

<b>COUNCIL</b>	<b>AGENDA ITEM No. 7</b>
<b>12 DECEMBER 2008</b>	<b>PUBLIC REPORT</b>

## **EXECUTIVE REPORT – FOR INFORMATION**

### **1. CALL-IN BY SCRUTINY COMMITTEE**

The Council's call-in mechanism has been invoked in respect of the following decisions:

#### **1.1 Appointments to the Greater Peterborough Partnership for the Municipal Year 2008/2009 – decision published 30 September 2008**

A request for call-in was submitted on 2 October 2008 on the grounds that the decision did not follow the principles of good decision making set out in Article 12 of the Council's Constitution, specifically that the decision maker did not:

- (a) realistically consider all alternatives and, where reasonably possible, consider the views of the public;
- (b) understand and keep to the legal requirements regulating their power to make decisions; and
- (c) follow procedures correctly and be fair.

The Scrutiny Committee discussed the call-in request at its meeting of 15 October 2008. Following consideration of the call-in request and of a letter received on 15 October from Councillor Peach (the decision maker), confirming that Councillor Elsey would no longer be an appointee to the GPP Board, the Committee agreed to refer the decision back to Councillor Peach for reconsideration and to recommend that he appoint a non-Conservative Member to the vacant position on the GPP Board.

Councillor Peach reconsidered the decision and on 29 October 2008 took the following decision:

To approve the appointment of the following Councillors to the Greater Peterborough Partnership until May 2009 following the procedure set out in Part 3, section 5, paragraph 5.3.4 (i) of the constitution.

#### *Executive Appointments*

- GPP Board – Cllr Lee
- GPP Executive – Cllr Peach
- Children's Trust Partnership Board – Cllr Goldspink
- Cohesion Board – Cllr Murphy
- Community Safety Partnership – Cllr Murphy
- Environment Capital Partnership – Cllr Fitzgerald
- Health Partnership Board – Cllr Lamb
- Neighbourhood Investment Strategic Partnership – Cllr Collins
- Growth Partnership – Cllr Murphy

### *Non Executive Appointments*

- GPP Board – Cllr Walsh and Cllr Sandford
- GPP Executive – Cllr Holdich
- Environment Capital Partnership – Cllr Kreling
- Health Partnership – Cllr Rush

#### 1.2 **Traveller Transit Site Provision** – decision published 6 October 2008

A request for call-in was submitted on 7 October 2008 on the grounds that the decision did not follow the principles of good decision making set out in Article 12 of the Council's Constitution, specifically that the decision maker did not:

'realistically consider all alternatives and, where reasonably possible, consider the views of the public'.

On 16 October 2008, as a result of new information obtained from the Highways Agency and in light of the local concerns raised the decision maker withdrew the decision. The call-in request was therefore also withdrawn.

## 2. **SPECIAL URGENCY AND WAIVE OF CALL-IN PROVISIONS**

Scrutiny Procedure Rule 13.1 and Executive Procedure Rule 7 require any instances where the Council's special urgency provisions have been invoked, and/or the call-in mechanism was not applied, to be reported to the next available meeting of the Council, together with reasons for urgency.

Since the last report to Council, the special urgency measure has been invoked in respect of the following decision:

- **Peterborough Crematorium – Mercury Abatement – decision taken on 28 October 2008 by the Leader of the Council, Councillor Peach**

The Council's special urgency procedure was invoked in respect of this key decision as it could not be delayed until the expiry of the usual five day waiting period. The decision was required to be taken urgently as any delay would have prejudiced the Council's interests. The consent of the Chairman of Scrutiny Committee had been obtained to waive the requirement to wait for five days because of the statutory requirement on the Council to respond to its regulator within a prescribed timescale.

The Leader of the Council was recommended to:

- a) determine the Council's commitment to install mercury abatement plant at Peterborough Crematorium to comply with the requirements of The Environmental Permitting (England and Wales) Regulations 2007 and Environmental Protection (England) (Crematoria Mercury Emissions) Direction 2008;
- b) consider the proposed funding options detailed in the attached exempt annex and agree the most appropriate funding arrangement;
- c) give authority to the Chief Executive (or nominee) to notify the regulator (Environmental Health Officer) of the Council's intention to abate together with the steps taken to meet the statutory directive issued by the Department for Environment, Food and Rural Affairs (DEFRA).

There have been no instances where the call-in mechanism was suspended.

### 3. CABINET MEMBER DECISIONS

CABINET MEMBER AND DATE OF DECISION	DECISION TAKEN
21 September 2008  Councillor Goldspink	<b>Appointment of LEA Governor to Norwood Primary School</b>  To appoint Mr Nigel Smith, nominated by the governing body.
22 September 2008  Councillor Scott	<b>Discretionary Rate Relief from Business Rates for Charities, similar Organisations not established or conducted for Profit and Rural Businesses</b>  To approve the award of Discretionary Rate Relief for Charities and similar organisations and to approve the award of Discretionary Rural Rate Relief for the organisations as shown in the decision notice for a period of 3 years from 1 April 2008 until 31 March 2011.
24 September 2008  Councillors Fitzgerald and Scott	<b>The Green Backyard</b>  Authority to use the ex-allotment site owned by PCC, located on London Road for a period of three years for the purpose of creating an exemplar environmental demonstration facility. The project would cover all aspects of sustainability, enabling people to grow and produce their own food, encouraging communities to adopt renewable and sustainable ways of living, run skills courses to allow people to gain the knowledge required to adopt behavioural change.
7 October 2008  Councillor Murphy	<b>The Barnack Conservation Area Appraisal</b>  To approve boundary changes to the Barnack Conservation Area.
9 October 2008  Councillor Peach	<b>Peterborough City Council Lottery Grants</b>  To approve applications for grant funding from the City Council Lottery Grants Fund for the following grants:  <u><b>Special Project Grants: To approve payment (up to the maximum) of £300 each for the groups below:</b></u>  <ul style="list-style-type: none"> <li>• Hampton Cricket Club - £300 towards the hire of portakabin for teams to use as changing facilities whilst usual facilities (community building) were being rebuilt</li> </ul> <b>2. <u>Capital Grants: To approve payment (up to the maximum) of £500 each for the groups below:</u></b>

	<ul style="list-style-type: none"> <li>• Glinton Community Association - £500 towards the refurbishment of the village hall kitchen, specifically as a contribution towards re-tiling</li> <li>• Environclean Community Group - £500 towards the purchase of IT equipment for the group. This group, who focussed on education of the public about all aspects of waste management was based in Peterborough, and was applying for a grant to contribute to a project in Peterborough to change behaviour with particular regard to litter, in deprived areas of Peterborough.</li> </ul> <p><b>3. <u>Sport, Individual and Team Sponsorship:</u></b></p> <p><b><u>Individual Sponsorship: To approve payment of £300 each for the following persons</u></b></p> <ul style="list-style-type: none"> <li>• Samuel Cayley - £300 to take part in the European U17 Roller Hockey Championship in Italy</li> </ul> <p><b><u>Total Allocation: £1600</u></b></p>
<p>22 October 2008</p> <p>Councillor Scott</p>	<p><b>Sale of land and building known as 110 Paynels, Orton Goldhay, Peterborough</b></p> <p>To authorise the Chief Executive (in consultation with the Head of Strategic Property (as Corporate Property Officer,) Director of Strategic Resources and Cabinet Member for Efficiency and Business Improvement (who would liaise with the Leader of the Council) to conclude terms for the sale of the Freehold interest in 110 Paynels, Orton Goldhay, Peterborough to the existing Tenant, based on best consideration principles for the purpose and sum set out in the exempt annex.</p>
<p>22 October 2008</p> <p>Councillor Murphy</p>	<p><b>The Werrington Conservation Area Appraisal</b></p> <p>To approve boundary changes to the Werrington Conservation Area.</p>
<p>24 October 2008</p> <p>Councillor Fitzgerald</p>	<p><b>Parking Review</b></p> <p>To authorise:</p> <p>a) The introduction of zonal parking charges i.e. the parking charges are greater in those car parks closer to the city centre.</p> <p>b) A reduction in the maximum stay permitted in the Car Haven Car Park from 4 hours to 3 hours.</p> <p>c) The reintroduction of the 30 minute tariff in all car parks.</p>

	<p>d) An increase in the evening rate from £1.20 to £1.50 in all car parks where evening charges currently applied i.e. Pleasure Fair Meadow, Horse Fair Meadow, Dickens Street, Wellington Street, Bishops Road, Riverside, Car Haven, Brook Street, Trinity Street, Market Multi Storey Car Park and Craig Street.</p> <p>e) The revocation of the £4 all day charge operating in the Pleasure Fair Meadow, Horse Fair Meadow, Wellington Street, Dickens Street and Craig Street car parks introduced for the Town Bridge Works.</p> <p>f) An increase in all weekly, monthly, quarterly, annual and evening season ticket prices by 3% per annum.</p> <p>g) An increase in the cost of the Market Traders permit over a 3-year rolling increase to £30/month in year 1; to £40/month in year 2; and, to £50/month in year 3.</p> <p>h) The removal of free parking for blue badge holders from all off-street locations following accessibility improvements within the car parks, thereby making all off-street bays payable by all users.</p> <p>i) An increase in the fee for residents permits to £19 per annum for the first vehicle, £38 for the second vehicle and £57 for the third vehicle.</p> <p>j) The introduction of a six month residents permit for £12.</p> <p>k) The introduction of a charge of £5 to amend all forms of permits (residents, visitors and carers etc) and season tickets.</p> <p>l) The introduction of regular visitor's permits at a cost of £19 for the first vehicle and £38 for the second vehicle.</p> <p>m) The introduction of a scratch-card system for visitor permits at a charge of £10.00 per book by March 2009.</p> <p>n) The introduction of a carers permit at the same cost as a residents permit i.e. £19 per annum.</p> <p>o) The introduction of a 6-month visitors and carers permits at a cost of £12</p>
<p>27 October 2008</p> <p>Councillor Murphy</p>	<p><b>The Wansford Conservation Area Appraisal</b></p> <p>To approve boundary changes to the Wansford Conservation Area.</p>
<p>27 October 2008</p> <p>Councillor Murphy</p>	<p><b>The Orton Waterville Conservation Area Appraisal</b></p> <p>To approve boundary changes to the Orton Waterville Conservation Area.</p>

<p>27 October 2008</p> <p>Councillor Murphy</p>	<p><b>The Thorney Conservation Area Appraisal</b></p> <p>To approve boundary changes to the Thorney Conservation Area.</p>
<p>31 October 2008</p> <p>Councillor Scott</p>	<p><b>Award of Special Educational Needs (SEN) Transport Routes</b></p> <p>Approval was sought to award special education needs (SEN) transport routes to the following transport providers to commence on the first day of the school term January 2009 for a period up to approximately 3 ½ years to coincide with the end of school year July 2012. In accordance with the conditions of contract, the Council would have the option to extend the Contract or Route for a further period of up to 5 years from the end of the Contract or Route Period and would notify the Contractor of such extension by giving written notice:</p> <p>3 Star Ambassador  Ash School Transport  Bettacars  Diamond Cars  DTS - subject to financial approval  Eames  Eurocabs  First Choice Travel  Goldstar  Royal Taxis  Translinc Ltd  Woodgrange</p> <p>Delegated authority was sought for the Director of Environment and Community Services to renegotiate and award any routes that may subsequently need to change to meet the needs of the child following the award of the contract.</p>
<p>31 October 2008</p> <p>Councillor Goldspink</p>	<p><b>Appointments of LEA Governors:</b></p> <ol style="list-style-type: none"> <li>1. Discovery Primary School – Mrs Betty Fowler nominated by the governing body;</li> <li>2. Woodston Primary School – Mr Jonathan Symon nominated by the governing body;</li> <li>3. West Town Primary School – Catherine Honeyford nominated by the school</li> </ol>
<p>11 November 2008</p> <p>Councillors Fitzgerald and Scott</p>	<p><b>The Green Backyard, update</b></p> <p>Authority was sought to vary the terms of the decision dated 24 September 2008.</p>

	The revised decision sought authority to exceed the term of the lease to five years, with an optional break after 2 years with three months notice.
13 November 2008  Councillors Goldspink and Lee	<p><b>Promotion of Play</b></p> <p>The Cabinet members were asked;</p> <ul style="list-style-type: none"> <li>• to approve the allocation of Pathfinder funding across the Authority in line with appendix A to the report</li> <li>• to approve the application for Pathfinder status and Bretton Park as the site for the Adventure Playground</li> <li>• to agree to proceed with the consultation on the staffed play centres based on the objectives agreed with the Children and Life Long Learning and Community Development Scrutiny Panels in September 2008 and to remodel the service based on the objectives below and the consultation process.</li> </ul> <p>These objectives were;</p> <ul style="list-style-type: none"> <li>• To ensure access to play for all children across the city</li> <li>• To target resources on those areas in the city where outcomes are the poorest</li> <li>• To support parents and communities in developing play resources</li> </ul>
18 November 2008  Councillor Scott	<p><b>Corn Exchange, Peterborough</b></p> <p><b>This decision supplemented the previous CMDN "Corn Exchange, Peterborough" dated 20 June 2007.</b></p> <p>To authorise the Head of Strategic Property (as Corporate Property Officer), in consultation with the Solicitor to the Council to conclude negotiations for the Council to obtain vacant possession of the building prior to demolition and re-provision of the Streets, Square and Spaces Strategy for Cathedral Square Improvements (formerly known as the Public Realm Strategy).</p>
18 November 2008  Councillor Scott	<p><b>Schools Broadband Contract</b></p> <p>Authority to award Schools Broadband Contract to Udata Infrastructure UK Limited for a term of seven years commencing on 1<sup>st</sup> April 2009 and ending on March 31<sup>st</sup> 2016 for the provision of a Managed Service Broadband Network to Peterborough City Council schools.</p> <p>The services offered would include all communications and networking links and equipment, maintenance, support and management of the network and the provision of management information.</p>

<p>18 November 2008</p> <p>Councillor Scott</p>	<p><b>Preventative and Family Support Services contracts</b></p> <p>Authority to award preventative and family support service contracts to:</p> <p>i) Family Action (previously Family Welfare Association):</p> <ul style="list-style-type: none"> <li>• Services for Family Group Conferencing at "edge of care"</li> <li>• After school club for children with disabilities</li> </ul> <p>ii) Family Mediation Services:</p> <ul style="list-style-type: none"> <li>• Services providing family mediation for poorer families</li> <li>• Counselling for children and young people who are experiencing difficulties related to parental separation, divorce or domestic violence</li> </ul> <p>iii) Drinksense:</p> <ul style="list-style-type: none"> <li>• Services offering confidential advice, information, counselling and support for children of parents misusing alcohol</li> </ul> <p>iv) YMCA Cambridgeshire &amp; Peterborough:</p> <ul style="list-style-type: none"> <li>• Services helping children aged 7-13 identified as needing additional support through key transitions in their lives.</li> </ul> <p>v) Peterborough City Council Sports Development Team:</p> <ul style="list-style-type: none"> <li>• Disability sports project focusing on working with children and young People with disabilities and their families</li> </ul> <p>vi) Peterborough Women's Aid:</p> <ul style="list-style-type: none"> <li>• Support services for vulnerable children and young people living in the refuge with their mothers who are victims of domestic abuse.</li> </ul> <p>vii) Bridgegate Drugs Advice Service Ltd:</p> <ul style="list-style-type: none"> <li>• Services offering confidential advice, information, counselling and support to children of parents misusing drugs</li> </ul> <p>for the sums set out in the exempt annex.</p>
<p>19 November 2008</p> <p>Councillor Scott</p>	<p><b>Streets, Squares and Spaces Strategy Phase One Cathedral Square works</b></p> <p>Authority was sought to award the following contract to the respective contractor who was part of the Midlands Work Framework 3 (MWF3) contract, for the sum set out in the Exempt Annex:</p> <p>1) Streets, Squares and Spaces Strategy (formerly known as the Public Realm Strategy) Phase One; Cathedral Square, to Geoffrey Osborne Ltd.</p>

<p>25 November 2008</p> <p>Councillor Scott</p>	<p><b>Extension of Heltwate School to Provide Four Additional Classrooms and Associated Facilities</b></p> <p>Authority to award the contract for the extension of Heltwate School to provide four additional classrooms and associated facilities to M.A.R.S (Construction) Limited for the sum outlined in the exempt annex.</p>
<p>25 November 2008</p> <p>Councillor Goldspink</p>	<p><b>Appointments of LEA Governors:</b></p> <ol style="list-style-type: none"> <li>1. Highlees Primary School – Councillor Gul Nawaz nominated by the Conservative group</li> <li>2. Queens Drive Infants School – Helen Wade nominated by the Conservative group</li> </ol>
<p>27 November 2008</p> <p>Councillors Goldspink and Scott</p>	<p><b>Phase 2 Secondary School Review (South of the City) Project - Proposed Bushfield Academy</b></p> <ol style="list-style-type: none"> <li>1. To authorise the Executive Directors - Children's Services and Strategic Resources to sign the Expression of Interest if approved by the DCSF, for submission to Ministers</li> <li>2. To authorise the Executive Director - Children's Services in consultation with the Cabinet Member for Children's Services to carry out all the statutory procedures to close Bushfield School and open an Academy</li> <li>3. To authorise the Executive Director – Strategic Resources, in consultation with the Executive Director – Children's Services, and the Cabinet Members for Children's Services and Efficiency and Business Improvement, to appoint a Project Management Company to manage the feasibility and implementation phase of the project, including, but not limited to, working with the DCSF and Ormiston Trust as the sponsor</li> <li>4. To authorise the Executive Director – Children's Services, in consultation with the Cabinet Member for Children's Services, to appoint the Academy Principal working with the DCSF and Ormiston Education Trust as the sponsor</li> <li>5. To authorise the Executive Director – Strategic Resources to appoint any professional advisers required, including, but not limited to, legal, financial and technical advisers.</li> <li>6. To authorise the Head of Strategic Property in consultation with the Solicitor to the Council, and in consultation with the Executive Director Children's Services and the Cabinet Member for Children's Services to agree terms and enter into a short term lease for the Academy Trust to occupy the existing Bushfield School buildings.</li> </ol>

