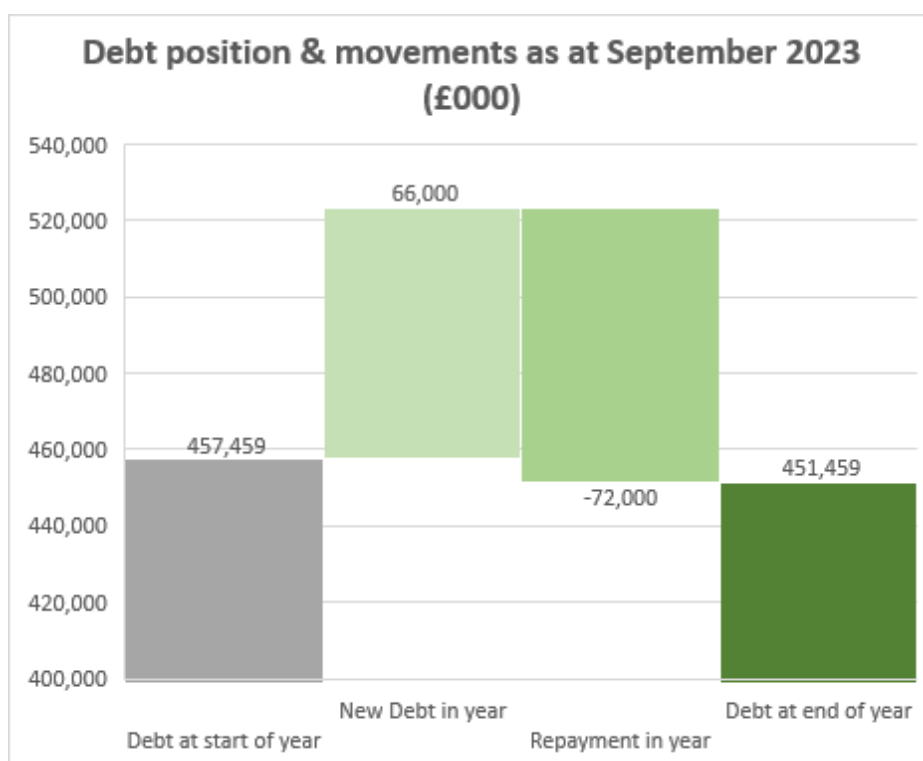
12. IFRS16

A new International Financial Reporting Standard (IFRS) on leases is due to be adopted by the Code of Practice on Local Authority Accounting in the United Kingdom (the Code) with effect from 1st April 2024. All leases that do not meet the exceptions will be treated as capital expenditure from 2024/25 and form part of the Capital Financing Requirement. Due to the number of leases held by the Council the full detailed impact has not been quantified in the mid-year report.

Borrowing Position

The Council's forecast capital financing requirement (CFR) for 2023/24 is £625.7m. The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing), or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions.

The Council's external borrowing has reduced by a net £6.0m in year to date:



Due to the overall financial position and the underlying need to borrow for capital purposes (the CFR), new external borrowing of £66m was undertaken to refinance maturing debt and to facilitate the purchase Sand Martin House (£30m). The total purchase price for Sand Martin House was £50m, and the remainder was internally borrowed. The capital programme is being kept under regular review due to the effects of inflationary pressures, shortages of materials and labour. Our borrowing strategy will, therefore, also be regularly reviewed and then revised, in order to achieve optimum value and risk exposure in the long-term.

PWLB maturity certainty rates (gilts plus 80bps) year to date to 30th September 2023

Gilt yields and PWLB certainty rates were on a generally rising trend throughout the first half of 2023/24. At the beginning of April, the 5-year rate was the cheapest part of the curve and touched 4.14% whilst the 25-year rate was relatively expensive at 4.58%. The Council continues to liaise with Link Group on actions to mitigate any potential increased costs, with the current strategy being to borrow from the inter-authority market which typically provides access to short term funding at rates lower than equivalent PWLB rates.

July saw short-dated rates peak at their most expensive. The 1-year rate spiked to 6.36% and the 5-year rate to 5.93%. Although, in due course, short-dated rate expectations fell, the medium dates shifted higher through August and the 10-year rate pushed higher to 5.51% and the 25-year rate to 5.73%. The 50-year rate was 4.27% on 5th April but rose to 5.45% on 28th September.

Investment Portfolio

The Treasury Management Strategy Statement (TMSS) for 2023/24 to 2025/26, which includes the Annual Investment Strategy, was approved by the Council on 13 February 2023. In accordance with the CIPFA Treasury Management Code of Practice, it sets out the Council's investment priorities as being:

- Security of capital
- Liquidity
- Yield

The Council will aim to achieve the optimum return (yield) on its investments commensurate with proper levels of security and liquidity and with the Council's risk appetite. In the current economic climate, it is considered appropriate to keep the majority of investments short term to cover cash flow needs, but also to seek out value available in periods up to 12 months with high credit rated financial institutions, using the Link suggested creditworthiness approach.

In addition, the Council is also seeking approval to explore the options to invest longer term in non-specified investments.

Investment Counterparty

The Council has begun to invest in a wider range of institutions to take advantage of rising interest rates. Surplus cash is invested for short periods with Barclays, the Churches, Charities and Local Authorities (CCLA) money market fund, and Federated Hermes, AVIVA Investors, Aberdeen GBP Liquidity, JP Morgan and LGIM Short Term Sterling Prime money market fund. The Council also currently has short term deposits with Standard Chartered, SMBC Bank International, Lloyds and Goldman Sachs banks and with other local authorities.

Investment balances

The Council held £9.8m of investments as at 30th September 2023. These funds were available on a temporary basis, and the level of funds available was mainly dependent on the timing of grants, and progress on the capital programme.

Estimated interest earned on investments as at 30th September 2023 is £573k.

In comparison to Sterling Overnight Index Average (SONIA) average rate of 4.44% for 90 days the Council achieved a higher rate at 5.39%.

Investment performance as at 30th September 2023

Investment Portfolio '000	30-Sep-23		
	Principal	Average Rate (%)	Average Life (days)
MMFs	350	5.22%	1
Banks	9,450	5.39%	90
Local Authorities	-	0.00%	0
Total Investments	9,800	5.38%	90
* MMFs have no set maturity date and can be accessed at short notice.			

	Bank Rate	SONIA	7 day	30 day	90 day	180 day	365 day
High	5.25	5.19	5.19	5.20	5.12	4.78	4.06
High Date	03/08/2023	29/09/2023	04/09/2023	27/09/2023	29/09/2023	29/09/2023	29/09/2023
Low	4.25	4.18	4.18	4.02	3.81	3.32	2.27
Low Date	03/04/2023	04/04/2023	11/04/2023	03/04/2023	03/04/2023	03/04/2023	03/04/2023
Average	4.81	4.74	4.71	4.64	4.44	4.10	3.16
Spread	1.00	1.01	1.01	1.17	1.31	1.46	1.79

Update on Interest Receivable and Payable

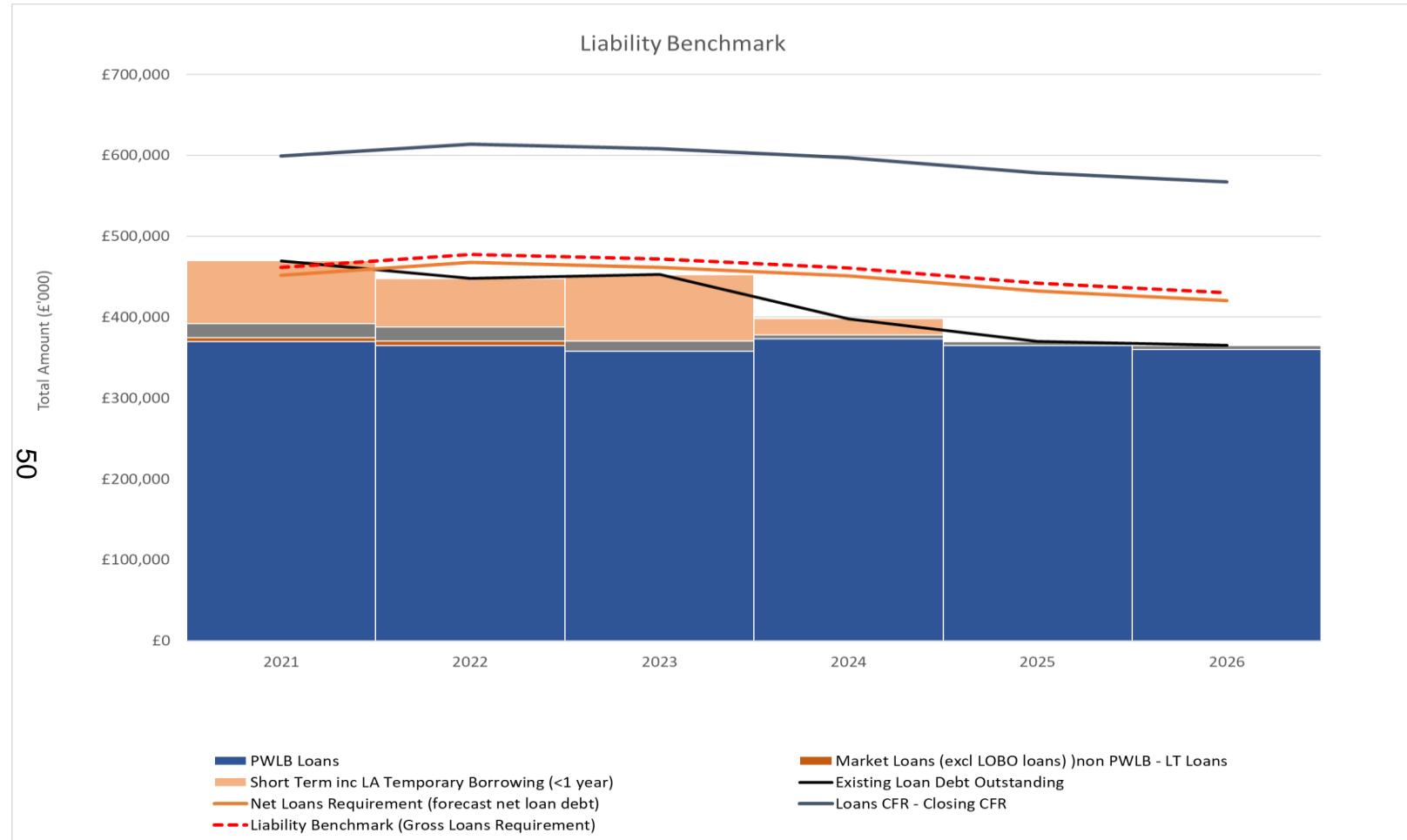
The below table shows the interest receivable and payable for the financial year 2023/24 and the actuals as at 30 September 2023.

Interest	2023/24 FY Indicator	2023/24 Actual at 30.09.2023	2023/24 Forecast Outturn
	£'000	£'000	£'000
Interest Receivable	955	573	1,300
Interest Payable	16,088	8,082	16,088

The Indicator for Interest Payable is higher than previously shown due to the fact that the Council bought Sand Martin House in May 2023 and so a higher indicator is appropriate.

CFR, Debt Liability Benchmark and borrowing.

Comparison of borrowing parameters to actual external borrowing:



The liability benchmark is effectively the net borrowing requirement plus a liquidity allowance. It is calculated by deducting the amount of investable resources available on the balance sheet (reserves, cash flow balances) from the amount of outstanding external debt and then adding the minimum level of investments required to manage day-to-day cash flow.

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COUNCIL	AGENDA ITEM No. 9(b)
6 DECEMBER 2023	PUBLIC REPORT

EXECUTIVE AND COMMITTEE RECOMMENDATIONS TO COUNCIL

CUMULATIVE IMPACT POLICY (CIP)

The Licensing Committee, at its meeting on 20 November 2023, received a report in relation to the Cumulative Impact Policy (CIP). The original report and relevant appendices are attached with this report and can also be found here [Licensing Committee 20 November 2023](#).

The Licensing Committee recommends that Council:

Retain the CIP in its current format in relation to applications for 'Off sales' and boundary, update and republish the CIA with the current evidence obtained during the consultation.

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LICENSING COMMITTEE	AGENDA ITEM No. 4
20 NOVEMBER 2023	PUBLIC REPORT

Report of:	Adrian Chapman – Executive Director Place and Economy	
Cabinet Member(s) responsible:	Councillor Gavin Elsey – Infrastructure, Environment and Climate Change	
Contact Officer(s):	Terri Martin – Strategic Regulatory Officer Jacqui Harvey - Head of Operations Environmental Health, Licensing & Trading Standards	Tel. 453561 Tel. 453502

LICENSING ACT 2003 – CUMULATIVE IMPACT POLICY (CIP) AND CUMULATIVE IMPACT ASSESSMENT (CIA) - REVIEW, CONSULTATION AND RESPONSES
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RECOMMENDATIONS	
FROM: Jacqui Harvey - Head of Operations Environmental Health, Licensing & Trading Standards	Deadline date: 6 December 2023
<p>It is recommended that the Licensing Committee:</p> <ol style="list-style-type: none"> Note the contents of the report and consultation responses as detailed in section 7 and Officers comments as detailed in section 8. Make recommendation to Full Council to retain the CIP in its current format in relation to applications affected (those requesting 'Off sales') and boundary, update and republish the CIA with the current evidence obtained during the consultation. 	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Licensing Committee following a consultation carried out between 7th September 2023 to 18th October 2023, on the council's Cumulative Impact Policy (CIP) and Cumulative Impact Assessment (CIA) and consideration of the responses received.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to provide members with details of the consultation, including responses and evidence received. Members are requested to note and consider the contents of the report and give due consideration to the responses and evidence received following the public consultation.
- 2.2 This report is for the Licensing Committee to consider under its Terms of Reference No. 2.5.2.7, whereby the licensing committee recommend its decision to full council for formal adoption under its Terms of Reference 1.1.4(e)

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	YES	If yes, date for Cabinet meeting	N/A
Date for relevant Council meeting	06 December 2023	Date for submission to Government Dept. <i>(Please specify which Government Dept.)</i>	N/A

4. BACKGROUND AND KEY ISSUES

- 4.1 Under Section 5 of the Licensing Act 2003 (The Act), it is a requirement for each council to produce, adopt and publish a Statement of Licensing Policy. The policy governs the way decisions are made by the council and how it will administer its duties under the Act. The Cumulative Impact Policy (CIP) forms Section 12 of the overarching Statement of Licensing Policy.
- 4.2 The Cumulative Impact Policy (CIP) was originally adopted in 2013, as the saturation of licensed premises in the area known as Op-Can-Do in Millfield and New England, was having a negative impact on the licensing objectives. The CIP applied to all new applications and variations of premises licenses within the boundary.
- 4.3 The policy was subject to review, consultation and readoption in 2015, as the evidence and responses received revealed that the saturation of licensed premises continued to negatively impact on the licensing objectives.
- 4.4 Up to that point, cumulative impact was only ever described in section 182 guidance, however, from 6 April 2018, cumulative impact was incorporated within section 5A of the Licensing Act 2003, following commencement of Section 141 of the Policing and Crime Act 2017. This put Cumulative Impact Policies on a statutory footing, and required authorities to set out the evidence as to why the authority is of the opinion that a CIP is required for those types of premises and that defined boundary area, in the form of a Cumulative Impact Assessment (CIA). It also required CIP's to be subject to a review and consultation every 3 years.
- 4.5 A review and consultation were carried out in 2018 and it was determined that the CIP should be retained, and a CIA was published.
- 4.6 In 2020 a further review and consultation were carried out. The responses and evidence received resulted in a modification to the CIP, as the identified problems related to premises with 'Off Sale' provision. A revised CIA was published evidencing why the licensing authority considered that the number of premises licenses and/or club premises certificates offering 'Off sales' of alcohol within the defined boundary was such, that it was likely, that the granting of further licenses of this type, would be inconsistent with the authority's duty to promote the licensing objectives. This current CIP took effect on 07/01/21, it is therefore due for review and consultation in 2023.

4.7 General Background – Number of licenses

Overall Licensed Premises in Peterborough (approximate):				
Licensed premises type	2015	2018	2020	2023*
Alcohol Consumption on	97	83	86	82
Alcohol Consumption off	183	195	196	208
Alcohol Consumption on and off	199	194	186	177
No alcohol sold **	136	99	50	50
Total	615	571	518	517

Licensed premises within the cumulative impact defined boundary (approximate):				
Licensed premises type	2015	2018	2020	2023*
Alcohol Consumption on	12	14	18	18
Alcohol Consumption off	29	35	30	29
Alcohol Consumption on and off	16	24	19	18
No alcohol sold **	16	27	18	19
Total	73	100	85	84

*2023 figures as of 3 August 2023

** Premises licensed where no alcohol is sold, are mostly licensed for late-night refreshment only, with a few premises licensed for regulated entertainment only.

- 4.8 A summary of relevant applications in the cumulative impact defined boundary between 26 October 2020 (when the last report was provided) to 3 August 2023 when the data was collated is attached at **Appendix A**

The applications breakdown as follows:

- Five applications were rejected for failing to advertise in accordance with the regulations. All five re-submitted an application.
- One licence is suspended due to non-payment of annual fee.
- Three licenses have lapsed as the company which held the licence was dissolved.
- Seven licenses have been surrendered.
- Two applications were submitted then withdrawn by the applicant.
- Ten applications were granted under delegated authority, of which:
 - o One authorised Off sales of alcohol.
 - o Four authorised On sales of alcohol.
 - o One authorised On and Off sales of alcohol.
 - o Four had no alcohol.
- Six applications went before the committee for determination, of which:
 - o One new application for Off sales was granted.
 - o Two licenses were revoked following an application to review.
 - o One transfer was refused.
 - o One review, the DPS was removed, and conditions were added to the licence.
 - o One new application for Off sales was refused.

5. CORPORATE PRIORITIES

- 5.1 The recommendation links to the following Council's Corporate Priorities:

1. The Economy & Inclusive Growth

The Licensing Act 2003 and the Guidance issued under s.182 have a significant impact on the community both in terms of its protection and the furtherance of the provisions of entertainment and economic growth.

2. Our Places & Communities

- Places and Safety
- Lives and Work
- Health and Wellbeing

The CIP aims to restrict applications which are evidenced to negatively impact on the licensing objectives and the everyday life of residents, businesses, and visitors to the defined boundary area, with the aim of creating a healthy and safe environment.

Further information on the Council's Priorities can be found here - [Link to Corporate Strategy and Priorities Webpage](#)

6. CONSULTATION

- 6.1 The Cumulative Impact Policy consultation was carried out between 7th September 2023 to 18th October 2023, with those identified under Section 5(3) of the Act and specified in paragraph 5.2 of the Statement of Licensing Policy. Those being:
- The Chief Officer of the Police for Cambridgeshire
 - The Fire and Rescue Authority
 - The Director of Public Health
 - Representatives of holders of premises licenses
 - Representatives of holders of club premises certificates
 - Representatives of holders of personal licenses
 - Representatives of businesses and residents
- 6.2 For information purposes, a list of consultees and website data is attached as **Appendix B**
- 6.3 The consultation took place over 6 weeks. Emails containing information about the consultation, how to respond, links to further information and a copy of the consultation notice, were sent to all those listed on **Appendix B**, at the start of the consultation period and again towards the end of the consultation period.
- 6.4 The consultation notice was also made available on the council's website and displayed at Sand Martin House, Town Hall (external public notice board) and Central Library. For information purposes, the consultation notice is attached at **Appendix C**
- 6.5 A Public notice was placed in the local newspaper on 14th September 2023, a copy is attached at **Appendix D**

7. CONSULTATION RESPONSES

- 7.1 A total of five responses were received, two from Councillors, two from Responsible Authorities: Public Health, Cambridgeshire Constabulary, and one from Safer Communities.
- 7.2 The report from Cambridgeshire Police notes that the COVID pandemic and lockdowns between March 2020 and July 2021, will have impacted on the number of recorded crimes and incidents. Across Peterborough alcohol related crime decreased by 18% between April 2019 and March 2023.

It also demonstrates that alcohol related crime in the CIP area did not decline during the Covid period, and the CIP area continues to have a higher concentration of alcohol related crime and incidents. A decline in crime and incidents in the CIP area is noted between April 22 to March 23 and suggests this is due to the positive impact of the CIP and Police / Partnership working initiatives.

The response from Northern Area Commander for Cambridgeshire Police, Superintendent Neil Billany confirms full support of the continuation of the CIP, stating that *'it is both necessary and proportionate to prevent crime, disorder and nuisance, promote public safety and prevent children from harm.'* and that *'The special policy on concentration of premises is seen as a vital tool in preventing further escalation of crime and disorder levels.'* The response from Cambridgeshire Police Northern Area Commander is attached at **Appendix E**

- 7.3 The Safer Communities response also recommends the continuation of the CIP for the defined boundary, as it is an area prone to suffer the effects of alcohol related anti-social behaviour. They confirm that the Public Spaces Protection Order (PSPO) which covers this area was implemented again in October 2021. This PSPO comprises conditions to tackle quality of life issues, such as

alcohol-related and other forms of anti-social behaviour such as littering, spitting and urination and defecation.

They confirm that the frequency of cleaning for streets and open spaces in the CIA area continues to be significantly higher in comparison to other areas of the city, due to alcohol related litter and anti-social behaviour such as public toileting.

Their response lists alcohol related complaints received from businesses, residents, Ward Councillors and mosque leaders and other factors to consider, such as Public Health and Police statistics. It also details measures being implemented such as Home Office initiatives involving multi-agency partnership working, i.e. 'Safer Streets' and the Police lead operation 'Clear, Hold, Build' to tackle crime and improve community safety.

They also provide details where they have made representations to relevant applications and are concerned that if the CIP is not continued in this area, it could lead to an increase in anti-social behaviour with insufficient Police or Council resources to tackle it. The response from Safer Communities is attached at **Appendix F**

- 7.4 The Director of Public Health also supports the continuation of the CIP for the defined boundary. They refer to a Public Health England review, which states that alcohol is now the leading risk factor for ill health, premature death and disability in people aged between 15 and 49, the fifth leading risk factor for ill-health across all age groups.

Alcohol is known to be a cause of over 200 health conditions and has a number of social negative impacts, including loss of earnings, unemployment, family or relationship problems and problems with the law. Many of these harms effect both the drinker and those around them, including families, friends and strangers, and place a considerable economic burden on the government, health, criminal justice, and social care systems and budgets.

The CIP area is among the most deprived in the city and has a high density of premises selling alcohol. The relationship between Alcohol Outlet Density (AOD) and alcohol-related harms has been well researched. It shows that areas with more deprivation tend to have greater AOD which means that regulating the local availability of alcohol has the potential to reduce inequalities.

Alcohol related hospital admissions in some of the wards within or close by to the CIP area are a concern, Central ward is the highest overall. Minimising growth of alcohol related premises in the Can-Do area is therefore important in preventing crime and disorder and protecting the health and wellbeing of the local population. The response from the Director of Public Health is attached at **Appendix G**.

- 7.5 Councillor Jackie Allen refers to the Home Office 'Clear, Hold, Build' initiative being implemented in the Op-Can-Do area, which is a Police lead, multi-agency measure developed to tackle crime and improve community safety. The response from Cllr Allen is attached at **Appendix H**
- 7.6 Councillor Nick Thulbourn is also in support of the continuation of the CIP restricting 'Off sales' particularly late at night. But believes that the policy should be implicit in encouraging the application for new 'On sales' i.e. pubs and restaurants, which makes consumption a community based social activity. The response from Cllr Thulbourn is attached at **Appendix I**

8 OFFICER COMMENTS

- 8.1 The first table in paragraph 4.7 of this report, details the overall numbers of licensed premises in Peterborough by type.

It demonstrates that the number of premises licensed only for 'Off Sales', has increased year on year from 183 in 2015, to 208 in 2023.

It also demonstrates that premises licensed for 'On sales' and 'On and Off sales' has decreased from 296 in 2015 to 259 in 2023.

- 8.2 The second table in paragraph 4.7, details the numbers of licensed premises in the CIP boundary by type.
- It demonstrates that the number of premises licensed for 'Off sales' only, are at the same level in 2023 as they were in 2015, despite the increase in 2018. (The CIP amendment in 2020 meant that the policy related to applications requesting 'Off sales'.)
- It also shows that premises licensed for 'On sales' and 'On and Off sales' has increased from 28 in 2015 to 36 in 2023.
- 8.3 This demonstrates that despite the overall growth in 'Off Sales' licensed premises in Peterborough increasing year-on-year, they have declined in the CIP area.
- It also demonstrates that the CIP area is encouraging more premises where consumption takes place on the premises, despite the overall fall in Peterborough as a whole.
- This also correlates with a decrease in police statistics relating to reported alcohol related crime and incidents in the CIP area from April 2022 to March 2023. Whilst also noting that the CIP area remains to have a higher concentration of alcohol related crime and incidents than other areas of Peterborough.
- 8.4 The Public Health statistics demonstrate that two of the most deprived wards (North and Central) are within the CIP area. These two wards also have significantly higher rates of alcohol specific hospital admissions in relation to other areas of Peterborough and England as a whole.
- 8.5 Safer Communities confirm that the CIP area is prone to suffer from the effects of alcohol related anti-social behaviour and provide a summary of continuing complaints.
- The PSPO which comprises conditions to tackle quality of life issues, such as alcohol-related and other forms of anti-social behaviour such as littering, spitting and urination and defecation covering this area was implemented again in October 2021.
- The area has significantly higher frequency of cleaning for streets and open spaces.
- 8.6 Partnership working and enforcement involving the Licensing Authority, Cambridgeshire Constabulary, Trading Standards, UKBA and HMRC and other Responsible Authorities continues with a view to improving the standards and compliance with general law in the Can-Do area.
- All efforts and various multi-agency initiatives and partnership working to reduce crime and alcohol related problems have been implemented and continue to operate in the CIP boundary to improve the area for residents and businesses.
- 8.7 The current CIA which expires on 7 January 2024 is attached at **Appendix J**
- 8.8 Each application is determined on its own merits. A CIP provides the opportunity for a greater scrutiny of relevant applications. Members are aware that the policy is not absolute, relevant applications can and have been granted, where the applicant can demonstrate that the application will not further negatively impact on the licensing objectives or add to the problems evidenced and identified in the CIA.
- 8.9 When reviewing the CIP, the licensing authority must ensure that it remains relevant to the current problems described geographically and evidentially robustly supported.
- 8.10 It is clear from the consultation responses and evidence received, that the concentration of 'Off' licensed premises in the CIP boundary continues to negatively impact on the promotion of the licensing objectives.

Whilst a decline of reported alcohol related crime and incidents in the CIP area is noted, the CIP area continues to have alcohol related problems which continue to affect those who reside, work or visit the area.

It remains to have a higher concentration of alcohol related crime and incidents, has high levels of deprivation and alcohol related hospital admissions (Central ward the highest overall).

The evidence indicates that partnership working and multi-agency initiatives in combination with the CIP are starting to have a positive effect. It appears that the area is encouraging a range of licensed premises, with a decrease in the number of alcohol related crimes and incidents reported to the police in 2022 to 2023.

All responses received are in support of retaining the CIP in its current format. Retention of the CIP is viewed as an important measure to continue this progress, to support and complement the multi-agency initiatives, and promote the licensing objectives.

Based on the evidence obtained during consultation, it is Officers recommendation to retain the existing CIP for applications requesting 'Off sales' of alcohol within the current boundary and re-publish the CIA with the new evidence obtained during consultation.

- 8.11 Members are advised that paragraphs 14.39, 14.35 and 14.36 of Statutory Guidance issued under section 182 of the Licensing Act 2003 are relevant when making their decision.

9. ANTICIPATED OUTCOMES OR IMPACT

- 9.1 Members will review the report, responses received and agree with Officers recommendation and make the same recommendation for adoption to full council.
- 9.2 Alternative options have been considered and are contained within section 11 of this report.
- 9.3 Should members determine against Officer recommendation, the following options are available:
i. Do nothing. Retain the current CIP and CIA
i. Modify the current CIP (I.e. types of applications and/or boundary) and re-publish a CIA
i. Resolve that the CIP no longer applies, publish a notice to that effect and remove it from the policy at the earliest opportunity.
- 9.4 The determination must set out the reasons and evidence for that opinion and make a recommendation to Full Council, when it meets on 06 December 2023.

10. REASON FOR THE RECOMMENDATION

- 10.1 To comply with statutory requirements of the Licensing Act 2003 as amended by the Policing and Crime Act 2017

11. ALTERNATIVE OPTIONS CONSIDERED

- 11.1 Do nothing. Retain the existing policy and CIA which does not reflect the current problems evidenced and be in breach of statutory requirements. Any decisions based on an out-of-date CIA would be subject to challenge.
- 11.2 Revise the CIP boundary. There is insufficient evidence to substantiate extension or reduction of the current defined area. Whilst the response from Public Health lists wards with high levels of deprivation and alcohol specific hospital admissions in wards outside the CIP boundary, there is no evidence to suggest that this is being caused by the cumulative impact of licensed premises in the area.

- 11.3 Extend the CIP so that it applies to applications requesting other types of licensable activities other than 'Off sales' of alcohol. This is not supported by the evidence obtained during the consultation process. The evidence demonstrates that the policy should only apply to applications requesting 'Off sales' of alcohol.
- 11.4 Resolve that the CIP is no longer required. This is not supported by the evidence which indicates that the cumulative impact of premises licensed for 'Off sales' of alcohol continue to negatively impact on the licensing objectives which the licensing authority have a statutory obligation to promote. The granting of further licenses authorising 'Off sales' in the defined area would be inconsistent with the authority's duty to promote the licensing objectives.

12. IMPLICATIONS

Financial Implications

- 12.1 None foreseen. The statutory set fees are intended to provide full cost recovery of all licensing functions including the preparation and publication of a Statement of Licensing Policy.

Legal Implications

- 12.2 Legal Services will be required to provide legal representation in the event of any appeals to the Magistrates Court against decisions of the council, prosecutions being instigated, or enforcement action being undertaken by the authority.

Equalities Implications

- 12.3 None foreseen.

13. BACKGROUND DOCUMENTS

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

- 13.1 The Council's Statement of Licensing Policy
The Licensing Act 2003 as amended
Revised Guidance issued under Section 182 – August 2023

14. APPENDICES

- 14.1 Appendix A – Summary of relevant applications since the last review
Appendix B – List of consultees and website data
Appendix C – Consultation notice
Appendix D – Public notice
Appendix E – Response from Cambridgeshire Police
Appendix F – Response from Safer Communities
Appendix G – Response from the Director of Public Health
Appendix H – Response from Councillor Allen
Appendix I – Response from Councillor Thulbourn
Appendix J – Current CIA

Cumulative Impact Assessment Statement for the 'Can-Do' New England and Millfield area of Peterborough

This document is produced in accordance with Section 5A of the Licensing Act 2003

Background

The 'Operation-Can-Do' (Op-Can-Do or Can-Do) programme was launched in September 2011, it was a ten year vision jointly led by Peterborough City Council and Cambridgeshire Constabulary, to tackle the many challenges faced in the area and bring about transformational change to improve the quality of life, outlook and aspirations of local people. The programme took a holistic view of the identified issues, and provided a framework to ensure all resources and services available were co-ordinated and effectively delivered appropriately, to meet the needs of the community.

The defined Can-Do boundary includes Gladstone, Millfield and New England communities. These three adjacent neighbourhoods span the Central, North and Park wards of Peterborough. The population has increased significantly and is typically the focal point for many new arrival residents and economic migrants. The area has a disproportionate level of social challenges, is residentially overcrowded has poor housing stock and high levels of HMOs, with a community that is becoming increasingly fragmented with inherent tensions.

Lincoln Road is the main traffic route and is continually choked with traffic. The saturation of licensed premises in this area has contributed to issues of anti-social behaviour directly affecting the health and wellbeing of residents, leaving them feeling unsafe. The area has the highest density in terms of number of premises selling alcohol in proximity to residential dwellings in Peterborough.

Peterborough City Council adopted a Cumulative Impact Policy (CIP) in the Can-Do area on 17/4/13 which was applicable to all types of licensed premises within the defined boundary. The decision was based on the number of licensed premises in the boundary area, had reached or was about to reach saturation. The cumulative impact of the saturation of licensed premises was having a negative impact on the four licensing objectives.

The policy was reviewed and subject to consultation in 2015, where it was determined to retain the cumulative impact policy (CIP) for the defined boundary of Can-Do, as the saturation of licensed premises continued to have a negative impact on the four licensing objectives and residents in the locality.

In 2018, in line with statutory requirements, the CIP was reviewed and consulted upon. The Licensing Authority determined to retain the CIP, as the licensing authority considered that the number of premises licences and Club Premises Certificates in the defined boundary was such, that it is likely that granting further licenses of any type, would be inconsistent with the authority's duty to promote the objectives. In accordance with Section 5A of the Licensing Act 2003 (as amended by s141 of Policing and Crime Act 2017) a Cumulative Impact Assessment was published to that effect.

A further review and consultation was carried out between 19 August 2020 to 14 October 2020 which invited comments and responses on the future of the policy. The Licensing Committee convened on the 18 November 2020 and considered all responses and evidence made available and determined to retain but modify the cumulative impact policy.

Current Cumulative Impact Policy

The licensing authority consider, that the number of premises licenses and/or club premises certificates offering 'Off sales' of alcohol within the defined boundary is such, that it is likely, that the granting of further licenses of this type, would be inconsistent with the authority's duty to promote the licensing objectives.

Further details including responses and minutes of the meeting on 18/11/2020 can be found on the following link: <https://democracy.peterborough.gov.uk/ieListDocuments.aspx?CId=142&MId=4522&Ver=4>

Basis of Evidence

Licensed premises in the defined Can-Do cumulative impact boundary – August 2020

At the time of the review and determination by the licensing authority, there were 85 licensed premises within the defined boundary. Of these 85 there were:

- 18 premises licensed for consumption of alcohol on the premises
- 30 premises licensed for off sales of alcohol
- 19 premises licensed for on and off sales of alcohol
- 18 premises licensed with no alcohol provision

The licensing authority considers that the defined area remains saturated with licensed premises, and the cumulative impact of premises offering 'Off sales', is having a negative impact on the licensing objectives and residents.

Public Health evidence

In making its determination the licensing authority considered the evidence submitted by the Director of Public Health (DPH). The role of the DPH, is to help promote the health and wellbeing of the local populations they serve. Promotion of the licensing objectives, which collectively seek to protect the quality of life for those who live and work in the vicinity of licensed premises and those who socialise in licensed premises are an important contribution to this.

There is a high density of premises selling alcohol in the 'Can-Do' boundary. Peterborough has relatively high levels of deprivation compared with the rest of Cambridgeshire and is the most deprived lower tier area in Cambridgeshire and Peterborough. East and Central wards are among the most deprived in the City according to the IMD 2019.

A considerable body of research examines the relationship between alcohol outlet density (AOD) and alcohol-related harms. This shows that areas with more deprivation tend to have greater AOD which means that regulating the local availability of alcohol has the potential to reduce health inequalities, which supports the use of the CIP in the 'Can-Do' area which has high levels of deprivation.

Alcohol related hospital admissions have improved in recent years in Peterborough overall but there is still a significant problem in Central Ward and East Ward. Rates are of concern and there is a statistically significant higher number of admissions in these wards compared with the rest of Peterborough.

In the most recent data available from 18/19 a total of 63 (equal to 783 people per 100,000) individuals from East Ward and 83 (equal to 728 people per 100,000) from central ward were admitted to hospital for reasons related to alcohol. This compares with only 10 in Hargate and Hempstead (equal to 184 per 100,000), 31 in Orton Waterville (equal to 365 per 100,000) and 42 in Fletton and Stanground (equal to 436 per 100,000)

Minimising the availability of alcohol, especially in areas of high AOD such as the 'Can-Do' area, is therefore important to protect the health and safety of Peterborough residents and visitors.

There is strong evidence for a relationship between AOD and problems associated with social disorder. A number of systematic reviews have identified that higher levels of AOD are associated with greater alcohol consumption, alcohol related violence, injuries, alcohol-related road traffic crashes, sexually transmitted infections, child abuse and neglect and suicide. This evidence supports the use of policies, such as cumulative impact policies, to limit AOD within areas, particularly those of high deprivation, such as the 'Can-Do' area.

The 'Can-Do' area is within an area subject to significant levels of crime and disorder (See PES response to the CIZ). Which provides evidence of:

- 115 alcohol related incidents between May 2019 and May 2020 in Millfield and New England
- Clear problem hot spots around the Triangle, Century Square, Gladstone Park and Fulbridge Road Recreation Area
- A public consultation with 51 responses including area covered by the Can Do Area showing a need for designated Public Spaces Protection Orders
- A log of specific incidents in the area.

Minimising growth of alcohol related premises in the Can Do Area is therefore important in preventing crime and disorder, and protecting the health and wellbeing of the local population.

Children and young people are more vulnerable to alcohol related harm. Families may be affected by alcohol in a variety of ways including violence, financial problems, absenteeism from school and disrupted relationships, and there is a strong relationship between alcohol misuse and child maltreatment. A number of studies have identified that higher levels of AOD are associated with greater alcohol related consumption and alcohol-related harm, including those that affect children, such as violence.

Minimising the growth of AOD in the 'Can-Do' area, an area of high deprivation in Peterborough, is therefore important to protect children from harm

In conclusion, alcohol can have significant negative health, social and economic impacts on communities, many of which are heightened in areas of high alcohol outlet density, such as the 'Can- Do' area. In addition, there are inequalities associated with alcohol-related harm, with more deprived communities, such as those in the 'Can-Do' area experiencing greater levels of harms.

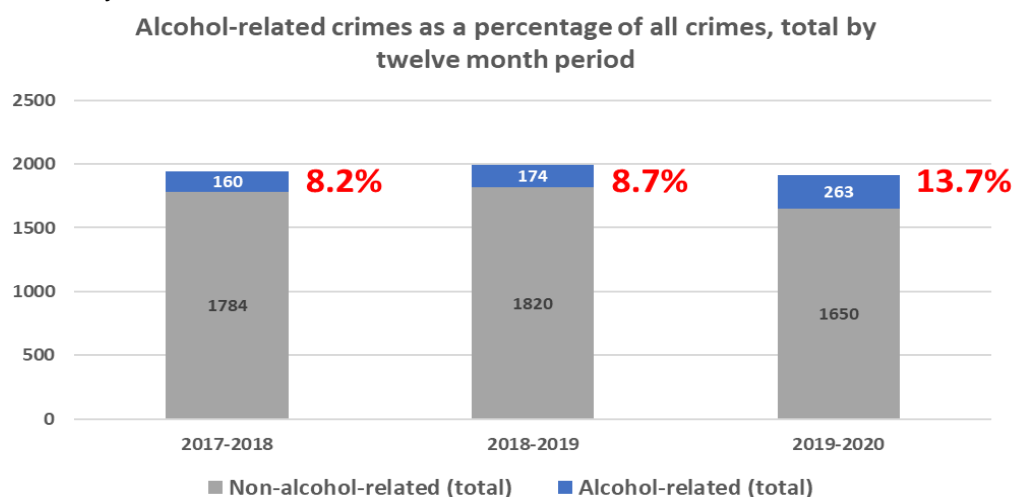
The National Institute for Health and Care Excellence (NICE) public health guideline on the prevention of alcohol-use disorders, concludes that reducing the number of outlets selling alcohol in a given area and the days and hours when it can be sold, is an effective way of reducing alcohol-related harm. The guidelines recommend that a cumulative impact policy should be used where an area is saturated with licensed premises and the evidence suggests that additional premises may affect the licensing objectives.

Cambridgeshire Police evidence

The Northern Area Commander for Cambridgeshire Police provided an analytical data report. The report provided quantitative data on the prevalence of alcohol related crimes and incidents and whether or not they correlated to the presence of licensed premises within the CIP boundary.ⁱ

The available data shows that the percentage of alcohol related incidents, (in comparison to non-alcohol related incidents) have decreased slightly over the past 3 years (7.5% in 17/18, 7.1% in 18/19, and 6.6% in 19/20). Whilst the number of reported incidents overall has increased over the past 3 years. (5,404 in 17/18, 5,914 in 18/19 and 5,959 in 19/20).

Alcohol related crimes actually rose as a percentage of all crimes, and in absolute year-on-year terms, over the same period, but non-alcohol related crimes fell in 19/20. Alcohol related crimes rose most dramatically in the timeframe 19/20 (up 89, to 263 from 174) a significant 51%, making it over 13% of all reported crime within the boundary. See below.

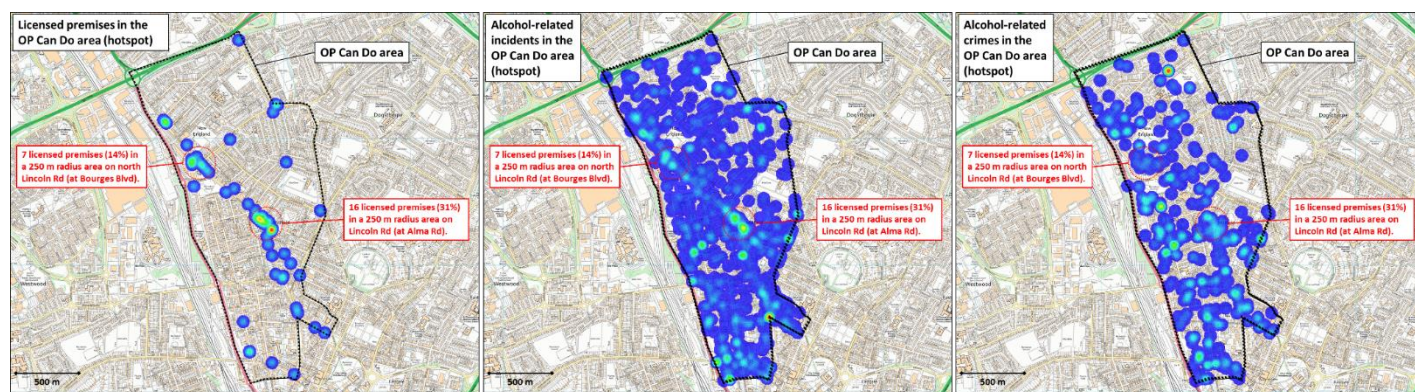


ⁱ The data provided by the Force Performance Team, covered the period 1 October 2017 to 30 September 2020. Crime data was drawn from CrimeFile for 2017 and part of 2018, and Athena from mid-2018 onward. All incident data was drawn from C&C3

The data set is extensive, but incomplete as it relies on those creating records to apply an 'alcohol' tag or code for each entry. These are not always applied. Furthermore, the switch from CrimeFile to Athena in mid-2018 caused a disruption in reporting and produced artificial declines in crime numbers. This is due to missing crime reports. Data on licensed premises in Peterborough are drawn from a list dated 18 August 2020 and provided by a Peterborough-based Strategic Regulatory Officer – Licensing.

The drop in overall crime in 19/20, may be attributable to the 'Covid lockdown' effect, during this time, crime in general declined, as people stayed at home. The Institute for Alcohol Studies (IAS) indicates that sales of alcohol increased during this period, with greater consumption taking place in the home. Alcohol drove crimes higher in 2020, especially during the pandemic response, but it was less of a factor in incidents during the same period. This correlation suggests that alcohol fuelled more violence in the home and at private residences and areas, versus at public venues that were closed.

The choropleth maps below show 'hotspots' based on concentrations of event or premises location within a 50 meter radius circle. Licensed premises concentration (left map), alcohol related incidents (middle map) and alcohol related crimes (right map)



Licensed premises in the Can-Do area are highly concentrated along Lincoln Road (the area's main commercial thoroughfare) and are clustered at particular points along it. There are two primary clusters: one at Lincoln Road and Bourges Boulevard and the other at Lincoln Road and Alma Road.

Alcohol-related incidents and alcohol-related crimes tend to occur in different areas: the former in more commercial areas and the latter in more residential areas.

Further analysis by postcode was undertaken, to determine any correlation in terms of location, whether or not alcohol related incidents and crimes, in particular, occur nearer to licensed premises. If this were the case, it could reasonably be concluded that 'On' licensed premises help to drive alcohol related incidents and crime in this area.

The greatest concentrations of alcohol-related and non-alcohol-related incidents by postcode, occur elsewhere in the Can-Do area and not necessarily within close proximity to a licensed location.

Alcohol-related crimes by postcode, appear to be concentrated in areas that do not include any (or only a few) licensed premises and appear to be primarily residential in nature. Only PE1 2PW is a 'high alcohol-related crime postcode' that also includes (only two) licensed premises. For non-alcohol-related crime, however, the correlation is slightly stronger, with the primary cluster of licensed premises in the middle of Lincoln Road (at Alma Road) featuring (PE1 2PF is the top postcode for crimes over this period in the Can-Do area, and it has the highest number of licensed premises)

Over one-fifth of all alcohol-related crimes recorded over the three-year period examined in this report occurred in postcodes that lack a licensed location and which are primarily residential in composition, while non-alcohol-related crime appears to be more concentrated in commercial areas (especially along the Lincoln Road corridor). This breakdown is not surprising when details of alcohol-related crimes are considered: over 30% of crimes of common assault, assault without injury and assault occasioning ABH/GBH are related to domestic incidents. Alcohol is driving crimes in the Can-Do area, especially within homes.

It is my view that the Cumulative Impact Policy is both necessary and proportionate to prevent crime, disorder and nuisance, promote public safety and prevent children from harm. Unfortunately, violent crime and alcohol related anti-social behaviour remains a significant issue for both the Police and Local Partners to address. We continue to spend considerable time, effort and resource tackling this. The Special Policy on Concentration of Premises is seen as a vital tool in preventing further escalation of crime and disorder levels.

Peterborough City Council - Prevention and Enforcement Service (PES) evidence

The area of Millfield and New England has been prone to suffer the effects of alcohol-related anti social behaviour for many years, with Designated Public Places Orders (DPPO) implemented initially in 2007 and then replaced by a Public Space Protection Order (PSPO) for the Millfield, New England, Eastfield and Embankment area in June 2017.

Alcohol related anti-social behaviour can include (but is not limited to):

- Causing harassment, alarm and distress
- Urination and defecation
- Littering
- Noise
- Excessive consumption of alcohol can also be contributing factors to criminal damage, begging and public order offences.

The PSPO for Millfield, New England, Eastfield and Embankment was imposed on the designated area for 3 years and comprised conditions to tackle quality of life issues such as alcohol-related and other forms of anti-social behaviour, littering, spitting and urination and defecation.

From August 2017 to 16th December 2019 there were 2,344 Fixed Penalty Notices (FPNs) issued for breaches of the Millfield, New England, Eastfield and Embankment order for littering, spitting, urination and defecation and failing to disperse for alcohol and general ASB.

The frequency of cleansing for streets and open spaces in the CIP area continues to be significantly higher in comparison to other areas of the city. This is partly attributable to the amount of alcohol related litter (bottles, cans) which pose a safety risk and degrade the area.

A search of Police records for May 2019 to May 2020 looking specifically at alcohol-related incidents for the Millfield and New England area identified that there had been 115 recorded incidents for the period.

These incidents range from:

- Groups drinking in public areas,
- Rowdy/aggressive drunken behaviour,
- Assaults, threats of violence and drunks fighting,
- Concern for intoxicated persons,
- Urination,
- Trespass and obstruction,
- General nuisance and disturbance from noise – shouting, smashing bottles, etc

There are particular 'hot spot' locations, notably, the 'Triangle', Century Square and Alma Road, Gladstone Park, and Fulbridge Road recreation area, where calls for service are regularly received from ward Councillors, operators of businesses, residents, and community organisations

The PSPO expired in August 2020. Due to the Covid-19 pandemic, it wasn't possible to review, carry out a fair consultation and re-implement the existing order prior to the expiration date. However based on the levels of enforcement carried out whilst the PSPO was in force, combined with the continued reports of alcohol-related crimes and ASB within the Millfield and New England area, the Prevention & Enforcement is proposing to re-implement a PSPO by the end of 2020 for the Millfield, New England, Eastfield and Embankment area for a further 3 years.

It is the recommendation of the Prevention & Enforcement Services that the existing CIA continues in the Millfield and New England area.

Other evidence considered

A total of 36 responses including a petition containing nearly 170 signatures were received and considered, as well as existing evidence.

Community Groups representing residents and businesses, detail how members of the community continue to be negatively affected by the large concentration of 'Off' licences. They describe the daily problems and

associated anti-social behaviour the number of 'Off' licensed premises in the Can-Do area is causing to their community and businesses, including the wider detrimental effect on their families. They report incidents of persons 'toileting' in their gardens, outside business premises and in 'green' areas, an increase in street drinking, particularly in groups, which is intimidating to residents. Residents have organised litter picks to remove the alcohol related debris left behind.

They attribute a majority of the problems experienced to the increase of street drinking caused by the ease of access to the purchase of 'Off' sales of alcohol, often sold at a low price in order to attract customers or to be competitive. The community can no longer make use of green spaces and other public equipment, due to this issue.

Community groups are working together on the challenges to bring about positive change to the area for those who reside and work there. Public feedback and information from community groups indicate that alcohol related problems and alcohol related anti-social behaviour is vastly under-reported. This can be attributed to lack of English language skills and a mistrust of authority.

The current joint partnership between Peterborough City Council, Cambridgeshire Police and other partner agencies, has highlighted the need to actually reduce the number of outlets and hours that alcohol can be freely purchased, if it is to make any headway towards the goals that it is striving to achieve, so support the retention of the CIP.

Noise disturbance such as rowdy behaviour, shouting and fighting are regularly witnessed and reported to ward councillors and community groups. Such issues can seriously affect children's general wellbeing, sleep and sense of security.

Ward Councillors representing businesses and residents in the area, indicate that the density of outlets selling 'Off' sales of alcohol in the Can-Do area contributes significantly to volatility and anti-social behaviour and negatively impacts on all four licensing objectives. Residents state that they fear to go out late at night. The presence of drunk individuals whose behaviour is aggressive and unpredictable can be intimidating for residents.

This information is reinforced by the individual resident and business responses, who report their own experiences of living in the Can-Do area and the detrimental impact, the number of 'Off' licensed premises affects them, and therefore the licensing objectives. Residents and business owners would like the area to offer a range of different premises, that the number of premises offering 'Off' sales of alcohol, is an attractive nuisance for alcoholics and street drinkers and their associated problems.

Local residents expect ward councillors, the licensing authority and the council as a whole to take action, and be seen to take action to improve the lives and wellbeing of all those living and working in this area.

Summary

The licensing authority cannot take need or commercial demand into account when considering an application, as this is for market forces to determine. However, the number, type and density of licensed premises, in a given area, are proper matters for consideration by the licensing authority, if there is potential impact on the licensing objectives.

The licensing authority have reviewed all the available evidence obtained and provided, and conclude that 'On' licensed premises and those not selling alcohol are not seen to contribute to the problems identified. The available evidence leads the licensing authority to believe that 'Off' sales are the main contributing factor to the problems identified. That the granting of further 'Off' licenses would be inconsistent with the duty to promote the objectives

There remains a high density of licensed premises within the defined boundary. The licensing authority is aware that large numbers of 'Off' licensed premises in close proximity to each other and residential properties, has had a negative impact on the licensing objectives, particularly if they are targeted towards high volume

cheap sales of alcohol. This can result in crime and disorder within a wider area than that associated with one premises.

The licensing authority is mindful of the need to safeguard users of the late night economy, in relation to crime and disorder, but also from alcohol harm. It recognises its responsibility to protect children from harm and to promote public safety. The concentration of licensed premises, whose primary function is the 'Off' sale of alcohol can increase the vulnerability of people and result in alcohol harm.

The cumulative impact of people dispersing from an area can also disturb nearby residents. As Lincoln Road is a main arterial route, with many premises offering 'Off' sales of alcohol, this is seen to attract late night customers, wider than those who reside in the area. 'Off' sales contribute to problems of street drinking, proxy purchasing, dispersal issues, excessive drinking and 'pre-loading' and related disorder.

The council encourages the development of a variety of premises providing a range of licensed activities catering for a wide range of users. As such this assessment of the cumulative impact of 'Off' licensed premises, imposes restrictions only to the extent that they are justified by the available evidence having particular regard to Section 182 guidance, issued by the Secretary of State.

If the authority determines that an application will be refused, it will do so on the basis that the grant of the application would undermine the promotion of one or more of the licensing objectives and that conditions would be ineffective in preventing the problems involved, and this will be shown in the decision.

Partnership working involving the Licensing Authority, Cambridgeshire Constabulary, Trading Standards, UKBA and HMRC and other responsible authorities, continues with a view to improving the standards and compliance with general law in the Can-Do area. Enforcement action has been taken against individual premises which have failed to operate in accordance with legislation and conditions of their licences. This work continues.

The Can-Do area has been prone to suffer from the effects of alcohol related anti-social behaviour for many years. The reintroduction of a PSPO for the area, will include proposed conditions which will increase Police and authorised Council officer's ability to address street drinking and ASB.

The cumulative impact policy allows greater scrutiny of applications, this has resulted in more considered applications with appropriate conditions being served on the authority. Where applications have been made which have demonstrated that the grant of the application will not further negatively impact on the objectives, the licence has been granted with specific appropriate conditions attached.

The licensing authority and the council need to restore and nurture the community's confidence and trust as the area does continue to present a number of complex, multi-layered challenges. The saturation of 'Off' licensed premises remains one of those challenges. It is recognised that the impact of longer hours can be a factor as well as the density of the premises, and this issue will be given material consideration in any decision.

The licensing authority recognises that a special policy is not absolute and any application will still need to be considered on its relative merits. Consideration will be given to the content of the applicants operating schedule, the continuing relevance of evidence in support of the CIA, relevant representations and whether the imposition of appropriate individually tailored conditions would be effective in preventing problems and addressing concerns.

The licensing authority is satisfied that there is an appropriate evidence base to support the need for the cumulative impact policy and that other mechanisms do not themselves adequately address the issues identified in the evidence base.

Signed by: Councillor Peter Hiller
Chair of the Licensing Committee

Date: 24 December 2020

Map Showing Current CI Policy Area in Green

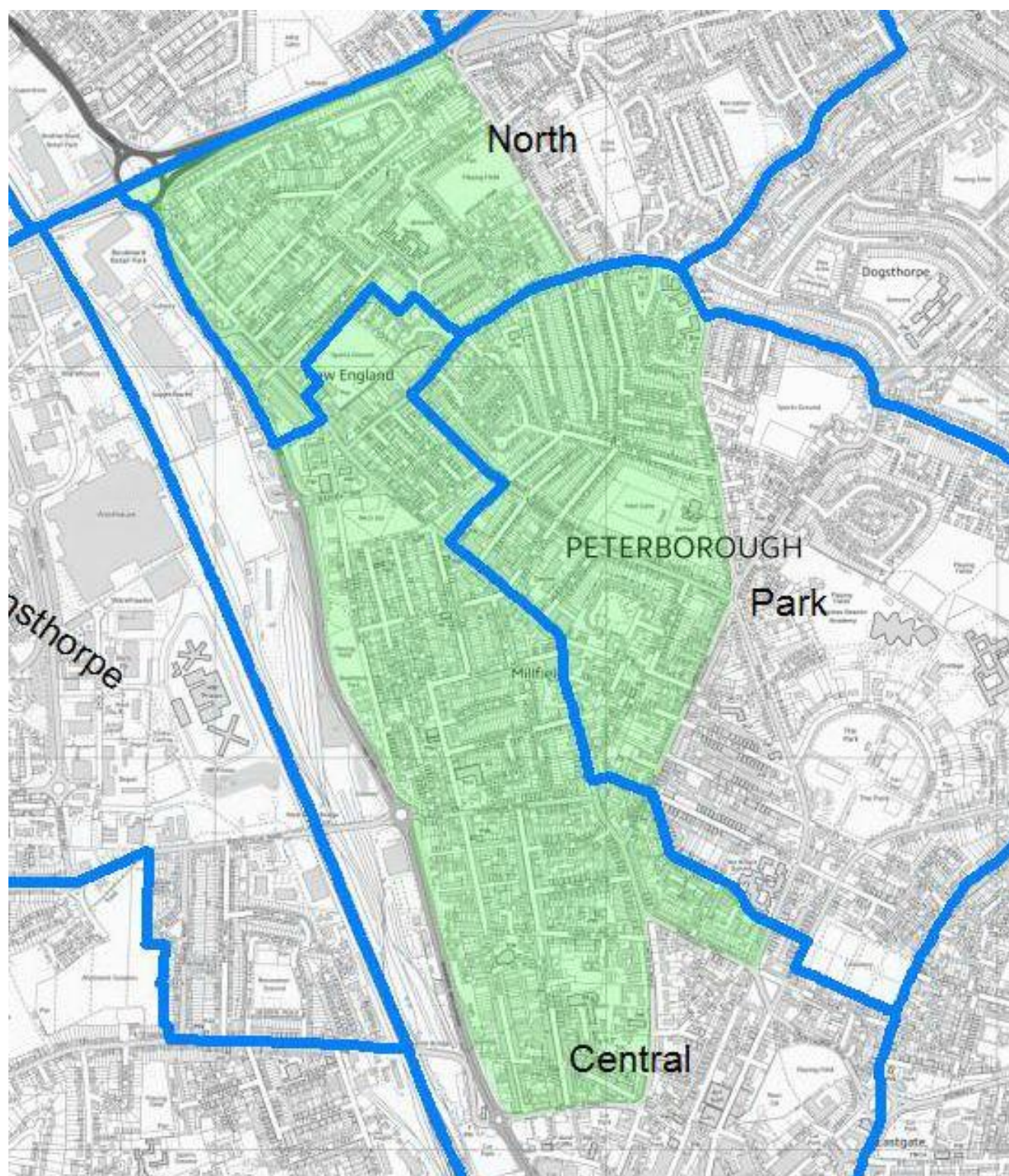


Table of Street Names Within the Current CI Area

Streets in the Op Can Do area		
Alexandra Road	Keats Way	1-359 Dogsthorpe Road
Allen Road	Keeton Road	40 - 50 Bright Street
Alma Road	Kipling Court	Beckets Close
Bamber Street	Lammas Road	Berry Court
Beech Avenue	Lawn Avenue	Boswell Close
Belham Road	Lime Tree Avenue	Burghley Mansions
Bourges Boulevard	Lincoln Road	Burns Close
Brassey Close	Link Road	Burrows Court
Brownlow Road	Lister Road	Carl Hall Court
Burghley Road	Lynton Road	Caroline Court
Burmer Road	Maskew Avenue	Cecil Pacey Court
Cambridge Avenue	Norfolk Street	Century Square
Cecil Road	North Street	Claridge Court
Chantry Close	Northfield Road	Coleridge Place
Chaucer Road	Norton Road	Connaught Mews
Church Walk	Nursery Close	Cromwell Court
Clare Road	Occupation Road	Dogsthorpe Grove
Clarence Road	Park Road	Dyson Close
Cobden Avenue	Parliament Street	Gillwell Mews
Cobden Street	Peveril Road	Gray Court
Cowper Road	Pope Way	Hamilton Court
Craig Street	Portland Avenue	Ingleborough
Cromwell Road	Russell Street	Johnson Walk
Crown Street	Scotney Street	Kimbolton Court
Dryden Road	Searjeant Street	Lincoln Gate
Eaglesthorpe	Shakespeare Avenue	Loire Court
English Street	Sheridan Road	Manor House Street
Exeter Road	Silverwood Road	Old Court Mews
Fitzwilliam Street	Springfield Road	Oxford Road
Foxdale	St James' Avenue	Parkodi Court
Fulbridge Road	St Mark's Street	Popley Court
Geneva Street	St Martins Street	'Raedwald Court
Gilpin Street	St Paul's Road	Rock Road
Gladstone Street	Stone Lane	Rosehall Court
Granville Street	Summerfield Road	Russell Mews
Green Lane	Taverners Road	Salaam Court
Hankey Street	Tennyson Road	Shelley Close
Harris Street	Thistle Moor Road	St Marks Apartments
Henry Court	Towler Street	St Marks Court
Henry Street	Vere Road	St Martins Mews
Herrick Close	Victoria street	The New Haven
Highbury Street	Warbon Avenue	Tom Lock Court
Windmill Street	Waterloo Road	up to 135 Park Road
Bamber Court	Wilberforce Road	Victoria Place
Walpole Court	York Road	

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COUNCIL	AGENDA ITEM No. 9(c)
6 DECEMBER 2023	PUBLIC REPORT

EXECUTIVE AND COMMITTEE RECOMMENDATIONS TO COUNCIL

SALES, FEES AND CHARGES REVIEW

The Cabinet, at its meeting on 16 October 2023, received a report in relation to the Sales, Fees and Charges Review. The original report and relevant appendices are attached with this report and can also be found here [Cabinet 16 October 2023](#).

The Cabinet recommends that Council:

Agree the increases in Fees and Charges as outlined in this report with the exception of the cost of the second Garden Waste bin, which is proposed to increase to £30 (from £25) rather than up to £50.

The Full Carbon Impact Assessment has also been completed, with the following points summarising the outcome of that assessment:

- The majority of proposals included within this report will result in an increase in the fee charged for the provision of a specific service but this is not expected to alter the demand for such service provision and therefore the impact is anticipated to be neutral.
- There is the potential that increasing fees and charges relating to parking could reduce the number of overall trips made but it is felt that this will have a minimal impact. The increased charges relating to bulky waste collections and the garden waste service will not alter the volume of waste produced but could mean it is treated differently. It is felt that this potential impact will be mitigated by the councils new recycling education team who will be speaking to residents regularly ensuring that they are aware of the brown bin and bulky waste scheme which could increase uptake overall.

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CABINET	AGENDA ITEM No.
16 OCTOBER 2023	PUBLIC REPORT

Report of:	Executive Director of Corporate Services and S151 Officer	
	Councillor Andy Coles, Cabinet Member for Legal, Finance and Corporate Governance	
Contact Officer(s):	Cecilie Booth, Executive Director of Corporate Services and S151 Officer Emma Riding, Service Director Financial Management and Deputy S151 Officer	Tel. 452520

SALES, FEES AND CHARGES REVIEW

RECOMMENDATIONS	
FROM: Cabinet Member for Finance and Corporate Governance	Deadline date: N/A
<p>That Cabinet</p> <ol style="list-style-type: none"> Endorses the increases in Fees and Charges as outlined in this report Recommends to Full Council the approval of the increases to Fees and Charges as set out in this report . 	

1. ORIGIN OF REPORT

- 1.1 An annual review of Sales Fees & Charges comprises part of the Council's Budget setting process. The Council have commissioned specialist external support to work with colleagues to undertake a review to inform the 2024/25 budget setting process.

2. PURPOSE AND REASON FOR REPORT

- 2.1 This report provides an overview of the activity being undertaken as part of the comprehensive review of Sales Fees and Charges and proposes some increases for immediate implementation.

This review provides a consistent framework for approach in setting, monitoring, and reviewing fees and charges across all services. This will ensure fees and charges are set at a level that optimises income generation and take into account:

- Council strategies, plans and objectives
- Risk appetite
- Legislative constraints

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	YES	If yes, date for Cabinet meeting	16/10/23
Date for relevant Council meeting	06/12/23	Date for submission to Government Dept. (Please specify which Government Dept.)	N/A

4. BACKGROUND AND KEY ISSUES

- 4.1 Councils across the country are facing significant levels of financial challenges, largely driven by reduced Government Funding, pressures from high rates of inflation and increasing demand for services. The Council is currently developing its budget for 2024/25 to address a budget gap of £5.1m (as reported in July- [agenda item 11](#)). In addition to this there is currently a projected overspend of £5.1m in 2023/24, which the Council is putting measure in place to address as a matter of urgency.

Income is a key facet in the Council's financial planning, with approximately £35m (7.5%) of the revenue budget funded from sales, fees and charges. Therefore, the Council commissioned external specialists to work alongside officers in reviewing sales, fees and charges to support the refresh of the Medium Term Financial Plan and inform budget setting for 2024/25. There are a number of key deliverables from the work, including:

- The development and implementation of a sales, fees and charges Policy
- Review of the current levels of Sales Fees and charges
- Provision of tools and techniques to support the Council in embedding a systematic and sustainable approach to reviewing sales, fees and charges.

The outcomes of the review will form part of the annual budget process, however during the review it was identified that there were a number of areas where pricing changes could be implemented from 1 January 2024.

Emerging Fees and Charges Policy

A sales, fees and charges policy is currently under development and it is intended to be proposed to full Council on 21 February 2024 as part of the 2024/15 budget report. The emerging policy is based on a framework that recognises that a “one size fits all” approach is not appropriate for a complex organisation with diverse services, such as a Council, and therefore segments services via two key criteria:

- The **degree of legislation** impacting on the service area (for example many planning fees are set by central Government, whereas the only regulation set around charges for Taxi Licensing relate to limiting charges to full cost recovery)
- The **degree of competition** in the environment they are operating within (for example, the number of other car parking options available to car users)

Developing options

The review is also focused on developing implementation options for the policy, which includes working with services to make recommendations to amend prices. To maximise the impact of the review a phased approach is being taken:

- **Phase 1** – Focusing on services with income from sales, fees and charges that exceed £1m annually (including services such as car parking, waste and regulatory services)

- **Phase 2** – Focusing on services with income from sales, fees and charges that are between £0.5-1m annually (including services such as registrars, building control and CCTV)
- **Phase 3** – Provision of tools and techniques to all services and a review of discretionary pricing not covered in Phases 1 & 2.

Proposals for Implementation from 1 January 2024

During Phase 1 of the review a number of areas were identified for early implementation. The table below provides an overview of the charges that are proposed to be implemented from 1 January 2024.

Table 1: Early implementation Sales Fees and Charges

Id	Charge (Service Area)	Existing Charge	Proposed Charge	Expected Impact 2023/4 (£m)	Expected Impact 2024/5 (£m)
1	Garden Waste Collection (Annual) – Additional Collections (Waste Management)	£25.00	£50.00	0.000	0.101
2	Dispensation from Parking Restrictions – Daily Charge	New Charge	£15.00	0.005	0.010
3a	Parking Bay Suspensions – administration fee	New Charge	£20.00	0.002	0.004
3b	Parking Bay Suspension – daily charge	New Charge	£20.00	0.003	0.006
4	Residents Parking Permits – 2 nd and 3 rd Permits and Visitor Permits (annual)	£44.00	£70.00	0.010	0.020
5	Daily Charge – Cherry Lodge (External Users)	£520.00	£613.00	0.010	0.046
	Total (£m)			0.030	0.187

Supporting Information

1. The proposed change in price of **“Additional Collections” for Garden Waste** is to remove the differential in charge between the first and additional Garden Waste bin, therefore removing any inequality in charging.
 - The Council currently charges £50pa for the first Garden Waste collection and £25pa for any additional bins.
 - Of the 19 Statistical and nearest neighbours who charged for Garden Waste, only 2 others offered a reduced price for additional collections. On average, the councils charged an average of £5 extra for additional bins.
 - There are approximately 4,500 additional Garden Waste bins collected each year;
2. A **Dispensation from Parking Restrictions** is an exemption provided to a vehicle where there is a requirement to access restricted areas such as pedestrianised zones, for example to carry out building works:
 - Currently the Council process and provide these dispensations at no cost, although the Council incurs costs in administering and enforcing the scheme.
 - Many councils, particularly councils with predominantly urban areas, seek to recover these costs through applying a charge to applications.
 - There are a variety of charging structures utilised by other councils but a comparator group of nearest neighbours demonstrated that charges ranged from £10-35 per day
 - This will enable the Council to better manage the process of parking dispensations, recover costs administrative associated and mitigate loss of income.

3a & b Parking Bay Suspensions are required when there is a need to temporarily remove access to an on-street parking bay, this includes building or development sites that require access using on street parking bays and/or if there is the need to place a skip or similar in a parking bay:

- The Council can recover both the administration costs associated with processing an application and income lost due to space unavailability.
 - The Council processes applications free of charge and does not recover any associated costs or lost income.
 - Most other Councils invoke an administration fee for processing the dispensation and a daily charge.
 - Administration fees at comparator councils range from £7 to £50.
 - Daily Charges from comparator councils range from £10 to £45.
 - In general, councils that have a lower administration fee charge a higher daily rate, and vice versa e.g. Cambridgeshire charge £7 administration fee and £45 daily charge, Hampshire £50 administration fee and £10 daily charge.
 - The proposal of a £20 administration fee and a £20 daily charge is in the middle range for both fees.
4. The Council currently administers approximately 4,500 permits for **On Street Parking in Residential Zones** and applies a uniform administration charge of £44 for each permit, regardless of type. Households can receive a maximum of 3 residents permits and 1 visitor permit. The purpose of the parking permits is to enable free movement of traffic, including to enable residents to access parking close to their homes:
- Other councils' resident parking permit structures vary significantly, with some councils providing them for free and ranging up to £860 per year in Islington.
 - However, most councils charge between £35 and £70pa for first permits, but many have a graduated permit system, for example:
 - a. Derby City Council charge £35 for a first permit and £60 for additional permits.
 - b. Sheffield City Council charge £51.40 for a first permit and £102.80 for an additional permit).
 - c. Sandwell Council charges £30.90, £36.05 and £49.45 for first second and third permits respectively.
 - d. City of York Council charges £99.95 for a first permit, £220 for a second and £440 for a third permit.
 - Included in the 4,500 permits issued are approximately 1,700 visitor permits. These are not assigned to an individual vehicle and there is some empirical evidence of these being applied for in preference to residents permits (which are assigned to a single vehicle).
 - The increase in cost to 2nd, 3rd and visitor permits will support free movement of traffic, incentivise applications for the first residents permits attached to a single vehicle and is also aligned with the Councils environmental agenda.
 - Visitor permits for individual sessions will still be available at £22 per 10 sessions.
5. **Cherry Lodge** is a Council owned children's home that offers short breaks and shared placements to children and young people aged 5-19. It is primarily provided for the use of Peterborough residents, but approximately 20% of usage is funded from external sources. Currently the Council is not recovering the full costs from external organisations. The revised charge is to recover the full cost from all external organisations contributing to or paying for placements within the service.

Areas for implementation 1 April 2024

In addition to the areas for implementation from 1 January 2024, other areas under consideration are set out below.

Table 2: Sales fees and Charges amendments from 1 April 2024

Id	Charge (Service Area)	Proposed Change	Expected Impact 2024/5 (£m)	Expected Impact 2025/6 (£m)
1a	Garden Waste Collection (Annual) – (Waste Management)	Increase charge of Garden Waste bins from £50 to £55 per year	0.099	0.099
1b	Bulky Waste Collection (Waste Management)	Increase charge of Bulky Waste collections from £23 for 5 items to £30 for 5 items	0.030	0.030
2a	Residential car parking permits (Parking)	Increase charge of residents permits from £44 to £50 per year	0.023	0.023
2b	On and off street car parking (Parking)	Introduce standard charging hours for on and off street car parking 7am to 8pm (and introduce free overnight parking in all PCC car parks with exception to Sand Martin House multi storey and surface car park these will be reviewed separately)	0.043	0.073
2c	On and off street car parking (Parking)	Increases to on and off street car parking tariffs, removing maximum stay period from on street and restructuring tariff bands (to align with introduction of automatic numberplate recognition system in car parks)	0.126	0.196
3a	Cremation charges (Bereavement Services)	Increase of cremation charges by 2%	0.044	0.044
3b	Interment charges (Bereavement Services)	Increase burial charges by 7%	0.014	0.014
3c	Exclusive rights of burial (Bereavement Services)	Change term for exclusive rights of burial from 60 to 75 years and increase fee proportionately	0.041	0.041
4	Planning pre-application fees (Planning)	Introduce charges for minor and householder preapplication advice	0.025	0.025
5	Adult social care charges (Adult Social Care)	Revise Adult Social Care Charging Policy and remove automatic Disability Related Expenditure allowance	-	0.090
6	Land charges (Legal Services)	Increase commercial land charges	0.012	0.012
	Total (m)		0.457	0.647

Supporting Information

1a. The proposed increase in the charge to **Garden Waste Collection** is to reflect the fact that the cost of service delivery has increased since the price was last reviewed in 2021. Since this time, the high rates of inflation have driven up costs including fuel and the National Living Wage.

- Of the 19 statistical and nearest neighbours analysed, the mean average for garden waste bins in 2023/24 is £50.93. Amongst nearest neighbours, the average charge is £54.67, with the highest of these being Melton Borough Council at £78. These are anticipated to increase as other Councils review their charges for 2024/25.
- The proposal is to consider increasing the price by £5 to reflect increasing costs of delivering services and to reflect the price of other Councils.
- There are currently 9,500 customers who access the service by direct debit, it is more efficient for the Council for customers to pay by direct debit, therefore a £5 discount could be offered to further encourage residents to take up this payment option.

1b. The proposal is to increase the charge for the collection of up to five items of **bulky waste** from £23 to £30.

- The council's charges for bulky waste collections are in the lower quartile of the 28 councils compared against, with the number of items which can be included in a collection in the upper quartile.
- Increasing the charge for a collection to £30 while still allowing up to 5 items will put the charge at the mean level.
- A number of studies have been identified which show that there is no link between bulky waste charges and fly tipping rates. The most comprehensive of these was published by WRAP, a climate action group which specialises in recycling issues, in September 2021.

2a. The proposal is to increase the cost of **residential car parking permits** (first resident permits) to £50 per year.

- Charges for residential car parking permits vary significantly with areas of large cities attracting higher charges.
- The proposal is to increase the prices to reflect the charges of other medium to large urban areas in the local area.
- Residential permit charges are usually only applied in urban areas, and prices in neighbouring councils include:

Table 3: Residents Parking Benchmarking

Council	Area	Cost (annual cost)
North Northamptonshire	North Northamptonshire	£35
Cambridgeshire	Huntingdonshire	£26
Cambridgeshire	Cambridge	£54-102
Lincolnshire	Stamford	£50
Lincolnshire	Grantham	£50

2b&c. The proposal is to consider restructuring **On and Off Street Car Parking Charges** to better manage the free movement of traffic by developing a consistent approach to charging on and off street and to better reflect user behaviour. Proposed options include:

- Removing the 'evening tariff' at the Councils off street car parks, introducing a single (car park specific) charging structure from 7am-8pm and then allowing for free overnight car parking from 8pm.
- Aligning the charging hours of on-street car parking with those in off street car parks to embed a consistent 7am-8pm charging structure.
- Reviewing on-street parking charges (aligned to the roll out of new infrastructure) and removing maximum stay periods from on street bays.
- Restructuring parking tariffs in individual car parks to better reflect changing customer behaviour.
- **Applying an inflationary price increase to all parking tariffs as a minimum.** Further exploration of options to be completed to ensure income is maximised, whilst still remaining competitive with other city centre parking options.

3. Proposals to **Bereavement Charges** including cremations and burials include:

- Increase cremation charges by 2%. The Council is currently amongst the highest priced local authority. Therefore, an increase in price significantly below the prevailing rate of inflation is proposed.
- Burial charges vary significantly regionally and nationally but the charges at the Council are within the normal range of similar authorities regionally and nationally, therefore an increase of 7% is proposed that is in line with inflation.
- Practice varies significantly amongst local authorities about the length of term of the lease where customers purchase an exclusive right of burial. The Council currently offers a 60-year lease, the option being considered is to increase this term to 75 years

and reduce the price per year from £24 to £23.33. This reflects a number of queries from customers seeking to extend the initial 60 year period.

4. The proposals are to re-introduce a service to offer planning pre-application advice to minor and householder developments for **Planning Applications**.
 - Currently the Council only offers pre-application advice from major applications as the option to purchase pre-application advice was removed due to the lack of capacity in the planning team. However, the current approach has led to a number of householder (23%) and minor (39%) applications being amended after submission which is resource intensive and inefficient.
 - Therefore, reinstating and charging for pre-application advice is anticipated to generate income, increase a small amount of capacity in the planning team and deliver a better service. To support this the opportunity to amend applications free of charge will be removed.
5. The option being proposed is to remove the automatic application of disability related expenditure to clients who are receiving a financial assessment for **Adult Social Care**.
 - The Council, like other upper tier councils, offers financial assessments to those who access social care to calculate the correct contribution to their care from a service user. Part of this calculation is to calculate any existing expenditure related to their disability (which could include services such as a contribution to cleaning costs or goods such as the cost of an electric wheelchair). This expenditure is then deducted from the total amount that a client might be asked to contribute towards the cost of their care. The Council currently applies an automatic “minimum” level of disability related expenditure of £10, £15 or £25 per week depending on the level of disability. Expenditure in excess of this is then calculated and included.
 - Benchmarking data has shown that although some other councils apply an automatic “minimum” level of disability related expenditure it is in the minority. In 2023/24, approximately 72% of all service users had the ‘minimum’ level applied suggesting that if this was removed the level of disability related expenditure would reduce and client contributions increase.
 - It should be noted that to implement this, a review of the Adult Social Care charging policy from January 2016 will be required, including public consultation, which is not scheduled ahead of the 2024/25 and therefore additional income is not forecast until 2025/26, once full consultation has been undertaken.
6. An option is being proposed to apply and increase commercial land charges to align with those currently applied in geographical near neighbours Cambridge City and South Cambridgeshire Councils.

Other Areas of Investigation

Review of Environmental Crime Fines

The Prime Minister Anti-Social Behaviour Action Plan which launched in March, set out how they would help councils to take tougher action against those who harm our public spaces. Taking proportionate and effective enforcement action against people who intentionally or carelessly damage their local environment to change behaviour and deter others from offending.

One of the actions has been to increase the upper limit of fixed penalty notices for environmental crimes such as fly tipping, duty of care, littering, and graffiti offences. A full review of fixed penalty notices issued for environmental crime will be undertaken by the Council in the Autumn to be incorporated within the final Sales Fees and Charges schedule as part of the budget report.

- The maximum amount those caught fly-tipping could be fined will increase from £400 to £1,000

- The maximum amount those who litter or graffiti could be fined will increase from £150 to £500
- The maximum amount those who breach their household waste duty of care could be fined will increase from £400 to £600

Other Arrangements

The review has also identified a number of other areas that are outside the scope of sales, fees and charges but will support greater income generation for the Council. These largely focused on intra-council charging where the Council is providing services for other Councils. Work alongside service areas identified a number of areas where the full cost of delivering these services (including central costs) were not being recovered from other Councils. These are subject to commercial discussions between Councils so are not detailed in this report.

5 CORPORATE PRIORITIES

5.1 Ensuring the Council has its Sales, Fees and Charges set at an appropriate level and that they are reviewed annually is one of the Council will measure the success of delivering against the following City Priority:

- 'Supported by a Sustainable Future City Council - adjust how we work, serve, and enable, informed by strong data and insight capability, and led by a culture of strong leadership.

6. CONSULTATION

6.1 The review of Sales, Fees and Charges review is part of the budget setting framework.

The proposed charges as set out within this report were presented to the Growth, Resources and Community Scrutiny Committee on 14 September. The Committee considered the proposals and requested no changes to be considered by Cabinet.

7. ANTICIPATED OUTCOMES OR IMPACT

7.1 The Council is expecting to generate additional income of £0.030m in 2023/24, £0.644m in 2024/25 and £0.834m from 2025/26 onwards, as a result of the recommended changes outlined within this report.

The policy and fully reviewed Sales fees and charges schedule will form part of the 2024/25 budget report.

8. REASON FOR THE RECOMMENDATION

8.1 The outcome of this review will support the Council in setting a lawful and balanced budget for 2024/25 and increase income in the current year 2023/24.

9. ALTERNATIVE OPTIONS CONSIDERED

9.1 Keep Sales, fees and charges as per current, however, this is not affordable in the short or medium term and does not ensure that the Council is obtaining Value for Money.

10. IMPLICATIONS

Financial Implications

- 10.1 The Council is expecting to generate additional income of £0.030m in 2023/24, £0.644m in 2024/25 and £0.834m from 2025/26 onwards, as a result of the recommended changes outlined in tables 1 and 2 of this report.

Legal Implications

- 10.2 The report is seeking approval for Cabinet to recommend to Full Council the changes to the fees as set out in the report as approval of the increases to the fees and charges is a function reserved to Full Council.

Some services are mandatory and governed by specific legislation, and there are some statutory fees and charges which are set nationally. Other services are discretionary, and fees and charges can be set locally. The Council has a general power to charge for discretionary services under Section 93 of the Local Government Act 2003 ("LGA 2003") and under the power of general competence found in Section 1 of the Localism Act 2011 ("LA 2011").

The Council must not charge for a service if legislation prohibits it from doing so. If legislation requires the Council to provide a service and to charge for it, we are required to do so. In the absence of specific powers or prohibitions on charging for services, the Council may use the powers in either s93 of the Local Government Act 2003 or s1 of the Localism Act 2011 to make charges for discretionary services. The Council cannot use these powers to make a profit, however the Council can include the full cost of all aspects of the service provision when calculating the costs.

Prior to a decision on the proposed changes to the fees and charges by Full Council an equalities impact assessment will need to be undertaken.

Equalities Implications

- 10.3 To be completed in advance of the Council meeting on 6 December 2023

Carbon Impact Assessment

- 10.4 To be completed in advance of the Council meeting on 6 December 2023

11. BACKGROUND DOCUMENTS

- 11.1 None

12. APPENDICES

- 12.1 None.

COUNCIL	AGENDA ITEM No. 10
6 DECEMBER 2023	PUBLIC REPORT

RECORD OF EXECUTIVE DECISIONS MADE SINCE THE LAST MEETING

1. CABINET MEETING HELD ON 13 NOVEMBER 2023

I. Final Report of The Cycling And Walking Task And Finish Group: Local Cycling And Walking Infrastructure Plan (LCWIP)

The Cabinet considered the final report of the Task and Finish Group and **RECOMMENDED** to continue to work with officers to provide a comprehensive response to the report to the Scrutiny committee.

II. Authorisation for Milestone Infrastructure Ltd to Undertake Construction of Active Travel Improvements on Thorpe Wood

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

1. Authorised the works order of up to £2,000,000 to Milestone Infrastructure Ltd to undertake construction of active travel improvements on Thorpe Wood, under the existing Peterborough Highways Term Services Contract.
2. Authorised the Director of Place & Economy to vary the works order value when required subject to; a. available budget being in place; b. the total sum of each variation not exceeding £100,000, c. the combined value of any authorised variation(s) do not exceed the total sum of £500,000. d. any variations are to be made in prior consultation with internal audit, finance and legal services.

III. Contract Award for the Peterborough Adult Advocacy Services

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

1. Awarded a contract for the Peterborough Adult Advocacy Services to POhWER, (registered company 03323040) following a successful procurement for a period of 3 years with the option to extend for a period of 1 year, from 5 February 2024 for a value of £897,966.12 (Contract year 1 value £242,880.78 and contract year 2, 3 and 4 value £218,361.78 per annum).
2. Authorised Peterborough City Council to enter into a Section 256 Agreement with the Cambridgeshire and Peterborough Integrated Care Board for a contribution to costs associated with Peterborough City Council providing Adult Advocacy Services within Peterborough for a period of 3 years with the option to extend for a period of 1 year, from 5 February 2024 for a value of £153,980.57 (Contract year 1 value £41,649.79 and contract year 2, 3 and 4 value £37,443.59 per annum).

IV. Award of Children & Young People Home & Community Support Block Contracts And Award of Home & Community Support Pseudo Dynamic Purchasing System Contracts

Cabinet considered the report and **RESOLVED** to

1. Approve the award of 3x Children/Young People Home & Community Support block contracts, each with a contract term of 3 years with an option to extend up to 2 years in increments of 12 months from the 01.02.2024, as follows:
 - 1.1. to Circles Network (Company number: 02972700), with a value of £50,000 per annum (£250,000 for the contract term including extension period).
 - 1.2. to Sabanu Care Ltd (Company number: 12922944), with a value of £50,000 per annum (£250,000 for the contract term including extension period).
 - 1.3. to Greenhill Healthcare Ltd (Company number: 13796928), with a value of £50,000 per annum (£250,000 for the contract term including extension period).
2. Approve the award of the Children/Young People's Home & Community Support Pseudo Dynamic Purchasing System (PDPS); the contract term is 5 + 3 + 2 years and has an overall contract value of up to £10,000,000 over the whole contract term (including 2 extension periods). The list of approved providers were outlined in Appendix 1.
3. Delegate approval to the Executive Director Adult Social Care & Commissioning to extend the Contract Term up to 10 years (for the PDPS) in accordance with the contract provisions.
4. Delegate approval to the Executive Director Adult Social Care & Commissioning to extend the Contract Term for each or any of the 3x block contracts up to 5 years (per block contract) in accordance with the contract provisions.
5. Delegate approval to the Executive Director Adult Social Care & Commissioning to agree to an uplift (per annum) on the hourly rate; subject to internal governance arrangements and the value given in the published Contract Notice.

V. localities assets review update

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

1. Note the Localities Asset Review report contained in the exempt Appendix1 of the Cabinet report.
2. Agree that Estates and Finance, following a period of engagement with the public, the operators of the sites as well as elected members, and dependant upon the outcome of that engagement, looks to dispose of those locality assets highlighted in the report as being potentially suitable as surplus to requirements and for repurposing up to a maximum disposal price of £500,000. This is subject to any final terms to be delegated to the Executive Director of Corporate Services and Director of Legal after consultation with the Cabinet Member for Finance and Property.

3. Note that where any proposed sale of an asset is in excess of £500,000 it will be brought back to Cabinet for specific approval to dispose on a case by case basis.
4. Note that, on a case by case basis, a proportion of the savings in revenue are ringfenced to be invested in the remaining assets to support the proposals in the report.
5. Note that, on a case by case basis, a proportion of the Capital receipts may be ringfenced to fund the costs of sale, costs of relocation and repurposing of assets and investment into the retained portfolio.
6. Note that Directors will report to Growth, Resources and Communities Scrutiny Committee in January with further details of the proposed Locality Asset Review recommendations and timings following further consultation.
7. Approve the Draft Community Asset Transfer Policy contained in Appendix of the Cabinet report.

VI. MEDIUM TERM FINANCIAL STRATEGY 2024-2027 QUARTER 2 UPDATE

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

1. Note the revised financial assumptions included within this Medium-Term Financial Strategy 2024-2027 Quarter two update, as outlined within Appendix A of the report.
2. Note the update from the budget simulator.
3. Agree to the updated disposal plan included within Appendix C of this report.

VII. BUDGET CONTROL REPORT SEPTEMBER 2023 - QUARTER 2

Cabinet considered the report and **RESOLVED** noted

1. The budgetary control position for 2023/24 as at 30 September 2023 which outlines a forecast overspend of £6.4m.
2. The key variance analysis and explanations are contained in section 4.2 and Appendix A to the report.
3. The Council's performance with respect to Business Rates (NNDR) and Council Tax Collection, as outlined within Appendix B to the report.
4. The Council's Capital Programme performance as outlined in section 4.6.

3. CALL-IN BY SCRUTINY COMMITTEE

Since the publication of the previous report to Council, the call-in mechanism has not been invoked.

4. SPECIAL URGENCY AND WAIVER OF CALL-IN PROVISIONS

Since the publication of the previous report to Council the urgency, special urgency and/or waiver of call-in provisions have been invoked once.

1. USE OF MEDGEN CARE - OCT23/CMDN/50

This report is NOT FOR PUBLICATION in accordance with paragraph (s) 1 and 2 of Schedule 12A of Part 1 of the Local Government Act 1972 in that it contains information relating to an individual or likely to result in the individual being identified. The public interest test has been applied to the information contained within the exempt annex and it is considered that the need to retain the information as exempt outweighs the public interest in disclosing it as to do so.

The Cabinet Member approved the commissioning of MEDGEN Nursing Services Limited (Co.no. 11292335) to provide direct care to a vulnerable young person

5. CABINET MEMBER DECISIONS

CABINET MEMBER AND DATE OF DECISION	REFERENCE	DECISION TAKEN
Cabinet Member for Infrastructure, Environment and Climate Change Cllr Nigel Simons 24/10/2023	OCT23/CMDN/49	Charging residents and developers for replacement bins <ol style="list-style-type: none"> 1. Approved the implementation of a charging mechanism whereby occupiers of homes across the city are required to pay for the costs associated with replacement waste bins and receptacles to include residual, recycling, garden and food waste bins. 2. Approved the implementation of a mechanism to charge property developers for the costs associated with the supply of all new waste bins and receptacles when new build properties are ready for occupation.
Cabinet Member for Children's Services and Education Cllr Jackie Allen 24/10/2023	OCT23/CMDN/50	Use Of Medgen Care <p>The Cabinet Member approved the commissioning of MEDGEN Nursing Services Limited (Co.no. 11292335) to provide direct care to a vulnerable young person</p>
The Cabinet Member for Finance, Legal and Corporate Governance: Cllr Coles	OCT23/CMDN/51	Disposal of part of Peterborough City Council rural estate <p>The Cabinet Member for Finance, Legal and Corporate Governance:</p>

31/12/2023		<ol style="list-style-type: none"> 1. Approved the disposal of freehold farmland forming part of the Newborough rural estate on the terms set out in this report and exempt Appendix. 2. Delegated authority to the Executive Director of Corporate Services and Director of Legal and Governance, in consultation with the Cabinet Member for Finance and Corporate Governance to take all necessary steps including agreeing final terms and entering into all necessary agreements to facilitate the decision.
<p>Leader Of the Council</p> <p>Councillor Mohammed Farooq</p> <p>9/11/2023</p>	NOV23/CMDN/52	<p>Appointment of Directors of Peterborough Culture, Heritage, Learning and Leisure (Subsidiary of Peterborough Limited)</p> <ol style="list-style-type: none"> 1. Approve the appointment of the following as directors of the subsidiary company of Peterborough Limited (Peterborough Culture, Heritage, Learning and Leisure): <ul style="list-style-type: none"> – Oliver Hayward (Council Director) - Council's Service Director for Commissioning (Adults) – James Collingridge (Council Director) - Council's Head of Highways and Transport – Ian Spence – Director of Operations for Peterborough Limited – James Hornett – Director of Business Strategy for Peterborough Limited
<p>Leader of The Council</p> <p>Cllr Mohammed Farooq</p> <p>10/11/2023</p>	NOV23/CMDN/53	<p>SHAP (Single Homeless Accommodation Programme)</p> <p>The Cabinet Member has approved:</p> <p>The acquisition of 25 properties (full details of the individual properties to be developed as the acquisitions progress in due course) for ownership by the council to enable rough sleepers to have access to accommodation which meets their needs.</p> <p>Delegated authority to the Executive Director of Corporate Services to approve the final terms of each acquisition and entry into any necessary agreements in line with the SHAP funding bid.</p>

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COUNCIL	AGENDA ITEM No. 12
6 December 2023	PUBLIC REPORT

MOTIONS ON NOTICE

The following notice of motion has been received in accordance with the Council's Standing Orders:

1. Motion from Councillor Sandra Bond

Council notes that:

Peterborough City Council is a proud Corporate Parent and takes its responsibilities to support and protect vulnerable children and care leavers seriously. This requires cross-party political support.

Once children in care reach the age of 18, they are redesignated as care leavers until the age of 25. While being supported by Children and Young Peoples Services, care leavers are faced with a new set of potentially overwhelming responsibilities, often without the family support and wider network that most other young people can rely on. Although many care leavers work, study, or have access to benefits, as the cost of living has increased, so have their struggles to transition to adult life.

The Children and Social Work Act 2017 requires each local authority to consult on and publish a local offer for its care leavers. The local offer should provide information about all the services and support that is available to care leavers from the local authority, including information about both their statutory entitlements as well as any discretionary support that a local authority chooses to provide.

A recent review of our local (Peterborough) offer has highlighted that there is scope to improve and update our current offering. This may then include offerings such as

- Negotiated preferential rates on utility costs.
- Discounted or free travel cards
- Help with fulfilling aspirations to attend further and higher education.
- Council tax exemption

These examples amongst others are outlined in the government publication - Keep on Caring 2016, the guidance issued by government in 2018 about implementing the local offer, and in both the first and second annual reports prepared for government by the national implementation advisor for care leavers.

Ofsted have also renewed its interest in outcomes for care leavers and this now focuses heavily in the ILACS inspection framework.

Council resolves to

Formally agree to work on a cross party basis regarding improving outcomes for children, whilst discharging the Council's corporate parenting responsibilities.

Establish a cross party working group with elected members, officers, and care leavers to develop a revised and fully costed set of proposals in the form of a revised care leaver local offer that reflects our aspiration to be the best corporate parent we can be.

2. Motion from Councillor Mahmood

This council notes:

- That business rates avoidance costs councils around £250 million annually (Local Government Association Survey, 2019).
- Repeated short-term periods of occupation was the method of avoidance most commonly identified. Box shifting," a practice where landlords place boxes in vacant commercial properties for a six-week period to trigger a rates-free period, often repeated, results in local councils losing their empty rates income.
- That some landlords use basic objects such as a broadband box or an empty fish tank to initiate rates avoidance, which exacerbates the loss of income for councils.

This council believes:

- That business rate avoidance undermines the integrity of our rates system and deprives the local community of funds that could be invested in local services and infrastructure.
- That current legislation may inadvertently allows these practices, and that reform is needed to ensure that rates accurately reflect property usage and occupancy.

This council resolves:

- To lobby for the extension of the occupation period for rates exemption from six weeks to six months, following the example of the Welsh and Scottish governments, which have already introduced legislation to tackle this issue.
- To advocate for robust and regular checks on the occupancy status of commercial properties to ensure compliance with any reformed rates system.
- To Lobby Peterborough MP's to ask the government to legislate against rates avoidance.

3. Motion from Councillor Iqbal:

Council notes:

- That the parkways and road systems in Peterborough are vital to enable flexible travel across the city.
- The new town principle was to provide good public services, allowing residents to easily access local amenities or travel to other parts of the city. There was cross party consensus at the Full Council meeting in July 2023, when discussing ultra-low emissions and congestion zones, that charging road users would not work in the city.
- Peterborough City Council have the power of veto on highways related decisions. Therefore, the Cambridgeshire and Peterborough Combined Authority Mayor does not have power to impose congestion charging or ultra-low emissions schemes on Peterborough.
- It is for Peterborough City Council, as the transport authority, to decide whether to introduce a charging scheme.
- Total local highways funding in the East of England fell by a quarter in real terms between 2020/21 and 2023/24.

Council believes:

- We should ensure adequate funding is provided for our road network to be maintained to a safe standard with improvements to help drivers, public transport users, cyclists, and pedestrians.
- Government cuts to local highways maintenance budgets have adversely affected the condition of roads.

Council resolves to:

- Oppose any road user charging schemes in Peterborough.
- Campaign for the restoration of local highways maintenance budgets to improve their condition in Peterborough, including the Leader of the Council lobbying the government for fairer funding for road maintenance.

4.Motion from Councillor Hemraj

Allergies in Schools

Every child has the right to being and feeling safe in a school environment, with parents also feeling reassured their child's school is a safe place for them.

Allergic disease is the most common chronic condition among children, affecting 7.0–8.0% of children worldwide or about two children in an average-sized classroom of 25 children. 18% of food allergy reactions and 25% of first-time anaphylactic reactions occur at school.

As well as being the most prevalent condition, it is also one of the most serious - with anaphylactic allergic reactions being potentially fatal. There are several recent instances of children dying following an allergic reaction at school. Even where reactions aren't fatal, they're distressing for the child and their families.

With the numbers of children starting school with known allergies, and around 30% of allergic reactions in schools occur in children previously not known to have a food allergy or those with an allergy that had not been communicated to school staff, the need for schools to be prepared becomes ever more necessary. It's also important that schools take a 'whole school approach' given that 79% of allergic reactions take place outside the lunch hall.

Benedict Blythe was a pupil at a Peterborough school when he collapsed in December 2021. A post-mortem found that he died from anaphylaxis.

Research carried out shows the need for schools to have the basics in place to ensure pupil safety, with many still without a simple allergy policy or consistency in creating IHPs. Although there is Department for Education guidance in place, none of this is mandatory with uptake varying by school and LA. Additional research can be found at [Benedict Blythe Foundation](#).

This motion is to raise awareness of the potential risks schools should be aware of, and to recommend safeguards to ensure all children are able to learn in a safe environment - especially when a child suffers with an allergy that can lead to a medical emergency.

The recently published Schools Allergy Code, developed by ISBA (Independent Schools Busar Association), Benedict Blythe Foundation and supported by The Allergy Team, outlines a code of practice intended to raise the bar of allergy awareness, safety and inclusion across English schools.

This motion asks that the Council should recommend to Peterborough Schools that they should consider adopting the Schools Allergy Code outlined below to increase the safety and inclusion in Peterborough schools for children with allergies.

For information - Schools Allergy Code

Allergic disease is the most common chronic condition in childhood. An allergic reaction occurs when a person's immune system is triggered by a substance that is usually considered harmless.

Whilst most allergic reactions are mild, some can be very serious and cause anaphylaxis which is a

life-threatening medical emergency.

The Code is not a set of rules and regulations but it is a guide to best practice in achieving a whole school approach to allergy safety and inclusion.

It has been developed by the Independent Schools' Bursars Association, Benedict Blythe Foundation and The Allergy Team, with the backing of leading allergy clinicians and educators.

All schools are encouraged to use the Schools Allergy Code to ensure good allergy management in their setting. The Code and its accompanying Checklist are free resources.

Principles of good practice

- a. *Take every allergy seriously* - allergic reactions are unpredictable and every child with a diagnosed allergy should be included in the measures outlined in the Code.
- b. *Every child matters* - allergies are as unique as the children who have them. It is crucial that an individualised approach is adopted to implementing the Code, working with families and children to understand their experiences.
- c. *Prioritise safety and inclusion over the 'status quo'* – responding to the needs of children with allergy can require finding new ways of doing things, with schools prioritising safety and inclusion every time.

Code guidance

1. Take a whole-school approach

Every member of the school community should understand allergy and their responsibility for reducing risk, from pupils and parents to staff members. Allergy management is not just the responsibility of the catering and medical team

- 1.1 Build the knowledge and skills of all staff through targeted training and education. This will include understanding risk reduction and the importance of inclusion, as well as first aid response to allergic reaction.
- 1.2 Weave allergy awareness into classroom activities, for example lessons on nutrition and PHSE.

2. Communicate clearly

Give people information about the school's approach to allergy clearly and frequently.

- 2.1 Establish an Allergy and Anaphylaxis Policy which is written in plain English and accessible. The policy should be published online and communicated to all staff and relevant members of the school community, including g parents. This should be a dynamic document that is frequently reviewed and updated.
- 2.2 Ensure open communication with parents, teachers, support staff and caterers about the individual needs of children, based on co-created Individual Healthcare Plans (IHPs) for all children with allergy.

3. Have clear governance and risk management

Create an awareness of allergy risk across all activities and processes.

- 3.1 Ensure clear governance structures and clearly defined roles and responsibilities including a Designated Allergy Lead.
 - 3.2 Make sure allergy policies and procedures are regularly reviewed and reported on by Designated Allergy Lead.
4. Allergy should form a part of every risk assessment.

Readiness to respond

Have systems, processes, and medication in place for emergencies.

- 4.1 Ensure that pupils prescribed with adrenaline pens have two in-date devices accessible at all times.
- 4.2 Hold spare adrenaline pens and make sure everyone knows where they are.
- 4.3 Establish annual risk reduction and anaphylaxis training for all staff.
- 4.4 Publish an Anaphylaxis Emergency Response Plan which enables staff to respond confidently and immediately to an allergic reaction.
- 4.5 Rehearse the Anaphylaxis Emergency Response plan.

5.Motion from Councillor Cole

Peterborough City Council notes that:

Peterborough has a proud history of residents putting their country before themselves and belonging to our armed forces. Fighting and holding peace keeping roles across the world. We need to be thankful to the veterans of the UK's Nuclear Testing programme, carried out between 1952 and 1991 in Australia, Christmas Island, Malden Island and the Nevada Desert.

Operation Grapple was one of series of British nuclear weapons tests of early atomic bombs and hydrogen bombs carried out in 1957-1958 at Malden Island and Kiritimati (Christmas Island) in the Gilbert and Ellice Islands in the Pacific Ocean (modern Kiribati) as part of the British hydrogen bomb programme. In total 45 nuclear detonation and 600 highly toxic radiation experiments were carried out as part of the testing program across the world.

Hundreds of thousands of people were and are directly affected by the Atomic and Nuclear testing program across the world. Millions were exposed to fallout from the testing program and families suffer today from illness and deformities caused by these tests. Many are no longer alive today and it is their families that continue to suffer the consequences of the tests. Genetic damage as a result of the Nuclear Testing is conservatively estimated to last for 500 years.

The participants of the testing program were 'lab rats' or 'guinea pigs'. These men were used in experiments to test the effects of Nuclear warfare, with no regard for the indigenous people, their lands or their lives. Veterans, indigenous people, scientists and civilians have all died as a consequence of the tests; yet their stories remain unheard by the general population of the world. An apology to these men is long overdue. The veterans of British Nuclear Testing have recently and with much fight on their part been awarded medals in recognition of their service. However, these medals have been sent to them via second class post, and many families are still fighting for the recognition these heroic men deserve. As of October 2023, the total number of Nuclear Test Medal applications received was 3,198 and 1,060 awards have been issued so far.

Most veterans and direct family members are getting a complete refusal from the Ministry of Defence when requesting their full medical records and the records they have received often have large chunks of their records blacked out or redacted. Some of the medical records have information that has been falsified. Imagine medical professionals trying to diagnose your medical problems or design a plan of treatment without knowing your medical history. These veterans and their families urgently need access to their full medical history including what they were exposed to or results of blood and urine tests taken during the testing program. The current veterans minister has publicly and privately stated that if these veterans and their families wish to access their full medical records, they need to sue the government. A CIC called LABRATS are currently trying to crowd fund the £100,000 and have already raised over £50,000 so that they can start the litigation process.

British Nuclear Testing is not spoken about as part of the United Kingdom's military history. This cannot continue. By ensuring that no-one forgets the testing program, immortalising the survivors in video, podcasts and campaigning for recognition, we can ensure that the legacy of the tests continues. No-one should be a lab rat; it was a human experiment which continues to this day.

Peterborough City Council therefore resolves to:

- Recommend that the Council Leader will write a letter to Minister for Veterans and the Shadow Veterans minister, lobbying the government for a full apology to the veterans of British Nuclear Testing. Acknowledging these men were used as test subjects in order to understand the effects of nuclear warfare.
- Recommend that the council leader and group leaders will write a jointly signed letter to the Minister for Defence demanding full access to medical records without the need to sue the government for the British Nuclear Veterans medical history.
- Ask Education Officers to sign post schools and colleges to information about British Nuclear Testing and worldwide Test experiments and work with a range of organisations who can direct schools to a range of resources and firsthand accounts of what veterans and family members have experienced as a result of the testing. (One such resource is www.labratsacademy.online)
- Recommends that on the anniversary of the first British Nuclear Test (Operation Hurricane) which was detonated off the Montebello Islands, Australia on the 3rd of October 1952, the Town Hall and other public buildings in Peterborough will be lit up in Yellow to thank and commemorate the veterans of British Nuclear Testing in recognition of all they have and continue to suffer as a consequence of the testing that took place.

6. Motion from Councillor Stevenson

The team motorbike sport known as 'speedway' has been of great credit to Peterborough since 1970. The local 'Peterborough Panthers' team has won the highest level national championship three times, most recently in 2021.

Over the years, the club has brought many trophies to our city at various levels within the sport, including junior level.

Peterborough Speedway has put the city of on the international map, via regular live TV coverage broadcast on the Warner Bros Discovery TV channel.

Since 1970 until now, Peterborough Panthers has been racing on a purpose-built racetrack, thought to be one of the best in the world, on the East of England Showground. The showground's current owner, the East of England Agricultural Society (EEAS) now wishes to sell the showground, and the council's local plan states that the land may be developed for housing and leisure.

However, AEPG, the company tasked with preparing the showground land for sale on behalf of EEAS has made it clear that the Peterborough speedway club is no longer permitted to race at the showground with immediate effect, regardless of the outcome of its two existing planning applications to redevelop the site. (In an article published in the Peterborough Telegraph on 21st November 2023, AEPG said, "To be clear, the decision not to renew the arrangement for running speedway meets would remain, irrespective of any planning applications on the land.")

The landowner and its agent having confirmed that the club will not be permitted to race at the showground after the end of the 2023 season (which has now concluded), means that club now has nowhere to race, and with nowhere to race the club cannot continue to operate and the sport of speedway in Peterborough may die.

As a matter of urgency, Peterborough Panthers Speedway Club must now find a new home.

This council acknowledges:

- The enormous cultural and economic benefits that Peterborough Panthers Speedway Club has brought to Peterborough over the past 53 years.
- The many benefits Peterborough Panthers Speedway Club brings to the residents of Peterborough, many of whom have spoken of how the club has contributed positively towards their mental health and sense of wellbeing and community.
- That Peterborough Panthers provides positive role models for young people who are interested in motorbikes and provides a means for them to enjoy motorbikes as a sport in a safe and responsible way.

This council resolves:

- To arrange a meeting between the current owners of the Peterborough Panthers Speedway Team and the council leader and relevant cabinet member(s) and council officers to discover if there is any way the council can help to keep the sport of speedway alive in Peterborough.
- To promote speedway in Peterborough so that more of the city's residents are aware of the benefits this family-oriented sport brings to the city.

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COUNCIL	AGENDA ITEM No. 13(a)
6 DECEMBER 2023	PUBLIC REPORT

Report of:	Adesuwa Omoregie, Interim Director of Legal and Governance	
Cabinet Member(s) responsible:	Councillor John Howard Deputy Leader and Cabinet Member for Corporate Governance and Finance	
Contact Officer(s):	Adesuwa Omoregie, Interim Director of Legal and Governance	

AMENDMENTS TO SHAREHOLDER CABINET COMMITTEE TERMS OF REFERENCE

RECOMMENDATIONS	
FROM: Adesuwa Omoregie	Deadline date:
<p>It is recommended that Council:</p> <ol style="list-style-type: none"> 1. Approve the amended Terms of Reference for the Shareholder Cabinet Committee included at Appendix 1. 	

1. PURPOSE AND REASON FOR REPORT

- 1.1 The purpose of this report is to ask Council to approve the amended Shareholder Cabinet Committee Terms of Reference, to make the committee cross party and to enable greater oversight from members across the Council of the Council's commercial entities.

2. BACKGROUND AND KEY ISSUES

- 2.1 The Shareholder Cabinet Committee is an executive committee and the membership currently consists of member of the Cabinet. The proposed changes to the Terms of Reference are to include one member of each opposition party political group of the Council as a member of the Committee. They will be unable to vote on agenda items however they will be able to attend meetings, have access to all documents and participate in all discussions.

3. CONSULTATION

- 3.1 Consultation has taken place with all Group Leaders.

IMPLICATIONS

4 Financial Implications

- 4.1 There are no financial implications arising from the amended Terms of Reference.

5 Legal Implications

- 5.1 As the role of the Shareholder Committee is to advise and discharge executive functions in relation to council companies, only Cabinet members can be members of the Shareholder Committee with voting rights. Other non-Cabinet members can be included as part of the membership without voting rights.

Equalities Implications

5.3 N/A

6. BACKGROUND DOCUMENTS

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

6.1 N/A

7. APPENDICES

7.1 Appendix 1 - Amended Terms of Reference of the Shareholder Cabinet Committee

Appendix 1

3.3.2 Shareholder Cabinet Committee

Purpose

The Shareholder Cabinet Committee will have functions relating to all the Council's companies, partnerships and charities.

The Shareholder Cabinet Committee will act as a decision-making body in relation to the functions delegated to it as well as an advisory body to Cabinet. Support and advice will be provided to the Shareholder Cabinet Committee by the Monitoring Officer, the Section 151 Officer and other client officers as appropriate

Membership and Operation of the Shareholder Cabinet Committee

The Shareholder Cabinet Committee membership of the Council will be determined by the Leader and will comprise a maximum of five Cabinet Members and one member from each of the opposition political party groups of the Council.

Each non-Cabinet member of the Committee will be able to attend all meetings of the Shareholder Cabinet Committee, have access to all information provided, participate in discussions of the group, but will have no voting rights.

The Chairman and Vice Chairman of the Committee will also be appointed by the Leader.

The Executive Director of Corporate Services and s151 Officer and the Director of Law and Governance and Monitoring Officer will be advisors to the Shareholder Cabinet Committee.

The quorum of the Shareholder Cabinet Committee shall be 3 Cabinet Members and 1 member of the opposition political party group and meetings shall take place quarterly/bi-monthly or as determined by the Chairman.

An invitation to attend a meeting must also be provided to the Chair of the Growth, Resources and Communities Scrutiny Committee (or their nominated deputy) at least three clear days in advance of the meeting taking place.

Functions of the Shareholder Cabinet Committee

a) To monitor performance of the companies, partnerships, and charities in line with Cabinet approved business plans and particular the company's performance:

(a) in financial matters

(b) against the social goals of the company as set out in the company's Objects. Business Case or Business Plan; and against the values of the Council by means of monthly performance monitoring and scrutiny.

b) To provide the necessary oversight from the shareholder's perspective and ensure that those companies, partnerships, and charities comply with relevant Council policies, strategies, and objectives.

c) To exercise decisions, where delegated by Cabinet, in relation to a company, partnership or charity's reserved matters.

d) To make recommendations to Cabinet in relation to investments, loans, and assets.

e) To evaluate and monitor the financial and social returns on investment and risks and opportunities including those arising from joint ventures or new opportunities.

- f) To oversee the relationships between the Council and the Council's companies, partnerships, and charities, and any such relationships between the Council's companies, partnerships, and charities in accordance with the Council's objectives.
- g) To review any reports in relation to the Council's companies, partnerships, or charities prior to their submission to the Audit Committee to ensure compliance with Council policies, strategies, and objectives.
- h) To determine for each individual company, partnership, or charity whether the Shareholder Cabinet Committee recommends to Cabinet the delegation of any functions to the officers of the Council.

COUNCIL	AGENDA ITEM No. 13(b)
6 DECEMBER 2023	PUBLIC REPORT

Report of:	Peterborough City Council Independent Improvement and Assurance Panel	
Cabinet Member(s) responsible:	Cllr Mohammed Farooq, Leader of the Council	
Contact Officer(s):	Matthew Gladstone, Chief Executive	Tel. 01733 863607

REPORT OF THE PETERBOROUGH CITY COUNCIL INDEPENDENT IMPROVEMENT AND ASSURANCE PANEL

RECOMMENDATIONS	
FROM: <i>Peterborough City Council Independent Improvement and Assurance Panel</i>	Deadline date: N/A
<p>It is recommended that Council:</p> <ol style="list-style-type: none"> 1. Considers and notes the contents of the fourth report of the Independent Improvement and Assurance Panel included at Appendix 1. 2. Agrees to receive a fifth report from the Independent Improvement and Assurance Panel at the Council meeting on 20th March 2024. 3. Requests that Cabinet consider this report and respond with the action it wishes to take. 4. Requests that Growth, Resources, and Communities Scrutiny Committee to review this report, the Cabinet's response to it and the progress being made with the delivery of the Improvement Plan. 	

1. PURPOSE AND REASON FOR REPORT

- 1.1 The Council established the Peterborough City Council Independent Improvement and Assurance Panel (PCCIIAP) on 16 December 2021, and updated the terms of reference of the panel to report to the Council on a six-monthly basis. This report provides the Panel's fourth 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.
- 1.2 In accordance with the decisions taken in 2021 this fourth report would be the final report of the PCCIIAP. In the current political position and at this point in the budget cycle, this would not be ideal. It is therefore recommended that a fifth report of the PCCIIAP be received by Council at the March 2024 meeting to provide an updated overview on the budget process and the political landscape. A separate report on this agenda is asking the Council, inter alia, to extend the work of the PCCIIAP for a further year. If that extension is not approved then the fifth report in March 2024 will represent the final report of the PCCIIAP. If the extension is approved then the fifth report will form part of the scheduled reports of the Panel in 2024.

2. BACKGROUND AND KEY ISSUES

- 2.1 On the 30th June 2021, the DLUHC announced an external assurance review of the Council's financial position and its wider governance arrangements. Government decisions on further exceptional financial support, and on any statutory interventions that might be necessary, would be informed by those reviews. The financial review was undertaken by the Chartered Institute of Public Finance and Accountancy (CIPFA), and the governance review was undertaken by Andrew Flockhart. The governance review reported in September 2021, and CIPFA reported on the finance review in November 2021. Both reviews set out detailed findings, including conclusions, evidence and methodology used, and included recommendations for the future. Importantly, the governance review recommended non-statutory action. The Minister of State for Equalities and Levelling up Communities then wrote to the Council when the reports were published saying that, although she still had concerns, she agreed with the findings and that with the right support the Council should be able to respond to the challenges it faced.
- 2.2 The PCC IIAP operates in the context of the statutory intervention framework of powers given to the Secretary of State in the Local Government Act 1999. The independent panel is at the lowest level of external intervention, it does not take any decision making away from the Council. The threat of some level of statutory intervention remains if there is any faltering in implementation of the improvement plan recommendations. Council officers and members of the Panel continue to meet with DLUHC officials to discuss the City Councils progress.

3. INDEPENDENT IMPROVEMENT AND ASSURANCE PANEL

- 3.1 The purpose of the Panel as approved by Council is to:
- Provide external advice, challenge and expertise to Peterborough City Council in driving forward the development and delivery of their Improvement Plan;
 - Provide assurance to the Secretary of State of Peterborough City Council's progress on delivery of their Improvement Plan;
 - Provide six monthly reports to the Council on the progress of the delivery of the Improvement Plan.
- 3.2 The Improvement Plan approved at Council on 21st December 2021 is a critical document, as the Panel will be holding the Council to account on the delivery of this plan, and on the extent to which the plan is meeting the recommendations, actions and outcomes envisaged in the finance and governance review report.
- 3.3 The Councils Improvement Plan has three Improvement Themes as follows: -
- "Theme 1: Financial Sustainability. The recovery and improvement of Peterborough relies on us setting a balanced budget in 2022/23, delivering on our savings and transformation plans, delivering sharper focus on collective and individual fiscal responsibility and accountability ensuring that we deliver on our priorities. This will mean taking bold decisions to turn off the things that are no longer "core/can't afford" as we constantly challenge ourselves on how we spend every penny of the Council's money.
 - Theme 2: Service Reviews. The Council has initiated a series of service deep dives starting in Adult's and Children's Services and Housing, we will continue this programme of review into mid-2023. The reviews will generate options and recommendations for doing things differently. We will manage these reviews using an agile approach so that we can agree and deliver changes as new opportunities and alternative ways of working present themselves. The Council has to have the ability to make change happen more rapidly.
 - Theme 3: Governance and Culture: This section describes how we will manage the Improvement Plan with the support of the Improvement Panel and associated partners. We will refresh our Corporate Strategy and key policies. We will adopt stronger fiscal delivery disciplines where personal accountability will be at the heart of our new ethos.

We will change the organisation if we are clear on what has to change, by when and to what standard.”

The IIAP operates as a collective body, bringing all of the expertise of the Panel to the challenges facing the Council. Four of the panel members lead on individual areas that are intertwined across the three themes of the Improvement Plan. This report covers those four lead areas of Finance/ Transformation/ Assets, Contracts and Companies/ Governance and provides the Panels view on the progress in the last six months.

4. CURRENT PCC IIAP VIEW ON THE CITY COUNCIL IMPROVEMENT PLAN PROGRESS

4.1 THEME ONE: Financial Sustainability

4.1.1 2023/24 Revenue Budget

This is the first opportunity that the panel has had this financial year to formally comment on the Council's in year financial performance. The latest report to the 13th November Cabinet showed that, as at the end of September, there was a forecast overspend of £6.4 million, largely but not totally due to Children's social care placements. In addition, in-year savings were reported as 41% (or some £6 million) being at either moderate or high risk of not being achieved. Although there is a degree of confidence from the Officer team that the overspend will be managed and savings targets will be achieved there needs to be a degree of urgency in ensuring that this happens without having a detrimental effect on plans for transformative change in future years which should assist in reducing future spending pressures.

4.1.2 2024/25 and future years

The Council reports quarterly on the updated Medium Term Financial Strategy (MTFS). The latest report in November 2023 showed a budget gap of £6.2 million in 2024/25 rising to £13.8 million by 2026/27. At the time of writing, it is understood that officers have identified potential savings of £3.4 million towards the 2024/25 budget gap, but this still needs to be verified and those savings will then need to be agreed by elected members. Any shortfall together with any overspend by the end of the financial year 2023/24 will need to be a call on reserves.

The transformation workstreams identified in the MTFS paper will need to produce future long term cost reductions through new ways of working and be adequately financed whilst they are being implemented. Greater clarity is needed on both the likely costs and outcomes from these workstreams which need to be reflected in the MTFS going forward. At present the required level of clarity is not in the MTFS.

4.1.3 Capital Spend

As at the end of September the Capital programme was showing an underspend of £18 million against a programme of £149.5 million. This is a significant improvement on previous years although assisted by the one-off purchase of Sand Martin House. The future years programme is based upon external funding and capital receipts to avoid borrowing costs. The reasoning behind this is supported by the panel as the Council continues to have a high level of debt financing costs to expenditure.

It is likely that the transformation programme will identify areas where Capital expenditure will be needed to produce service improvements and revenue cost reductions. To maximise cost reductions the Council will need to continue with its asset disposal programme at a pace that maximises sales proceeds to provide income to fund the required capital works and avoid borrowing. The Capital programme needs to reflect clearly the requirements of the transformation programme.

4.1.4 Reserves

During the current financial year, the Council is forecast to reduce the level of usable revenue reserves from just £55 million to £25 million, largely from the innovation fund reserve (£19m) and the inflation risk reserve (£7m). With the balance of the former now forecast to be below £5m. It is noted that this forecast is potentially a worst-case scenario. However, the Council will need to consider how the remainder of the transformation programme can be financed should the forecast be correct.

4.1.5 Accounts.

The panel has noted that the 2020/21 accounts have not yet been finalised which has had a knock-on effect on the signing off on the subsequent years' accounts. However, on the understanding that the matter at issue on the 2020/21 accounts does not impact usable reserves, then the Panel is now of the view that officer time should not be disproportionately spent on historic matters when there are a range of other current financial issues that need to be addressed.

4.1.6 Revenue Controls

The Council has maintained a high level of control on revenue expenditure, these controls will be required to be continued for the foreseeable future to enable non-essential spending to be identified (and further curtailed if necessary) and to enable a culture of budget responsibility to continue to take root and grow within the Council.

4.2 THEME TWO: Service and External Reviews (Medium to Long Term Sustainability)

4.2.1 Transformation

Peterborough colleagues recognise that the first actions in their transformation programme are drawing to a close and work is now ongoing to discern a second stage plan that consciously connects the Council's transformation ambition with the MTFS and wider city strategy ambitions. Work is in hand to do this. It is vital that the next stage of the development of the programme delivers the connection through to the MTFS both in terms of investment and return.

Meanwhile, the Council has been steadily building its in-house transformation capacity alongside other corporate capabilities including performance and risk management. It will be important that momentum is not lost on this and that the case for investment is maintained. One of the benefits of building the in-house team is a reduction in the reliance on external consultants and higher paid interims, another is the growth in confidence among senior officers that has a beneficial effect on the whole workforce. As the team settles in and as the requirements of the second stage transformation programme become clearer the Council will need to remain agile in its approach to resourcing the programme. While preferable to deliver as much work as possible through employees the Council must also ensure that it retains the right balance of in house and external support so that it has access to the right capability and capacity to both design and deliver the programme.

There is a great deal of positive and important work in flight to develop and mobilise the individual parts of the next stage programme. It will be important that these individual strands come together to form an overall portfolio of change that can be communicated as a whole. A portfolio view will also allow dependencies to be tracked and enable financial assessments such as ROI to be established. This begs the question about the leadership of the transformation programme. A transformation director or equivalent that can be across the whole portfolio as opposed to a programme manager who can develop and produce the dashboard reports - they are different but equally necessary roles. The Council is alive to this challenge and is exploring a number of options to close this particular capability gap.

Over the coming months the Council is concentrating on developing the maturity of its programme governance. With a particular focus on ensuring a consistency of approach across the four key portfolios and their associated boards. This is connected to the point about investment in the team. As the Council's confidence grows it will become much more straightforward to make investment decisions for a sustainable future City Council, particularly where that investment is pivotal to the delivery of savings - but only if there is confidence that the savings will materialise. The higher the confidence the easier it is to justify transformation investment as a matter of routine.

Taken together, the ongoing focus on transformation capability alongside the development of the performance data and risk teams are all positive developments.

4.2.2 **Companies, Contracts and Assets**

Progress continues to be made on the Shareholder Cabinet Committee (SCC) which now has a forward work programme and continues to understand its role and the proper approach to the shareholder role overseeing the Council's interests in companies. The June meeting of the SCC helpfully considered its remit and role which will help it to form a meaningful part of the overall governance of the council. Some impetus was lost whilst issues remained ongoing with the previous Monitoring Officer and the pace now needs to pick up again under the new MO.

Whilst still in its earlier stage of development, the SCC is not yet exerting true strategic influence or operational overview over the council's company interests as recommended by both CIPFA and Lawyers in Local Government. The maturing of this Committee should remain a priority given the ongoing size and complexity of the portfolio and the inevitable risks and issues arising from such a portfolio.

The SCC also needs to develop a risk-assessed Commercial Strategy against which current and future ventures can be tested and a statement on the overall aims and objectives of its Local Authority Trading Company (LATCO) portfolio to avoid mistakes of the past being repeated.

The insourcing of the property-based work previously carried out by NPS was completed in January 2023 and the development of the 'Corporate Landlord' model is progressing.

However, The Council's approach towards managing its assets and making strategic decisions on their future is only now beginning to gather momentum and this pace will need to increase substantially to fully integrate the impact of decisions on assets into the 2024/25 MTFS.

Two years on, there remains no approved overarching Asset Management Plan around the component elements of the operational, service and commercial portfolios and its rural estate or evidence of a 'controlling mind' over the Councils long and short-term approach to its property.

Some of the challenges highlighted in the last report remain, including:

- Maximising the utilisation (and minimising the costs) of the operational estate,
- Developing a locality-based approach to service properties to provide more integrated services at lower costs,
- Reviewing the rural farms estate and generating capital receipts.
- Resolving the clienting function in relation to FM provision through Peterborough Limited.

In addition, a number of actions and decisions on important issues remain to be resolved, including the following:

- In spite of an ambitious transformation programme beginning to emerge, the resourcing strategy is not clear and consideration should be given to developing a case for the 'Flexible Use of Capital Receipts' to help fund the change programme – a permitted

approach used by many local authorities throughout the country. This includes funding investment in modern IT systems related to building compliance.

- Within the Peterborough Investment Partnership (PIP), the Fletton Quays SPV remains to be resolved but members are no longer on the company board, and it remains the intention to dissolve the PIP once this work is completed. This work now needs to be brought to a swift conclusion.
- Progress has been made on determining an appropriate housing strategy, building a robust relationship with Medesham Homes and the Council's partnership with Cross Keys Housing. The SCC considered this at its September meeting although it is disappointing that whilst the issues were considered, no action plan for resolution was agreed.
- Blue Sky (the energy trading company including solar panels) remains active and there are no plans to start trading from this company. The wind-up of this company still needs to be accelerated.
- Empower Peterborough CIC is now 8 months late in filing its accounts (for the period ending 31 March 2022) and a proposal by Companies House to forcibly strike off the company was removed only on 11 July 2023 after PBC intervention. Peterborough CC believe that this company is in administration but there is no record of the Appointment of Voluntary Liquidators at Companies House. The Council is taking legal advice on this matter and as advised, has no elected members on the board. No progress appears to have been made since the last IIAB report and the Council risks reputation damage and possibly penalties if this is not addressed.
- Peterborough Ltd (trading as Aragon for Waste Collection, Building Cleaning etc and as Vivacity for Culture and Leisure) is active and no longer has Members on the Board. The role of this company needs urgent clarification especially in relation to property matters, which still appears fragmented. The September meeting of the SCC considered the prospects for the 2024/25 business plan but did not appear to consider the future strategic aims of the company in relation to its role in property and the Council's museums and Leisure Centres. This needs to be revisited prior to considering another business plan.
- Opportunity Peterborough remains active, but its future intentions are not immediately apparent, and the Shareholder Committee should consider this company and its future urgently.
- Work has accelerated considerably in determining the SERCO contract with a number of high-level meetings have taken place, as yet without agreement. However, it is welcome that the Council is taking a positive lead but it should ensure that its strategic options and the risks associated with the termination of this contract are fully understood by members and management.

4.3 THEME THREE: Governance and Culture

- 4.3.1 The overall governance of the City Council has been a matter of concern to the Secretary of State since 2021. Whilst the Council has implemented a series of recommendations to improve its governance recent developments have introduced risks and issues which are significant. These require careful attention by all members of the Council.

4.3.2 No Overall Control

The approval of a vote no confidence in the former Leader of the Council and the election by the Council of a new Leader at its meeting on 1 November means the Council is being led by Peterborough First administration supported by a political group with only 11 members in a Council chamber of 60. The Conservative group, with 23 members, is now the principal opposition group. Simple arithmetic indicates that for the administration to win any vote in the Council chamber it has to be supported by at least twenty members from other political groups. This is in a context where there is no formal agreement from the other opposition groups (Labour, Liberal Democrat and Green) to support the administration.

The build-up to this caused political uncertainty in the Council and its direction of travel for several months. More positively, relationships between councillors have, for the most part, remained civil. During this period the Chief Executive and the Senior Management team had to give an unusually large amount of attention in providing advice, guidance and support to all groups. This was a diversion from the focus on strategic planning and transformation work intended to put the Council on a sound footing in the medium and long term. Significant MTFP and short-term budget work remain high priorities.

The new administration now needs a high degree of support from officers to ensure it can lead the Council to operate with confidence and stability through to the local elections in May 2024. It is now vital that:

- The new Leader and Cabinet finds ways to work well with and win the support of the opposition groups especially in relation to key decisions;
- The new Portfolio Holders get on top of their briefs and resolve the strategic, financial and policy issues requiring decisions;
- Sufficient members of the opposition groups support decisions that close the MTFP and budget gaps so a balanced budget and Council Tax for 2024/25 can be set in February 2024;
- Sufficient and suitable mentor and training support is delivered (via officers and the LGA) to the Leader and all group leaders;
- Any challenges arising from the inspections by Ofsted and the Care Quality Commission (which are expected soon) are both managed and responded to well;
- All members and especially the Leader, Cabinet and Group Leaders focus on long term strategies and transformation which are essential for the Council to operate on a stable and sustainable financial footing and to enable it to improve its leadership and delivery for this important city.

The smaller size of the administration increases what was already a high degree of uncertainty about decision making in the Council chamber as reported to the Council in our third report in July 2023. The Panel has received assurances from the Leader of the Council and the Chief Executive that despite this situation the quality of decision making will not be affected and there will be a high degree of continuity in the Council's policies and plans.

Nonetheless, there is no guarantee that the administration's policies will be accepted by the Council, though the conduct of recent Council meetings has been reassuring, for the most part, in this regard. This is especially challenging when there are so many difficult issues for the Council to address in the years ahead.

The Panel repeats what it said in its last report, that in the political context of Peterborough City Council there is an even greater onus on all political Group Leaders, and indeed all Members, to work together in the best interests of the community. Acceptance of the shared responsibility to the local electorate for holding the authority together is vital. Continuity in this commitment by all Groups and all Members is very important for the sound governance of the Council.

The Panel asks all members, including the Cabinet and the relevant Overview and Scrutiny Committee, to consider the priorities set out above as well as the risks and issues which will arise if they are not attended to.

4.3.3 Electoral Arrangements

At a previous Council meeting it was agreed to retain the current electoral arrangements but to consider again, within 18 months, the move to all out elections. The rationale for considering all out elections was to create conditions which can drive the development and delivery by the Council of longer-term strategies for the benefit of the city and all its communities. In the light of the continuing instability in the leadership of the Council and the risk of decision-making being dominated by short term and parochial concerns, the Panel asks that the Council does reconsider this after the local elections in May 2024.

4.3.4 Management Structures and Systems

The Chief Executive has managed some important changes in the senior management team over the last six months. The Monitoring Officer, as was, has been dismissed by the Council and an interim officer has been appointed. The interim Section 151 Officer and Finance Director has been appointed on a permanent basis. It's fair to say this has been a very demanding period for all members of the team, several of whom are still relatively new in post. The senior team is, for now, stable and well placed to support the Council, lead transformation and manage service delivery over the coming months.

4.3.5 Resourcing Change

The Panel is pleased to note that the Chief Executive is increasing the leadership and management capacity and capability in the Corporate Delivery Unit which plays a key role in driving the transformation agenda for the Council.

4.3.6 LGA Training and Support for Members

The LGA has been providing additional support to Peterborough City Council (PCC) since it established an Improvement Panel in December 2021. In June 2022 all group leaders at PCC were allocated a member peer to support them personally to help the Council drive forward the development and delivery of their Improvement Plan. The peer support has involved numerous one to one sessions, emergentics profiling, feedback to the Improvement Panel and some face-to-face group sessions with all peers, group leaders and officers. It is universally acknowledged that there has been a change in member behaviour. Peers have really helped with the step change to get members in a no overall control authority all working respectfully and with residents at their heart. It is also recognised that peer support contributed to the 2023/24 budget being approved and a very smoothly run annual general council meeting.

Following the elections in May 2023, the Panel met with peers, group leaders and the LGA to take stock of the results and agree what support was required for the next period. Peer mentor and mentee relationships were reset with some changes to mentees and mentors following changes in group leadership and group leaders have reaffirmed the support, knowledge and skills they require along with the frequency of touching base. The level of support required varies across the different group leaders but is still valued and drawn on regularly in most cases. The LGA conference in July provided an opportunity for many of the group leaders and peers to meet in person. Following a change in the leadership of the Council in November 2023, the LGA sought to provide a new peer mentor for the new leader to support him in his new role. Additionally, a meeting with all peers and the officer leadership of PCC and some members of the Improvement Panel will take place on 6th December 2023 to update on the current position and the ongoing support required.

The LGA has also contributed ten days of consultancy for the Centre for Governance and Scrutiny (CfGS) to undertake a governance review. The findings were presented to the Constitution and Ethics Committee on 31st October. In addition, PCC has instructed the LGA to run an employee survey which will enable national benchmarking.

4.4 Conclusion

- 4.4.1 The Panel concludes that Members and Officers alike continue to work extremely hard on the issues facing the City Council. However, we said in our last report that the six-month period that has just elapsed would be critical in proving whether the new foundations were solid enough to weather the continuing financial challenges along with demonstrating what the portfolio boards could achieve for a genuine improvement in the lives and prospects of the communities of Peterborough. Progress has been slower than anyone would have wanted. We also said that in the political context of a minority administration there is an even greater onus on all political group leaders, and indeed all members, to work together in the best interests of the community. Acceptance of the shared responsibility to the local electorate for holding the authority together

is vital. We pointed out that continuity in this commitment by all groups and all members was very important for the sound governance of the council. The events of last month mean that this advice needs to be reiterated most strongly and we will be keeping a keen eye on any detrimental impact on political collaboration which has been a very positive part of Peterborough's approach to date.

The Council continues to demonstrate ambition and commitment, and the governance and financial management of the Council has certainly improved, against a backdrop that is increasingly challenging. However, budget management and financial planning still need to improve further. There is still too much reliance on mitigation and falling back on reserves and not enough progress on agreeing and implementing the actions required to reduce costs. The portfolio boards are at a critical stage of determining the real change that would contribute to financial sustainability whilst improving the Council into the future and it is vital that the resulting transformation work is impactful, well-resourced and well managed. This will need a step change in their operation and pace.

At this point, and with the Council considering whether to extend the work of the Panel, we would respectfully remind the Council of some key elements of the three improvement themes.

- We will take the bold decisions to turn off the things that are no longer “core/can’t afford” as we constantly challenge ourselves on how we spend every penny of the Council's money.
- We will agree and deliver changes as new opportunities and alternative ways of working present themselves. The Council has to have the ability to make change happen more rapidly.
- We will change the organisation if we are clear on what has to change, by when and to what standard.”

The effort and the progress over the last two years has been commendable, but the challenges are still immense. The collaborative approach – across political groups and between member and officers - has been at the heart of what has been achieved to date and will continue to be vital for the future if the City Council is to achieve its ultimate aspiration of excellence for the people of Peterborough. It is vital that Peterborough continues in its collegiate and collaborative vein to ensure the gains of the last two years are not lost.

The Panel would be pleased to continue in its role providing constructive support and challenge to the Council as it works hard over the coming year to resolve the issues ahead and to serve the community in Peterborough.

5. CONSULTATION

- 5.1 The consultation strategy was approved by Council on 16 December 2021.

6. IMPLICATIONS

Financial Implications

- 6.1 There is no change to the estimated financial implications presented to Council in December 2021.

Legal Implications

- 6.2 There are no legal implications in the report which is providing an update on the work of the Improvement Panel.

Equalities Implications

- 6.3 No change to previously reported.

7. BACKGROUND DOCUMENTS

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

7.1 [Council report 'Financial Improvement Planning' 16 December 2021](#)

'Governance Review: Peterborough City Council' Andrew Flockhart report 2021'

8. APPENDICES

8.1 *None.*

COUNCIL	AGENDA ITEM No. 13(c)
6 DECEMBER 2023	PUBLIC REPORT

Report of:	Matthew Gladstone, Chief Executive	
Cabinet Member(s) responsible:	Cllr Mohammed Farooq, Leader of the Council	
Contact Officer(s):	Matthew Gladstone, Chief Executive	Tel. 01733 863607

**PETERBOROUGH CITY COUNCIL INDEPENDENT IMPROVEMENT AND ASSURANCE
PANEL EXTENSION AND RENEWED TERMS OF REFERENCE**

RECOMMENDATIONS	
FROM: <i>Matthew Gladstone</i>	Deadline date:
<p>It is recommended that Council:</p> <ol style="list-style-type: none"> Approves the extension of the Independent Improvement and Assurance Panel for an additional 12 months until December 2024. Approves the amended Terms of Reference for the Independent Improvement and Assurance Panel included at Appendix 1. 	

1. PURPOSE AND REASON FOR REPORT

- 1.1
 - The purpose of this report is to ask Council to approve the extension of the work of the Independent Improvement and Assurance Panel (the Panel) for a further year and to approve the amended Terms of Reference
 - The report is being presented to ensure that the Panel continues in its role providing constructive support and challenge to elected Members and Officers of Peterborough City Council as we continue to work collectively over the coming year on the Improvement Plan and to best serve the communities in Peterborough.

2. BACKGROUND AND KEY ISSUES

- 2.1 The Panel have confirmed that the effort and progress made by the Council over the last two years has been commendable, but the challenges faced are still immense.

The collaborative approach across all political groups and between members and officers will need to continue and will be vital for the future of the City Council.

The input into the Council's improvement journey over the last 2 years has been invaluable to both members and officers and if lost at this stage could impact on the progress being made.

The panel has confirmed in their 4th report that they are pleased to continue in the role providing constructive support and challenge to the Council as we work over the coming year to resolve issues ahead.

Minor changes to the terms of reference have been proposed to reflect the terms and are appended to the report for approval.

3. CORPORATE PRIORITIES

- 3.1 Ensuring the Council continues with the PCCIIAP for a further 12 months will measure the success of delivering against the following City priority:

1. Sustainable Future City Council

And will provide the oversight and constructive support in the following City priorities:

- The Economy & Inclusive Growth
- Our Places & Communities
- Prevention, Independence & Resilience

4. CONSULTATION

- 4.1 Consultation has taken place with all Group Leaders.

5. IMPLICATIONS

Financial Implications

- 5.1 The financial implications of extending the Peterborough City Council Improvement and Assurance Panel for a further 12-month period is estimated to be £86k. This is based on the current level of services received. In line with the original proposal to establish the panel (Approved by Council on 16 December 2021), the cost will continue to be funded by reserves.

Legal Implications

- 5.2 There are no legal implications in respect of what is proposed which is a request for an extension of the work of the panel which is due to end at the end of this year. Consideration will need to be given to legal implication which may arise from proposals which may be considered from the work at the relevant time.

Equalities Implications

- 5.3 *No implications.*

6. BACKGROUND DOCUMENTS

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

- 6.1 Fourth report of the Peterborough City Council Independent Improvement and Assurance Panel.

7. APPENDICES

- 7.1 Appendix 1 - Amended PCCIIAP Terms of Reference.

**Peterborough City Council Independent Improvement and Assurance
Panel (2023)**

Terms of Reference

Purpose

1. The purpose of the Panel is:
 - To provide external advice, challenge, and expertise to Peterborough City Council in driving forward the development and delivery of their improvement plan and transformation plan.
 - To provide assurance to the Council of the progress on delivering their improvement plan and transformation plan.
 - To provide four monthly reports to the Council on the progress of the delivery of the Improvement Plan and transformation plan.
2. This will involve:
 - Providing regular advice, challenge, and support to the Council on the full range of their improvement activities, and in particular on delivery of the recommendations in the CIPFA and Andrew Flockhart reports published on 3 November 2021 to ensure financial sustainability of the Council in three years (financial year 2024/25).
 - Working together across specialisms and acknowledging as well as challenging key dependencies with collegiate approach to managing and resolving risk.
 - Exploring key issues in detail through deep dives and specially commissioned pieces of work and through workshops.
 - Ensuring key decisions are made cognisant of the financial implications and impact on in-year budgets and the long term MTFs.
3. The Panel is expected to conclude in December 2024. Panel meetings will be held in private, and any minutes produced will not be published.
4. The Panel will meet monthly but will keep under review the frequency of these meetings.

5. The Improvement and Assurance Panel will comprise:

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

In attendance:

Leader of the Council	Cllr Mohammed Farooq
Leader of each political group in the Council	Cllrs Fitzgerald, Hogg, Jones and Day
Chief Executive	Matt Gladstone
Members of the Corporate Leadership and	Adesuwa Omoregie, Adrian
Transformation Team	Chapman.
	Amanda Rose, Amelia Midgley,
	Cecilie Booth, John Gregg, Mandy
	Pullen, Stephen Taylor and Ray
	Hooke.

6. Additional independent external members may be appointed to the Panel or invited to meetings with the agreement of the Independent Chair and the Chief Executive

Wider Local and Political Engagement

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

Costs

8. Any costs associated with the Improvement and Assurance Panel will be met by Peterborough City Council.
9. Panel members will be paid a fee for their work. The fee will be paid on a personal basis.
10. Panel members will need to work flexibly as the demand of the role requires. However, Peterborough City Council may wish to agree in advance the number of days advice to be provided by each Panel member over each 12-month period.
11. The Panel will be supported by an effective programme office to ensure that the overall programme plan is proactively tracked, kept up to date and that issues and risks are managed on a day-to-day basis through officer.

COUNCIL	AGENDA ITEM No. 13(d)
6 DECEMBER 2023	PUBLIC REPORT

Report of:	Jyoti Atri (Director of Public Health)	
Cabinet Member(s) responsible:	Councillor Saqib Farooq Cabinet Member for Adult Social Care, Health and Public Health	
Contact Officer(s):	Kate Parker (Head of Public Health Business Programmes)	Tel. 07535 694729

REVISION TO THE CAMBRIDGESHIRE AND PETERBOROUGH HEALTH AND WELLBEING BOARD TERMS OF REFERENCE

RECOMMENDATIONS	
FROM: Director of Public Health	Deadline date: N/A
<p>It is recommended that Council:</p> <ol style="list-style-type: none"> 1. Approve the Terms of Reference as set out in Appendix A for inclusion in the Constitution: and 2. Authorise the Monitoring Officer to make any other minor or consequential amendments to the Constitution necessary for, or incidental to, the implementation of these proposals. 	

1. PURPOSE AND REASON FOR REPORT

- 1.1 The purpose of this report is to present to Full Council new terms of reference for the new joint Cambridgeshire and Peterborough Health and Wellbeing Board / Integrated Care Partnership

2. BACKGROUND AND KEY ISSUES

- 2.1 Under the Health & Social Care Act 2012 Upper Tier Local Authorities (UTLA) have a statutory function to have a Health & Wellbeing Board (HWB) as a formal committee of the local authority. In 2019 procedures were put in place to establish joint working relationships between the Cambridgeshire and Peterborough HWBs and in 2022 Full Council agreed the formation of a Joint Health and Wellbeing Board meeting as a committee in common with the Integrated Care Partnership.
- 2.2 The terms of reference form part of the constitutions of Peterborough City Council and Cambridgeshire County Council. The previous terms of reference were received and approved by Full Council on 22nd May 2022.

The Cambridgeshire and Peterborough Health and Wellbeing Board/Integrated Care Partnership met on 20 October 2023 to review proposed revisions to its terms of reference, which had occurred since May 2022.

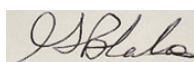
3. TERMS OF REFERENCE UPDATE

- 3.1 A copy of the revised terms of reference is attached at Appendix 1, with the changes detailed below
- 3.2 **Membership**
The membership has been restructured to simplify the presentation of the different types of members.
- 3.3 Following the changes in the management arrangements for Cambridgeshire County Council and Peterborough City Council, there are now two adults' services directors and two children's services directors. The two Chief Executives have agreed that each authority will nominate one director, with the other acting as the nominated substitute.
- 3.4 The terms of reference for the Health and Wellbeing Board provide for an officer of the Cambridgeshire and Peterborough Combined Authority to be a member of the Board, alongside the Mayor of the Combined Authority who is a member via the Integrated Care Partnership. Rob Bridge, Chief Executive of the Combined Authority will join going forward to fulfil the Health and Wellbeing Board role, with role of the Mayor unchanged.
- 3.5 The draft updated terms of reference also reflect the current list of Integrated Care Partners. These changes do not introduce any new members.
- 3.6 **Quorum**
To aid the effective planning of meetings, the quorum provisions have been made more explicit.
- 3.7 **Appointment of Substitute Members**
There is significant value where there is a continuity of attendance, however it is recognised that on occasions substitutes may be required to attend. Individual nominating organisations may choose to place additional arrangements in place for the management of substitutes. The proposed change clarifies the base expectations for all members.
- 3.8 **Members' Conduct**
The proposed change also makes it an explicit requirement where a substitute attends to complete a register of interest declaration and introduces a requirement on the Clerk to ensure that a single register of members interest is compiled and maintained.
- 3.9 The Cambridgeshire and Peterborough Health and Wellbeing Board/Integrated Care Partnership endorsed the proposed revisions with one suggestion regarding the presentation of the membership

6. IMPLICATIONS

Financial Implications

- 6.1 Administration of the meetings will be a shared responsibility between PCC, CCC and ICP.



Michael Blake
Head of Finance – Adults and Public Health

Legal Implications

- 6.2 *There are no legal implications in respect of what is proposed which is approval of minor changes to the terms of reference. Legal advice should be sought and where needed by the Board.*

Equalities Implications

- 6.3 *None to report*

Carbon Impact Assessment

- 6.5 Not required for this report.

7. BACKGROUND DOCUMENTS

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

- 7.1 [Cambridgeshire and Peterborough Health and Wellbeing Board/Integrated Care Partnership meeting – 20 October 2023](#)

[Health and Social Care Act 2012](#)

[White Paper - Integration & Innovation: Working together to improve health and social care for all](#)

8. APPENDICES

- 8.1 Appendix 1 – Revised Terms of Reference

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Appendix 1

Introduction

The Cambridgeshire & Peterborough Health and Wellbeing Board (HWB) is established as a committee of the County Council under section 102 of the Local Government Act 1972. Its remit is to work to promote the health and wellbeing of Cambridgeshire's communities and its focus is on securing the best possible health outcomes for all residents. This involves a system level partnership with NHS and Local Government as equal partners and the alignment of partners' strategies across the system.

In consideration of the developments around the Integrated Care Partnerships (ICPs), Cambridgeshire & Peterborough HWB aims to ensure that integration is closely linked to prevention and tackling the wider determinants of health. A joint Cambridgeshire & Peterborough HWB has collective accountability and responsibility for population health care outcomes. The Board maintains its separate statutory identity from the ICP but where possible meets as a committee in common. It is the intention to have one shared Cambridgeshire & Peterborough Health & Wellbeing Strategy that is owned across the local system.

Membership

Membership from the Health and Wellbeing Board is 20 members, with an additional nine from the Integrated Care Partnership, creating the collective board membership.

Health and Wellbeing Board Members

- Cambridgeshire County Council (CCC) Vice-Chair of Adults & Health Committee (Lead member for HWB)¹
- CCC Chair of Adults & Health Committee
- Peterborough City Council (PCC) Cabinet / Lead member for Public Health/ HWB¹
- PCC Cabinet / Lead Member for Children's Services
- PCC/CCC Executive Director of Public Health¹
- PCC Executive Director: Adults Services or PCC Executive Director: Children and Young People's Service*
- CCC Executive Director for Adults, Health and Commissioning or CCC Executive Director for Children, Education and Families.*
- District Council representative (one officer on behalf of all districts to be appointed by the Cambridgeshire Public Service Board)
- Local Healthwatch Chair¹
- Voluntary & Community Sector Representative
- Cambridgeshire Constabulary (Chief Constable or officer to be determined)
- Cambridgeshire and Peterborough Combined Authority (Chief Executive Officer (CEO) or officer to be determined)
- Chief Executive Integrated Care Board (ICB¹)
- Chair Integrated Care Board

- Representative of Cambridge University Hospitals NHS Foundation Trust (CUHFT)
- Representative of North West Anglia NHS Foundation Trust (NWAFT)
- Representative of Papworth Hospital NHS Foundation Trust
- Representative of Cambridgeshire and Peterborough NHS Foundation Trust (CPFT)
- Representative of Cambridgeshire Community Services NHS Trust (CCS)
- Primary Care Representative (South)

* One member to be agreed between the Chief Executives of Peterborough City Council and Cambridgeshire County Council.

Integrated Care Partnership Board Members

- ICB Deputy Chief Executive/ Managing Director of Strategic Commissioning Accountable Business Unit
- ICB Chief of Partnerships and Strategy
- ICB Non Executive Member
- Primary Care Representative (North)
- District Council representative (one officer on behalf of all districts to be appointed by the Cambridgeshire Public Service Board)
- Police and Crime Commissioner
- Academic Health Science Network Representative
- Voluntary and Community Sector Representative
- Mayor of Cambridgeshire and Peterborough Combined Authority

¹ Denotes statutory members of the Health and Wellbeing Board as required by Section 194 of the Health and Social Care Act 2012. There is a statutory requirement for at least one local authority councillor and at least one representative of the ICS NHS Board, to be a member of the HWB.

Summary of Functions

Delegated Authority	Delegated Condition
Authority to prepare the Joint Strategic Needs Assessment (JSNA) for Cambridgeshire and Peterborough: To develop a shared understanding of the needs of the community through developing and keeping under review the JSNA and to use this intelligence to refresh the Health & Wellbeing Strategy.	Section 116, Local Government and Public Involvement in Health Act 2007 Section 196, Health and Social Care Act 2012
Authority to prepare the Joint Health and Wellbeing Strategy for Cambridgeshire and Peterborough based on the need identified in the Joint Strategic Needs Assessment and overseeing the implementation of the Strategy, which informs and influences the commissioning plans of partner agencies.	Section 116A, Local Government and Public Involvement in Health Act 2007. Section 196, Health and Social Care Act 2012
Authority to respond to consultations about commissioning plans issued by the ICB in connection with Section 26 of the Health and Social Care Act 2012.	Section 26, Health and Social Care Act 2012
Authority to encourage persons who arrange for the provision of any health or social care services in the Council's area to work in an integrated manner.	Section 195, Health and Social Care Act 2012
Authority to provide any advice, assistance and support it thinks appropriate for the purpose of encouraging the making of arrangements under Section 75 of the National Health Service Act 2006.	Section 195, Health and Social Care Act 2012 Section 75, NHS Act 2006
Authority to produce the Pharmaceutical Needs Assessment (PNA) and liaise with NHS England and Improvement (NHSE&I) to ensure recommendations and gaps in services are addressed.	NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 (SI 2013/349)
To consider options and opportunities for the joint commissioning of health and social care services for children, families and adults in Cambridgeshire to meet identified needs (based on the findings of the Joint Strategic Needs Assessment) and to consider any relevant plans and strategies regarding joint commissioning of health and social care services for children and adults.	

Delegated Authority	Delegated Condition
To identify areas where joined up or integrated commissioning, including the establishment of pooled budget arrangements, would benefit improving health and wellbeing and reducing health inequalities.	
By establishing subgroups as appropriate give consideration to areas of joint health and social care commissioning, including but not restricted to services for people with learning disabilities.	
To keep under consideration, the financial and organisational implications and impact on people's experience of joint and integrated working across health and social care services, and to make recommendations for ensuring that performance and quality standards for health and social care services to children, families and adults are met and represent value for money across the whole system.	
Authority to prepare and provide Health and Wellbeing Board sign off for the Better Care Fund Plan.	
Authority to approve non-statutory joint strategies on health and wellbeing issues (e.g. Cambridgeshire and Peterborough suicide prevention strategy).	
Authority to discharge any other functions specifically reserved to be undertaken by health and wellbeing boards as set out in legislation, guidance, circulars and directives received from national government.	
Authority to consider whether ICS Board draft forward plans take proper account of the joint local health and wellbeing strategy which relates to the period (or any part of the period) to which the plan relates.	Section 14Z54 White paper
To provide oversight to the work undertaken by the member partners to take forward the Cambridgeshire and Peterborough ICB to deliver the "triple aim" duty for all NHS organisations of better health for the whole population, better quality of care for all patients and financially sustainable services for the taxpayer.	

Delegated Authority	Delegated Condition
To provide a system wide governance forum, including NHS, Local Government and wider partners, to enable collective focus and direction to the responsibilities and decision making of the individual partners.	

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