

**MINUTES OF A MEETING OF THE SUSTAINABLE GROWTH AND ENVIRONMENT  
CAPITAL SCRUTINY COMMITTEE  
HELD IN THE BOUGES/VIERSEN ROOMS, TOWN HALL  
ON 17 JULY 2014**

**Present:** Councillors Y Maqbool (Chairman), R Brown, J Stokes, JA Fox,  
N Thulbourn, M Fletcher

**Also Present:** Councillor Sandford, Group Leader, Liberal Democrats  
Councillor Harrington, Group Leader, Peterborough Independent  
Forum  
Councillor JR Fox, Group Leader, Werrington First  
Paul Richards, Serco Operations Manager  
Councillor Seaton, Cabinet Member for Resources

**Officers Present:** Simon Machen, Director of Growth and Regeneration  
Ricky Fuller, Head of Strategic Commissioning/Transformation  
Gemma Wildman, Principal Strategic Planning Officer  
Paulina Ford, Senior Governance Officer  
Phil McCourt, Interim Head of Legal and Democratic

**1. Apologies for Absence**

Apologies were received from Councillor Arculus. Cllr Stokes attended as substitute.

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

There were no declarations of interest or whipping declarations.

**3. Minutes of Meetings held on 12 March 2014 and 7 April 2014.**

The minutes of the meetings held on 12 March 2014 and 7 April 2014 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. Solar Panel Energy Working Group Report**

The report was introduced by Councillor Fletcher who was the Chair of the Working Group. Members were informed that the Working Group had reviewed all the evidence and particularly the financial elements of the Ground Mounted Solar Photovoltaic (Pv) Panels (Solar Farms) and Wind Turbine Project. The report provided the Committee with their findings and recommendations as requested by the Committee at the Call-In meeting held on 12 March 2014. The Working Group by majority recommended that the scheme should not go ahead as they concluded that the financial returns were not viable and the risks unacceptably high. The report advised that Councillor Hiller had however dissented on the grounds that the viability of the schemes had been evidenced by independent experts and reports and that the risks were evaluated sensibly and the schemes should proceed. Councillor Sandford advised that whilst part of the Group he had not been in attendance at the meeting when the recommendations had been agreed.

Questions and observations were made around the following areas:

- Members stated that they had not been given any figures and it was therefore difficult to understand how the conclusion was reached. *Councillor Fletcher responded that the working group had received and studied the financial figures but the group had not felt it necessary to provide the figures submitted as the brief was merely to come to the Committee with a recommendation.*
- Members asked how a working group could come to the Committee with a recommendation without any evidence to support the recommendation. *Councillor Fletcher responded that the working group was poorly attended but the figures which had been put forward had been available for a while. The Group had drafted the report with the help of the Interim Head of Legal Services.*
- Members stated that the report did not detail the work undertaken and asked what experts had been consulted in the process. *Councillor Fletcher stated that there had been no opportunity to bring in experts to inform the Group. However there had been other opportunities to hear from experts on the subject at other meetings. However it was his opinion upon listening to the experts that it was not viable.*
- The Group Leader of the Peterborough Independent Forum responded that having the figures within the report would make no difference as they would be the same ones that had been presented to the Working Group and to Scrutiny previously. The Working Group had been tasked with making a recommendation from their findings.
- Members commented that the terms of reference of the working group were not answered in the report submitted to the Committee.
- The Group Leader of the Peterborough Independent Forum informed the Committee that the grading of the land had not been done under correct procedures.
- Members stated that the report was unhelpful and contained no useful information and needed to be revised and suggested that the Working Group do further work on the report and resubmit it with detailed information and justification for the recommendation.
- Councillor Thulbourn offered to meet with the Working Group to go through the detailed financial information to provide a more detailed report.
- The Cabinet Member for Resources addressed the Committee and pointed out that there was a strict timescale which needed to be adhered to and that Cabinet would be meeting at the end of July and that Members be mindful of the need to submit their recommendation to Cabinet in a timely fashion. He also advised that a recommendation to Cabinet would need to be supported by detailed evidence and reasons as to why the Working Group felt the scheme was not financially viable.
- Members asked what the scope of the report was. *Councillor Fletcher stated that it was around the whole enterprise and not merely America Farm. The terms of reference merely requested a recommendation of which the report had done.*
- The Group Leader of the Peterborough Independent Forum stated that the decision to take this scheme forward should not be rushed and there was already uncertainty regarding the financial viability of the scheme.
- Councillor Thulbourn recommended that Cabinet is asked that before making any decision on the scheme that they give the Working Group an opportunity with support to deliver another report that allows Cabinet to make a balanced decision.
- The Interim Head of Legal and Democratic Services suggested that if time did not allow for the Working Group to present a revised report to Committee before presenting to Cabinet that the Working Group present their report directly to Cabinet and bypass the Committee. The Committee agreed to this suggestion.
- A recommendation put forward by Councillor Thulbourn and seconded by Councillor Fox was for Councillor Thulbourn to Chair another meeting of the Working Group to review the financial elements of the Solar (Pv) Panels and Wind Turbines Project to review the evidence considered and if possible to present a report in sufficient time directly to Cabinet at its meeting at the end of the month. This recommendation was put to the vote and unanimously agreed.

## RECOMMENDATION

1. The Committee noted the report and
2. The Committee asks Cllr Thulbourn to Chair another meeting of the Working Group established to review the financial elements of the Solar (Photovoltaic) Panels and Wind Turbines Project to review the evidence considered and, if possible, to present a report directly to Cabinet at its meeting to consider this issue at the end of the month.

### 6. Report on the Performance of the Serco Partnership (2013/2014)

The report was introduced by the Serco Operations Manager and provided the Committee with an update on the performance of the Serco Partnership during the 2013-2014 municipal year. Key highlights covered the following areas:

- Operations
- Growth
- Transformation; and
- Procurement

Questions and observations were made around the following areas:

- Members referred to page 32, paragraph 6.3 “The Complaints related to Revenues and Benefits” and were concerned as to the number (157) of complaints relating to delayed/failed services. *The Serco Operations Manager stated this largely referred to the Council Tax Support Scheme. Eleven thousand residents were paying council tax for the first time so there was a deluge of calls coming in which caused delays. The majority of complaints largely referred to this.*
- Members asked how the new online benefits claims system was progressing. *The Serco Operations Manager stated that this had improved processing time from 29 days to 24 days. However some claims would always be longer than the average time.*
- Members commented that Serco staff were always helpful and willing to listen.
- Members asked what non-compliance spending referred to. *The Serco Operations Manager stated that this would be where the council would work with the procurement team to identify a range of savings. It might be that the savings may not be exactly what the council would want and therefore did not follow a recommendation from Serco in the interest of customer service.*
- Members noted that Serco and the Council had signed a Notice of Change to remove the two remaining break clauses and asked why this had been agreed. *The Serco Operations Manager stated that there were two contracts with the council. One was the Serco Partnership Contract and the other was the ICT Contract which had predated the Partnership Contract. The ICT contract underpinned the transformation work and was therefore vital. Break clauses were approaching both parties and both parties wanted to stay together. The remedy was therefore to remove both break clauses to ensure continued delivery of the projects.*
- Members asked if the development of high-speed broadband referred only to council owned facilities. *The Serco Operations Manager stated that the initial phase of the project was only for public buildings. The council would be saving a considerable amount even with this first phase.*
- Members followed-up stating that the ICT support for councillors was of a high quality, however the council was in a difficult economic situation and asked if there was a risk that councillors were subject to too much generosity in terms of ICT support. Was there a single piece of technology that did everything that a laptop, iPad etc. did. *The Head of Strategic Commissioning/Transformation responded that there were areas that were being looked at regarding the use of one piece of technology which would do everything that iPads, laptops, etc. would do. Google Chrome books were being looked at.*

- Members responded that the difficulty in an ICT strategy was that there was competition between Apple and Microsoft and therefore there was difficulty in having systems which worked together. *The Serco Operations Manager stated that this was indeed the case but it was regrettably outside of Serco's control.*
- Members asked about the server upgrades and requested an update on where this was and what the timeframe was for delivery. *The Serco Operations Manager responded that the direction of travel for the council was to move away from locally based servers and move to a cloud-based server. This would mean data was placed in areas other than local servers based within the council. Data would therefore be in a central place and far more secure. This would be an incremental process.*
- The Cabinet Member for Resources advised that there was a very wide ranging change to the IT architecture which underpinned the services that the council provided and what that would look like in future. Services to residents would be provided in a more cost-effective one stop way than it was at the current time. This would be shared with councillors in the coming months but it would need to be shared with Cabinet first.

## **ACTIONS AGREED**

The Committee noted the report and requested a further report in one year.

Councillor Harrington, Group Leader, Peterborough Independent Forum left the meeting at this point.

## **7. Peterborough Draft Developer Contributions Supplementary Planning Document (SPD)**

The report was introduced by the Principal Strategic Planning Officer which provided the Committee with an update on the proposed changes to the way developer contributions (S106 agreements) would be negotiated in the future. The Committee were asked to comment on the Peterborough Draft Developer Contributions Supplementary Planning Document (SPD) before being presented to Cabinet.

Questions and observations were made around the following areas:

- Members asked why the council had decided to adopt a Community Infrastructure Levy (CIL). *The Director of Growth and Regeneration responded that the current POIS system could not be continued post 2015 as it would not be a legal process. Most councils did not have POIS or CIL in place. Peterborough was one of the few Local Authorities that had collected money towards the cost of new infrastructure. In the future only councils where it would not be viable, in that it would threaten the viability of new development, would not be pursuing CIL.*
- Members referred to the Integrated Development Schedule and stated that members of the public may be interested in the 20 pages of individual projects which the council was spending money on. Why was this not being consulted on. *The Director of Growth and Regeneration stated that CIL could not be charged unless new infrastructure was needed to support growth. The other aspect of CIL was that you had to be able to evidence that you could not afford the infrastructure that was needed to deliver growth. Therefore the list of projects was there to evidence the gap between what the council had and what the cost of infrastructure would be to enable growth. Many of the individual projects listed sat within other strategy documents which the council had. The strategies were pooled together in terms of capital investment within the list. There would need to be a separate conversation about what projects would be funded, but it would have been confusing to have it as part of the Peterborough Draft Developer Contributions Supplementary Planning Document (SPD). Elements of the list had been to full public consultation. The Principal Strategic Planning Officer stated that the document was a live document which would be added to and updated over time.*

- Members referred to page 68 of the report for some clarification regarding the Lifetime Homes Standards element of the report. *The Principal Strategic Planning Officer stated that for a scheme of 15 or more dwellings there was a target to provide 20% of homes built to Lifetime Homes Standards, and for a scheme of 50 or more dwellings, 2% of dwellings would be required to be built to a wheelchair home standard, and the figures represented this requirement.*
- Members asked how community involvement was being delivered within these projects e.g. open space development. *The Director of Growth and Regeneration stated that councillors could assist with this through the work being carried out by the Community Development Manager which would provide an evidence base for projects being undertaken. Parish plans were however very useful in providing information on local needs. The Principal Strategic Planning Officer stated that the CIL charge required 15% of the funds to go to the local community through Parish Councils and if a Neighbourhood Plan was in place this would increase to 25%.*
- Members asked how decisions on development could be subject to greater community involvement. *The Director of Growth and Regeneration stated that this was subject to provisions of the Localism Act. There were provisions in the Act which enabled areas to form local groups which could influence decisions by producing a Neighbourhood Plan.*
- Members followed-up asking if this incorporated the local plan put together by the Community Development Manager. *The Director of Growth and Regenerations stated that this was not the case. Local Plans under the Localism Act are a statutory development plan which requires a referendum and independent examination. It was therefore a legal process to which there were clear guidelines which the council was obliged to support.*
- Members asked how non parished areas could get involved in producing a Neighbourhood Plan. *The Director of Growth and Regeneration referred to the Statement of Community Involvement advising that this set out the process for producing a Neighbourhood Plan. Any community wishing to get involved in the process would be given assistance and guidance by a dedicated officer. There was an incentive to produce a Neighbourhood Plan as 25% of the money generated through CIL would go back to the community.*
- Members felt that the Statement of Community Involvement was a long and complex document. Two-thirds of the council's area was un-parished. Members were concerned that these areas would not be engaged in how the CIL money would be spent in their wards. Members requested that more thought be given as to how these communities could be engaged with and assisted in determining how the money would be spent in their community. *The Director of Growth and Regeneration stated that the role of Ward Members was to facilitate involvement from communities to generate a list of projects. The role of the Ward Member was pivotal in how the 15% of CIL money was spent in un-parished areas.*
- Members asked if it was a wise decision to put responsibility for such a large amount of money in the hands of a single person. *The Director of Growth and Regeneration responded that the money would not be in the hands of one person. The priorities would be decided by the community itself. The Community Development Manager merely collated the list of projects.*
- Members reiterated that there needed to be a strategy in place for engaging with the communities as to how CIL was spent and to make sure there was follow-through on projects. If this was not put in place it could be detrimental to the growth of the city.
- Members asked if CIL money would go into a city-wide pot. *The Director of Growth and Regeneration stated that 85% would go into a strategic pot and 15% would be in a local pot designed to help the local community.*
- Members asked how parish councils would become involved. *The Director of Growth and Regeneration stated ward councillors should work with parish councils to prioritise initiatives. The Principal Strategic Planning Officer added that other groups besides Parish Councils would be worked with in un-parished areas.*

- Members congratulated the Principal Strategic Planning Officer on the Peterborough Draft Developer Contributions Supplementary Planning Document (SPD) which they felt was a well presented and detailed document.

#### **ACTIONS AGREED**

1. The Committee noted the report and the Peterborough Draft Developer Contributions Supplementary Planning Document (SPD).
2. The Committee requested that the Director for Growth and Regeneration report at a future meeting to consider the means by which the Council may best involve local communities in the selection and design of projects that form the overall growth strategy for the City.

#### **8. Review of 2013/1014 and Future Work Programme 2014/2015**

The Senior Governance Officer introduced the report which provided the Committee with a review of the work undertaken by the Committee during 2013/14 and the opportunity to approve the draft work programme for 2014/15.

- Members asked what had happened to the 20MPH Speed limit – Scrutiny Task and Finish Group Report. *The Senior Governance Officer responded that the report would be presented to Cabinet on 28 July 2014.*

#### **ACTIONS AGREED**

The Committee noted the report and approved the draft Work Programme for 2014/15.

#### **9. 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 month. Members were invited to comment on the Forward Plan and, where appropriate identify any relevant areas for inclusion in the Committee's work programme.

#### **ACTIONS AGREED**

The Committee noted the Forward Plan of Key Decisions.

The meeting began at 7.00pm and ended at 8.45pm

CHAIRMAN