

MINUTES OF A MEETING OF THE SUSTAINABLE GROWTH AND ENVIRONMENT CAPITAL SCRUTINY COMMITTEE HELD IN THE BOUGES/VIERSEN ROOMS, TOWN HALL ON 20 JANUARY 2014

Present:	Councillors N Arculus (Chairman), L Serluca, J Peach, JA Fox, N Khan, N Thulbourn,
Also Present:	Councillor Harrington, Leader of Peterborough Independent Forum Councillor Elsie, Cabinet Member for Culture, Recreation and Waste Management Neil Darwin, Chief Executive, Opportunity Peterborough Councillor Shearman Councillor Shaheed
Officers Present:	John Harrison, Executive Director of Resources Andy Cox, Senior Contracts & Partnerships Manager Steven Morris, Client Property Manager Jonathan Lewis, Head of Corporate Property & Children's Resources Jo Gresty, Farms Manager Mark Speed, Transport Infrastructure Planning Manger Gary Goose, Safer & Stronger Peterborough Strategic Manager Clair George, Road Safety Officer Simon Machen, Director of Growth and Regeneration Alexandra Maxey, Lawyer Philip McCourt, Interim Head of Legal Paulina Ford, Senior Governance Officer

1. Apologies for Absence

Apologies were received from Councillor Maqbool and the Youth Council Representative, Ellie Jaggard.

2. Declarations of Interest and Whipping Declarations

Item 7. Opportunity Peterborough Update

A declaration of interest was received from Councillor Arculus who declared that he was a Bond Holder and that some other Councillors on the Committee may also be Bond Holders apart from Councillor Fox.

3. Minutes of Meetings held on 7 November 2013.

The minutes of the meeting held on 5 September 2013 were approved as an accurate record.

4. Call in of any Cabinet, Cabinet Member or Key Officer Decisions

There were no requests for call-in to consider.

5. Blue Sky Peterborough

The report was introduced by the Executive Director of Resources and provided the Committee with a broad update on Blue Sky Peterborough Ltd. and other energy matters that were ongoing and those planned for the future. The Executive Director of Resources further stated that energy was not solely about CO2 emissions and income but also about enabling regeneration in the city. He stated that the issues around the wind and ground-mounted schemes was well-documented but stated he had met with members of the committee to assure them that recommendations from the Scrutiny Commission for Rural Communities would be considered as part of the budget process. He also invited members to consider the role of scrutiny going forward.

The Chair thanked the Executive Director for his detailed report.

Questions and observations were made around the following areas:

- Members referred to page 15 of the report and the recommendations made by the Scrutiny Commission for Rural Communities at their meeting on 16 December 2013 to Cabinet, which recommended that Cabinet:
 - Immediately stops both options 1 solar and 2 wind for the America Farm project due to the negative income predicted for the delayed project
 - Stops the solar panel option (1) on all three sites (America Farm, Newborough and Morris Fen) due to the significant total expenditure of £296 million, a poor return of £21 million net income and a Net Present Value figure of only £10.5 million'

Members wanted to know why the recommendations were not being considered by Cabinet until two months later. The Executive Director of Resources responded that for Americas Farm the projections were quite wide-ranging from optimistic to pessimistic. The department has been conducting work on what the most likely outcomes would be through conversations with developers regarding their business models in order for Cabinet to make a fully-informed decision.

- Members sought clarification with regard to the report stating that since the company had been incorporated it had not traded but the report also stated that it had entered into a contract with City Fibre. Was the company therefore an operational company or not. The Executive Director of Resources responded that in the first two years of financial trading no transactions had been put through the company. The Executive Director, Resources also stated that the company would not be used unless it needed to be and that where possible, the City Council would be the main partner. With regards to City Fibre the contract had been entered into however there had been no trading.
- Members responded that there was nonetheless a perception of secrecy and invited the Executive of Director of Resources to make any comments. Members were advised that no financial transactions had been entered into by Blue Sky Peterborough. A contract had been entered into with City Fibre and there were three Directors as nominated by the council. Councillor Elsey, speaking as a Director of Blue Sky Peterborough also confirmed that none of the Directors nominated by the council received financial benefit from being Directors.
- Members commented that companies such as Blue Sky had existed before but asked whether or not the council should be involved in projects such as City Fibre and whether a specific company with council involvement was needed for the roll-out of fibre-optic broadband. Members asked that as the solar energy and use of farmland was the next major project and given that the Government Minister was prone to turn down large projects, whether or not there was a danger of the main project being built up to fail. The Executive Director of Resources responded that the major financial arrangements with City Fibre were approved by Cabinet. The Energy Services Company was more about the use of fibre as a regenerative tool similar to energy and aimed to expand its use in the city to bring in further revenue streams. In terms of the possibility of failure with

regard to America Farm, Newborough and Morris Fen the company would not operate unless the council requests it to do so. The report however was wider than the three schemes listed in it and included acquiring and developing other schemes.

- Members referred to paragraph 5.3.5. in the report relating to Energy Trading and asked how long it would be before the council would be in a position to say that it had surplus energy from which it could make a profit. *The Executive Director of Resources stated that the first priority was self-supply to the council with schools hopefully following. The first asset to come on stream would be the energy from the waste plant in the first quarter of 2015 and would produce around 7.2 megawatts. The second part would be to bring forward other schemes potentially across the country. It was anticipated that proposals would be brought before Cabinet by the end of 2014. A profit would hope to be made within this time period.*
- Members asked how competition would be affected in light of the Leader's statement that energy could be frozen and give it at cheaper rates. Members expressed concern about the state of the market and the council's readiness and preparedness to be a part of that marketplace. The Executive Director of Resources responded that the council was essentially doing no different to what some individual developers were doing. The advantage to the council was that there was a strong covenant in place to deal with energy. The council could decide with all its financial difficulties that it should take all the profit out of energy or put money into creating a local tariff around domestic and SMEs for the future. There would however be a full business case before anything was done and members would have the opportunity to scrutinise such decisions.
- Members referred to page 14, paragraph 5.3.2 of the report regarding Energy Regeneration and wanted to know what the timescale was with regards to the further phase of solar panel installation. The Executive Director of Resources responded that the potential business mandates were with him to scope and then go back to the council to see whether the cost and investment made the necessary returns to access the invest to save budget. The aim would be to finalise these by the end of March as that would be when the government subsidy ended however if this were not to happen that would not necessarily mean that such projects would not go ahead.
- Members asked what the Executive Director of Resources would suggest with regards to properly scrutinising a Limited Company and made reference to the inclusion of Heataborough in the report, which was not an ESCO project and how that could be scrutinised. The Executive Director of Resources responded that Heataborough was not a company but a project title. Scrutiny should be involved in signing off the high level business mandates before going to Cabinet in order to avoid any misconceptions that arise in the process. If the council gave the mandate to Blue Sky Peterborough then there would be a contractual requirement to deliver outcomes back to the council. Those outcomes and key performance indicators should be agreed upon in advance with the involvement of scrutiny. The Interim Head of Legal further added that Blue Sky Peterborough was part of the council and was a wholly owned subsidiary and the rules in terms of its finances and how it declared itself were the same as for any other part of the council. Those council. Therefore the evidence available to scrutiny and the people that could be called before scrutiny were the same. It should therefore be scrutinised as any other service or function of the council.
- Members asked why risk-sharing was not looked into much earlier. By sharing with other organisations it would cut down on capital investment whilst still making the same returns. The Executive Director of Resources asked for clarification and whether Members were referring to Empower Community as a potential partner organisation. Members responded that the report itself alluded to Empower, Swindon Council and other authorities as potential partner organisations. The Executive Director of Resources responded that the relationship with Swindon Council mentioned in the report was not around a partnering relationship but rather them providing PCC with other contractors through a local authority which had experience and the skills required. Different organisations had different views around partnering and different outcomes and financial returns depending on the nature of the partner.

Members asked if the articles of the limited company would be changed if there was a
possibility of other things going through that company. The Executive Director of
Resources responded that there was no reason why not however it would need to be of a
utility nature therefore telecoms such as those provided by City Fibre would not qualify as
a utility.

ACTIONS AGREED

- 1. The Committee noted the report and agreed that the Executive Director of Resources should provide an annual report to the Committee on the ESCO Blue Sky Peterborough Ltd Company to enable scrutiny of the performance of the company.
- 2. The Committee also requested that any major schemes that were to be brought forward within the ESCO project should be reported to Scrutiny before submission to Cabinet as they came forward.

6. Management of Agricultural Estate and Future Proposals

The report was introduced by the Head of Corporate Property & Children's Resources and was in response to a request from the Chair of the Committee for an update on the management of the Council's Farms Estate and confirmation of what future proposals the Council had for that estate. The report provided the Committee with the history of the Farms Estate, Central Government Policy for Farms Estates and current and future developments for the estate. The Head of Corporate Property & Children's Resources stated that there needed to be a strategy for the estates going forward as it was a valuable asset and should be effectively used. He therefore suggested that a review group be set up to look at a range of matters affecting the future management of the Councils Farms Estate and to inform the development of the strategy.

Questions and observations were made around the following areas:

- Members referred to page 31, paragraph 4.2 regarding Central government policy for smallholdings authorities and asked if the aims of a smallholdings authority set out in the report were being satisfied. The Head of Corporate Property & Children's Resources responded that his perception after three months in his current role was that some of the goals were being met however a lot more could be done for young people wanting to come into farming. The Farms Manager stated that over the past twenty years there had been little opportunity for new entrants into farming which was a structural issue as many tenancies were long term and this was a national farming issue. Best practise changed and what constitutes best practise one year often changed the next year. There was an opportunity to improve the performance of the estate. The estate supported many local families and there was therefore a wide influence on the local economy.
- Members stated that there was a need for new entrants into the farming sector in order to avoid a situation in which large landowners had a large amount of control over the sector as this would have an effect on the wider economy. Opportunity Peterborough could play a part in increasing the potential of the Farms Estate. The Head of Corporate Property & Children's Resources stated Peterborough was historically a market town and it would be a positive development if the city centre could for instance have a farmer's market back in the town centre.
- The Chief Executive of Opportunity Peterborough added that there had recently been a successful regional growth fund bid. It was a grant scheme available for the farming sector. Collectively there might be some avenues worth exploring. There was also an historic programme in the country called Leader Plus which was a European-funded project which designated certain areas across the country which could potentially add £500,000 a year for the rural areas of Peterborough and Rutland.
- Members stated that Newborough had many young farmers and expressed support for the farmer's market idea and were positive about the support for young farmers.

Members were advised that ways were being looked at to provide more agricultural courses for young farmers in the Peterborough area. Agricultural courses had predominantly been offered more in the Cambridge area previously.

- Members asked if the farms on the estate were profitable and viable and enquired as to the value of the estate. Members were advised that a valuation took place in April 2013. The valuation put a value on the land holding of £11.25M. Placing a valuation was difficult because of lifetime tenants and other factors which made the market value change over time. The Farms Manager stated that assessing the viability of the farms was an impossible question to answer. All the farms on the estate were small part-time holdings to the extent that a person could work on the farm and then use their skills and contract elsewhere. They were viable and some tenants did make enough money on their farms without doing anything else. Farms could be run intensively by one person with old machinery and accept that they may not make an enormous living but they can generate enough to make a living. There were middle-range farms whereby the person would need larger and more expensive equipment but did not have the size of enterprise to cover their costs. Then there were the larger farms where it became viable again. It also depends on the crop being produced.
- Members stated a need to engage with best practise, education and the viability of the business and asked how long it would take before this could be moved forward. The Farms Manager stated that there had been a meeting with some tenants and they understood the issues at stake and were keen to move things forward. It was therefore a matter of bringing together a small working group of people to put together a strategy.
- Members welcomed the report for its aspirations towards making a change and wanting to break the structural barriers to involve new farmers. The Head of Corporate Property & Children's Resources said that setting aspirations was key and the process was likely to take some time but it was necessary to set direction and put a policy in place around Farm Estates. The Farms Manager also stated that there was a good skill set around the existing tenants and it was important to not lose sight of the existing expertise.
- Members asked if it was necessary for a local authority the size of Peterborough to maintain a 3000 acre farm estate or if it could be done from a smaller holding. *The Farms Manager stated that if it were possible for all of the land to produce a result it would be possible from a smaller holding, however there was a reliance on individuals so would not get a win from all of the land. He further stated that on small farms there were less options.*
- Members stated that agricultural land price was at an all-time high. Historically the council valued its farm estate in 2012 at £4.4M and it was valued in April 2013 at £11.25M. What had happened between the two valuation dates? The Farm Estates Manager stated that whilst he was not aware of the 2012 figure farm land had increased in valuation since the financial crisis as it was seen particularly by many foreign investors as a safe haven. The Head of Corporate Property & Children's Resources advised that he would investigate the difference in valuations and come back to the Committee with an explanation as to the difference in valuations.
- Members asked if only Farm Business Tenancies were granted. *Members were advised that this was the case.*
- Members asked if the council was exempt from granting succession tenancies. *Members* were advised that this was the case.
- Members asked what the typical length of a Farm Business Tenancy was. *Members were advised that they were usually short-term and around one or two years. A few had been for five years.*
- Members referred to the key issues highlighted in the report and paragraph 5.4. Members wanted to know if the council wanted to exploit these and for example allocate a portion of the land for education use or production of local food would there be a way that the council could accelerate the process or would it merely be a case of waiting for the Farm Business Tenancies. *Members were advised that some Farm Business Tenancies would end in October 2014 and a process would involve exploring various possibilities to see what suggestions people came forward with for agricultural projects.*

- Members reiterated the need for investment in tenancies if there were to be new individuals brought into farming. *Members were advised that working with existing tenant farmers was essential and bringing other views to the table before formation of strategies was important.*
- Members asked if the valuation was based on a transactional basis or yield basis. The Farms Manager responded that it was a let estate and there were no other sales to compare the estate with. The valuation was therefore based on an investment and what an investor would pay for it. It was therefore essentially valued on a yield basis.
- Members wanted to know if there was an opportunity to take the land to the market to assess its true value. The Head of Corporate Property & Children's Resources responded that the council had a responsibility to have an overview of the value of all its assets and to constantly review their worth. However there was a need to remember what the land had to offer and what it was there to do and a need to take into account the non-financial benefits.

ACTIONS AGREED

- 1. The Committee noted the report and asked the Head of Corporate Property & Children's Resources to investigate the difference in valuations of the Farms Estate between the 2012 valuation of £4.4M and the April 2013 valuation of £11.25M and come back to the Committee with an explanation as to the difference in valuations.
- 2. The Committee agreed to the establishment of a Task and Finish Group to look at a range of matters affecting the future management of the Councils farms estate and to inform the development of a strategy for the farms estate.
 - a. The Senior Governance Officer to write to Group Secretaries to seek nominations for the Task and Finish Group.
 - b. A report be brought back to the next meeting of the Committee with an update on the work of the Task and Finish group.

7. Opportunity Peterborough Update

The report was presented by the Chief Executive for Opportunity Peterborough and provided the Committee with an update on work being undertaken by Opportunity Peterborough and the overall economic picture in Peterborough.

Questions and observations were made around the following areas:

- Members asked what the position was regarding Queensgate and if the upgrade of Queensgate and the redevelopment of North Westgate would happen in a timely fashion. The Director of Growth and Regeneration advised that he had been in discussions with the new owners of Queensgate and the promoters of North Westgate to ensure that this project would be delivered. It would however be different to the original design and more of a mixed use project. The new owners of Queensgate intend investing in the centre..
- Members asked if some government offices were being relocated to Peterborough or if they were from the private sector. The Chief Executive for Opportunity Peterborough responded that there was the potential for some government departments being moved out of London to Peterborough and that this was being promoted.
- Members commented that perhaps too much time had been spent on the regeneration of a small area of Peterborough (the city centre) at the expense of other areas. The Director of Growth and Regeneration advised Members that investment in the wider public realm delivered positive outcomes for the city as a whole. He stated that part of his job was to pull in external funding for that to reduce cost to the council. There were still some major interventions to be done including Bourges Boulevard. Members asked regarding Cambridge airport and its expansion and whether Peterborough was making full use of it being nearby. Members were advised that Cambridge airport was a ined at the high end and there was a premium to fly out of there. Norwich airport which was a hub airport had

been in discussions with Opportunity Peterborough. Peterborough was well placed for airports but the biggest challenge for the city was in convincing businesses to export.

- Members wanted to know if there had been any discussion regarding the redevelopment of the town end of Broadway in order to make it more connected to the city centre. The Director of Growth and Regeneration replied that too many cars currently came into the city centre and this affected the pedestrian environment. It was being actively looked at whether or not it was possible to reduce the number of vehicles coming along Broadway and to improve the street as part of future proposals.
- Members asked if Opportunity Peterborough were engaging with smaller businesses throughout the city to free up commercial space to bring it back into the residential market. This would attract people to live in the city centre. The Chief Executive responded that developers were interested in developing areas of the city centre as residential units. This did not fall under the remit of Opportunity Peterborough but any information regarding this was fed to the council to follow up. Peterborough was one of the few cities that did not yet do urban living particularly well. The Director of Growth and Regeneration added that more people needed to live in the city centre and that there needed to be a balanced mix of city centre housing. A longer term issue was the next round of growth after 2026. The administrative boundary was limited and therefore we only had a finite amount of land, with some to the north and east having a degree of flood risk. A possibility was to make these future employment areas rather than residential, making it possible to use existing employment areas for new homes.
- Members asked how exam results in the area hindered the ability to bring in high-tech businesses in Peterborough. The Chief Executive informed Members that it was a barrier but that the biggest barrier to businesses coming to Peterborough was the perception of the city. It was difficult to get skilled staff across the board. However Peterborough was not radically different in terms of educational levels to cities in surrounding areas. Peterborough needed to project itself more confidently and produce children that could work in those higher skilled sectors.
- Members asked which sectors in Peterborough were experiencing economic growth and whether there was a multitude of sectors growing or if it was only shops and logistics. Members also called for a more detailed audit of economic growth across Peterborough and details of the supply chain work. *The Chief Executive stated that supply chain work makes a lot of difference and needs to be quantified further.*

ACTIONS AGREED

The Committee noted the report.

The Committee requests that the Chief Executive of Opportunity Peterborough provide a detailed analysis of all sectors across Peterborough showing which sectors are growing in Peterborough and those that are not. Detail also to be provided on the supply chain.

8. Local Transport Plan Programme of Works 2014/15

The report was presented by the Transport and Infrastructure Planning Manager and provided members with information regarding the Local Transport Plan Programme of Works 2014/15 to the Committee before submission to the Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement for approval. Members were informed that the budget had not yet been allocated and the programme of works was based on an indicative figure.

Questions and observations were made around the following areas:

• Members commented on street light maintenance and stated that there did not seem to be a criteria for replacement of the columns or the light. Newer parts of the city appeared to have had the street lighting replaced before older parts of the city. *Members were advised that there was a methodology used to assess if a replacement was needed.*

There was an asset data base and a survey was conducted with regard to structural and electrical testing of the lighting. Cast iron columns were particularly hazardous and were prioritised for replacement. Replacement was not based on particular wards but on assessment and budgetary constraints as to what could be done in a financial year.

- Members asked what the process was for deciding that one particular development or replacement was dealt with first as opposed to another. The Transport and Infrastructure Planning Manager stated that he would circulate the methodology to the committee. Prioritisation of expenditure was dependent on two factors which were the condition of the street lighting and safety.
- Members referred to Annex 1, Page 51 of the report listing the Integrated Transport Programme 2014/2015 and asked what the St. John's scheme was. *Members were advised that St. John's Street was being remodelled to improve footpaths and provide better areas for cyclists to use rather than through the city centre as it was a key corridor into the city.*
- Members referred to page 51 and the section on Safer Roads and asked if the £250,000 allocated to Staniland Way was for Staniland Way junction with David's Lane. *Members were advised that it was allocated for this junction.*
- Members asked if there was any available information yet regarding performance of the new bus service. Members were informed that in terms of bus performance it had improved and there have been less complaints than previously. Feedback from the new bus service had been very positive. A full report would be provided after the service had been in place in twelve months' time.
- Members expressed concern at the condition of rural roads in the city and stated that they were dangerous to travel on and not enough attention had been paid to preventative measures. The Director of Growth and Regeneration responded that this was in fact a national problem. He stated that the Council with Cambridgeshire and Norfolk had applied for Government funding to address drought damage on rural roads but were unsuccessful, however there was money set aside in the Council's budget to address drought damage. The roads were being monitored.
- Members stated that they had been informed that there was money set aside to improve roads at Speechley Drove and Willow Drove however no further work had been carried out and wanted to know why. The Transport and Infrastructure Planning Manager responded that he would look into the matter and respond in due course. The Director of Growth and Regeneration also added that the mobilisation of the new highway services contract had delayed delivery of some schemes.
- Members asked if the figures quoted in the report was expected to be received. Members were advised that the figures were already in the Local Transport Plan but the budget had not been confirmed yet.

ACTIONS AGREED

The Committee noted the report and requested that The Transport and Infrastructure Planning Manager circulate the methodology for street lighting maintenance to the committee.

9. 20MPH Speed Limit – Scrutiny Task and Finish Group Final Report

The report was submitted to the Committee following an investigation into the benefits of extending 20MPH Speed Limits throughout residential areas across the Peterborough Unitary Authority Area. The purpose of the report was to seek the Committees approval for the submission of the report to Cabinet. The report was introduced by Councillor Shearman. Councillor Shearman gave thanks to the three officers; Clare George, Gary Goose and Paulina Ford for their guidance, research and technical support throughout the review which enabled the Task and Finish Group to complete the report. Councillor Shearman gave the committee some background information with regard to the introduction of 20MPH speed limits and went through some details and recommendations of the report. The Task and Finish Group recognised the lack of funding to be able to introduce 20MPH speed limit

across the city and therefore a recommendation had been made to introduce a pilot scheme in villages in Peterborough.

Questions and observations were made around the following areas:

- Members stated that this would be a significant benefit in rural areas and would be welcomed. It should be noted though that the police would not be able to enforce it due to lack of capacity and members were therefore concerned about enforcement.
- Members asked if it would be beneficial to wait for more evidence regarding effectiveness from other authorities that had implemented 20MPH before recommending a pilot. Furthermore, they asked if the recommendations were for the upcoming budgetary year or if they were for 2015/16. *Members of the Scrutiny Task and Finish Group responded that they doubted it would be implemented in this budgetary year.*
- Members asked if it would therefore be possible to acquire more evidence from other authorities and then make further recommendations based on that evidence. *Members of the Scrutiny Task and Finish Group confirmed that this was possible. The group further stated that groups such as the NHS might also welcome the proposals as it would have cost savings for them.*
- Members followed up asking how there was a relationship between traffic in villages and urban areas and how a pilot scheme in a village would be able to assess implications on areas such as Bourges Boulevard. *Members of the Scrutiny Task and Finish Group responded that the villages were very easy to implement speed limits whereas urban areas such as Bourges Boulevard were less easy to have their speed limits changed.*
- Members commented that it was important to have similar campaigns within the city area as there were many instances of dangerous driving in the city as well as rural areas. The Safer & Stronger Peterborough Strategic Manager advised Members that villages were keen to implement these schemes and therefore the pragmatic approach was to start the pilot with them. During the course of the next twelve months there would be a lot more evidence available for similar urban areas to Peterborough. However each city should be treated on its own merits and it would not be sensible to reduce all roads in Peterborough to a 20mph speed limit. To change the speed limit on all residential roads in the city would incur significant cost. The policing view was that they would struggle to support signed only speed limits within residential areas but would support a reduction to 20MPH if additional traffic calming measures were also in place.

ACTIONS AGREED

The Committee noted and endorsed the report for submission to Cabinet.

10. Forward Plan of Key Decisions

The Committee received the latest version of the Forward Plan of Key Decisions, containing key decisions that the Leader of the Council anticipated the Cabinet or individual Cabinet Members would make during the course of the following four months. Members were invited to comment on the Forward Plan and, where appropriate, identify any relevant areas for inclusion in the Committee's work programme.

Members requested asked if the amendments to the Affordable Housing Capital Funding Policy were completed. *The Director for Growth and Regeneration advised that they had not been completed but would be presented to the Committee when they had.*

11. Work Programme 2013/2014

Members considered the Committee's Work Programme for 2013/14 and discussed possible items for inclusion.

ACTION AGREED

To confirm the work programme for 2013/14 and the Senior Governance Officer to include any additional items as requested during the meeting.

The Chair wished to record the Committees thanks to the Senior Governance Officer for coordaining the innovative Scrutiny in a Day event which took place on 17 January 2014. The Committee agreed that it had been a great success and should be repeated on an annual basis.

11. Date of Next Meeting

Monday, 10 February 2014

The meeting began at 7.00pm and ended at 9.45pm

CHAIRMAN