

COUNCIL	AGENDA ITEM No. 7 (ii)
14 OCTOBER 2009	PUBLIC REPORT

**EXECUTIVE REPORT FOR INFORMATION -
RECORD OF EXECUTIVE DECISIONS**

1. DECISIONS FROM CABINET MEETING HELD 6 JULY 2009

1.1 PERFORMANCE MONITORING REPORT – YEAR 2008-2009

The report provided an overview of the council's performance between April 2008 and March 2009 against targets and indicators in the Local Area Agreement. In summary:

- For a small number of indicators there is still no way to measure progress
- At the end of the year there were 8 indicators where performance could not be measured
- Strong and improving performance was better at the end of the year than the beginning
- There were more amber indicators at the end of the year, but this has improved from a peak during Quarter 2
- The number of red indicators has remained the same as at the start of the year

During 2008/2009 there has been significant improvement in the way the organisation and its partners measure, monitor and manage performance. The performance management process now provides a framework to identify progress and delivery risks and supports improvements by providing extra help to solve problem areas.

CABINET RESOLVED TO:

Note the 2008/9 performance against the Local Area Agreement priorities.

REASONS

Failure to monitor performance would mean that Cabinet would not be able to ensure that the Council achieves its intended outcomes.

ALTERNATIVE OPTIONS

None required. The report was presented for monitoring purposes.

1.2 BUDGET MONITORING FINAL OUTTURN 2008/2009

Cabinet considered the Budget Monitoring Report – Final Outturn 2008/2009 which summarised the financial results for revenue and capital to the end of March 2009 and contained performance information on the treasury management activities, payment of creditors in services and collection performance for debtors, local taxation and benefit overpayments.

Cabinet was advised that the report, which had been incorporated into the Audit Committee report relating to the Statement of Accounts 2008/2009, had been considered by the Audit Committee at its meeting of 29 June 2009.

CABINET RESOLVED TO:

1. Note the final outturn position for 2008/09 on the Council's revenue and capital budget.
2. Note the performance on treasury management activities, payment of creditors in services and collection performance for debtors, local taxation and benefit overpayments.

REASONS

The monitoring report for the 2008/09 financial year is part of the process for producing the Statement of Accounts.

ALTERNATIVE OPTIONS

None required. The report was presented for monitoring purposes.

2. OUTCOME OF PETITIONS

Cabinet has considered the following outcomes in respect of petitions presented to full Council and **RESOLVED** to note the action taken as follows:

(a) Removal of Islands on Waterloo Road

This petition was presented to Council on 8 October 2008 by Councillor Kreling and expressed concerns about the installation of traffic islands on Waterloo Road which it was claimed had been done without public consultation or the support of the community. The petitioners requested the removal of the islands.

The Council's Head of Environment, Transport and Engineering had advised that the build outs within Waterloo Road were developer led rather than any schemes PCC had required or implemented. As part of the planning application for Century Square, it was evident that the existing vehicle to vehicle visibility splays at the point of the new access on to Waterloo Road were unacceptable to the Local highway Authority (LHA) and the applicant was advised that a scheme of build outs would be required. This was presented as part of the application and after some revisions, was found acceptable to the LHA. During that planning application, residents of Waterloo Road would have been consulted and would have been given the opportunity to make comments to the Planning Department.

Once the Section 278 application was received and being dealt with, the developer's construction company (SDC) and agent/consultant were both informed that it would be in their best interest to consult with the residents of Waterloo Road, or at minimum, keep them up to date. The developers stated that they had posted regular newsletters to the residents of Waterloo Road.

It was the view of the LHA that the build outs should not be removed as they were required in order to ultimately provide safe vehicle to vehicle visibility from the new residential development on to Waterloo Road.

(b) Parking of Vehicles from Eurocars – Fairfield Road and Glebe Road

This petition was presented to Council by Councillor Lee and concerned issues regarding the parking of vehicles from Eurocars in nearby residential streets.

The Council's Head of Environment, Transport and Engineering advised that it had been confirmed that the business was operating in accordance with its long standing planning permission. Unfortunately at the time the planning permission was granted, there were no conditions placed on the provision of parking, either within their site or in the surrounding streets. Consequently, planning enforcement had very little power to tackle the situation regarding the operation of the business.

The parking issues along Glebe Road had been ongoing and well documented for a number of years. The issues ranged from parking for workers at the former Elliott factory, the parking associated with Peterborough United Football Club on match days and also more recently with the Eurocar business and the parking of their rental vehicles. The Council had previously consulted with the residents of both Glebe Road and Fairfield Road proposing such measures as residential parking. On both occasions there was an overwhelming majority of residents who did not wish to have their parking restricted in this way, and the proposals were subsequently withdrawn.

As Peterborough United Football Club continued to be successful, the parking problems in the surrounding streets had worsened on match days and officers were exploring potential measures with the Football Club Safety Group with a view to tackling the parking issues and how they affected emergency access arrangements.

(c) Erection of Youth Shelter at Fulbridge Road Recreation Ground

This petition was presented to Council by Councillor Sharp and opposed a proposed youth shelter on Fulbridge recreation ground.

The Council's Head of Neighbourhoods advised that the suggestion to install a youth shelter at this recreation ground came as a result of a group of young people securing youth bank money to improve the facilities at the pavilion and recreation ground. A multi agency working group was formed to support the young people through the completion of their project and, from the outset, key services were consulted and a comprehensive engagement plan was put into place. This approach was designed to ensure that the local young people and residents felt fully informed and involved in the development procedures.

Research showed that if installed in the correct position, such shelters were often successful at reducing anti-social behaviour and fear of crime and Cambridgeshire Constabulary fully supported this provision for the young people in the area. The engagement plan was designed to give local people as much information as possible about the misconceptions regarding youth shelters to ease any concerns. Young people involved in the project, supported by local officers, spoke to the majority of residents about the development plans for the park. In summary the results from the engagement were positive, with a total of 81.4% feeling positive about the installation of a youth shelter at Fulbridge Recreation Ground. Given the majority of residents were in favour of the youth shelter, the project team decided to proceed with the installation but to continue to monitor its use closely.

3. CALL-IN BY SCRUTINY COMMITTEE

The Council's call-in mechanism has not been invoked since the last report to Council.

4. 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 call-in mechanism has been suspended in respect of the following decisions which are further outlined in item 4 below:

Special Urgency Provision:

(i) Peterborough Crematorium – Mercury Abatement

This key decision was required to be taken urgently and the Council's special urgency procedure was invoked. Any delay caused by the requirement to wait until the expiry of the usual five day waiting period would prejudice the Council's interests by significantly increasing the risk of the Council not being able to procure and install the equipment prior to the statutory deadline due to the heavy competition for available installation slots. The consent of the Chairman of Environment Capital Scrutiny Committee was obtained to waive the five day waiting period because the delay would not allow negotiations to continue during the administrator's timescale. The Council's Deputy Monitoring Officer was informed.

Special Urgency and Waive of Call-In Provision:

(ii) Nene Bridge Refurbishment Extension of Contract to include Fletton Underbridge & Bishops Road Bridge

This key decision was required to be taken urgently and the Council's special urgency procedure was invoked. The consent of the Chairman of Environment Capital Scrutiny was obtained to waive the requirement to wait for five days before the decision could be taken. This was in recognition of the need to authorise the project manager to award the work package urgently to avoid adverse impact on the construction programme which in turn would increase cost and jeopardise the funding package. Any delay in obtaining this approval would have prejudiced the Council's position. The Monitoring Officer was advised.

The Chairman of Environment Capital Scrutiny further agreed to waive call-in as undertaking the works under the existing traffic management scheme represented a significant saving to the authority and any delay in obtaining this approval may have seriously prejudiced the Council's position. The Monitoring Officer was advised.

5. CABINET MEMBER DECISIONS

CABINET MEMBER AND DATE OF DECISION	DECISION TAKEN
6 July 2009 Councillor Croft	<p>The Ailsworth Conservation Area Appraisal</p> <p>To approve boundary changes to the Ailsworth Conservation Area.</p>
6 July 2009 Councillor Croft	<p>The Glinton Conservation Area Appraisal</p> <p>To approve boundary changes to the Glinton Conservation Area.</p>
6 July 2009 Councillor Croft	<p>The Ufford Conservation Area Appraisal</p> <p>To approve boundary changes to the Ufford Conservation Area.</p>
10 July 2009 Councillor Seaton	<p>Discretionary Rate Relief from Business Rates on the grounds of Hardship.</p> <p>To consider the application for hardship relief and accept the recommendation that it be refused as outlined in the background information in relation to the company named in the exempt annex to the report.</p>
16 July 2009 Councillor Holdich	<p>Appointments of LEA Governors</p> <p><u>Sacred Heart Primary School</u> To appoint Mrs Sally Cleary-Corbett nominated by the governing body</p> <p><u>Bishop Creighton Primary School</u> To appoint Mrs Kelly Jane Moore nominated by the local authority</p> <p><u>Barnack Primary School</u> To appoint Mr Nick Lodge nominated by the governing body</p> <p><u>Heritage Park Primary School</u> To appoint Mr Christopher Harper nominated by the conservative group</p> <p><u>St Botolphs Primary School</u> To appoint Mrs Tracy Sortwell nominated by the governing body, changing from community to LEA governor.</p>
21 July 2009 Councillor Seaton	<p>Sale of Surplus Former Allotment Land at Itter Crescent Peterborough</p> <p>To authorise the Chief Executive (in consultation with the Head of Strategic Property (as Corporate Property Officer), Executive Director of Strategic Resources, and Cabinet Member for Resources (who would liaise with the Leader of the Council) to negotiate and conclude the sale of this surplus Council asset based on best consideration principles.</p>

<p>23 July 2009 Councillor Scott</p>	<p>Proposed new Children's Centre at Eye and Thorney Primary Schools</p> <p>Authority to award the contract for the construction of two Children's Centres buildings within the grounds of the Duke of Bedford Primary School (Thorney) and Eye Primary School to Mars (Construction) Ltd, for the price referred to in the exempt annex to the report.</p>
<p>24 July 2009 Councillor Seaton</p>	<p>Disposal of the Lady Lodge Arts Centre Site, Goldhay Way, Orton Goldhay</p> <p>To authorise the Chief Executive in consultation with the Head of Strategic Property, Executive Director of Strategic Resources and Cabinet Member for Resources (who would liaise with the leader of the Council) to negotiate and conclude the sale of this surplus asset based on best consideration principles to a single provider of specialist support in the area of early onset dementia and brain injury.</p>
<p>30 July 2009 Councillor Cereste</p>	<p>Appointments to External Organisations 2009-10</p> <p>To authorise appointments until the conclusion of the 2010/11 Appointments to External Organisations process.</p>
<p>3 August 2009 Councillors Holdich and Seaton</p>	<p>Peterborough City Council Phase 2 Secondary School Review (South of the City) Project</p> <p>The following decisions were required further to the:</p> <ul style="list-style-type: none"> • Cabinet Member Decision Notice dated 27 November 2008 which put in place delegations relating to the procedures to open the proposed Bushfield Academy in its existing buildings from September 2009 • Approval by the Minister of State for Schools and Learners dated 20 January 2009 which approved the Expression of Interest to convert Bushfield School to an Academy and released funds for the feasibility phase enabling the Local Authority together with Ormiston Trust to develop the detailed proposals for the Academy <p>The Cabinet Members were asked to authorise:</p> <p><u>1. Submission of the Outline Business Case to the Department for Children Schools Families</u></p> <ul style="list-style-type: none"> • the Project Team to complete and submit the Outline Business Case, including accompanying documents, to the Department for Children, Schools and Families and Partnerships for Schools for their endorsement and approval • the Executive Director - Children's Services, Executive Director Resources, Solicitor to the Council, the Cabinet Member for Resources and the Cabinet Member for Education, Skills and University to approve the content and issue of the Outline Business Case to the Department for Children, Schools and Families

2. Approval and publication of the Preliminary Invitation to Tender

- that issue of the Preliminary Invitation to Tender be delegated to the Executive Director Children's Services in consultation with The Cabinet Member for Education, Skills and University and the Cabinet Member for Resources

3. Evaluation of Preliminary Invitation to Tender responses and interviews held with the bidders to form a "short-list"

- the Project Team to finalise the pre-determined methodology for evaluation of the Preliminary Invitation to Tender responses and interviews to form a "short-list" and that the Project Teams recommendations be agreed by the Project Board
- that the Bidders Preliminary Invitation to Tender responses be evaluated by the Project Team and interviews be held with the bidders. Interviews would be based on the bidders scope of operation and their experience in the Academy market place as well as their methodology, approach to delivery of the Bushfield Academy vision and the resources they proposed for the project

4. Approval of the 'short-list'

- that a report be submitted to the Project Board by the Project Manager following detailed evaluation and interviews giving recommendations for endorsement by the Project Board
- the Executive Director of Children's Services to approve the "short-list" in consultation with Executive Director – Resources , Solicitor to the Council and the Cabinet Member for Education, Skills and University and the Cabinet Member for Resources

5. Approval and issue of the Invitation to Tender

- approval of the content and issue of the Invitation to Tender (and any associated documentation) be delegated to the Executive Director- Children's Services in consultation with the Executive Director – Resources, Solicitor to the Council and the Cabinet Member for Education, Skills and University and the Cabinet Member for Resources

6. Evaluation of Invitation to Tender Submissions

- the Project Team to develop and finalise the pre-determined methodology for evaluating bidders proposals
- that the pre-determined methodology for evaluating bidders proposals be agreed by the Project Board. However it should be noted that evaluation would include (1) site visits to schools the short listed bidders had both in construction and those which were operational (2) formal interviews and presentations by

- bidders (3) formal clarification meetings by bidders bids be evaluated in detail by the Project Team in conjunction with the :
 - Executive Director - Children's Services
 - Executive Director – Resources
 - Solicitor to the Council
 - Cabinet Member for Resources
 - Cabinet Member for Education, Skills and University
- or their delegated representatives

7. Approval of the "Selected Panel Member"

- that a report be submitted to the Project Board by the Project Manager following evaluation giving detailed recommendations for endorsement by the Project Board
- that the Project Board reports to the Chief Executive on the recommendations on approval of the "selected panel member"
- that the Chief Executive be authorised to approve the "preferred" bidder in consultation with Executive Director - Children's Services, Executive Director - Resources, Solicitor to the Council, the Cabinet Member for Resources and the Cabinet Member for Education, Skills and University.

8. Submission of the Final Business Case to the Department for Children, Schools and Families

- the Project Team to complete and submit the Final Business Case including accompanying documents which specifically included the final terms of the Design and Build contract and Academy Trust Development Agreement, to the Department for Children, Schools and Families and Partnerships for Schools
- the Executive Director - Children's Services, Executive Director - Resources of, Solicitor to the Council and the Cabinet Member for Resources and the Cabinet Member for Education, Skills and University to approve the content and issue of the Final Business Case to the Department for Children Schools Families
- that having received the Project Teams report on the outcome of the detailed negotiations and having consulted with the Executive Director - Children's Services, Executive Director – Resources, Solicitor to the Council, the Cabinet Member for Resources and the Cabinet Member for Education, Skills and University, the Chief Executive be authorised to award the contract, provided that it was considered that such an award was in the best interests of the Council and the Bushfield Academy.

9. Programme Summary

To note the following summary of the key procurement milestones with indicative dates :

Outline Business Case to Department for Children Schools Families -

	<p>August 2009 Issue Preliminary Invitation to Tender - October 2009 Shortlist of bidders - November 2009 Issue Invitation to Tender to bidders - December 2009 Select Panel Member - March 2010 Final Business Case to Department for Children Schools Families - June 2010 Bushfield Academy opens - September 2012</p> <p><u>10. Communications Strategy</u></p> <p>To note the Project Team would develop a Communications Strategy for the life-time of the Bushfield Academy Project. A project of this significance and scope had a very wide range of stakeholders who were all important to the delivery of a successful outcome. It was vital therefore that a comprehensive communications strategy is developed and adhered to. The strategy would be developed with specific focus on delivering communications :</p> <ul style="list-style-type: none"> - to coincide with the key milestones of the project and decisions made by Officers, the Project Team, the Project Board and those to whom authority had been delegated; - to the key stakeholders associated with the project and which would include all Members of the Council
<p>13 August 2009 Councillor Holdich</p>	<p>Appointments of LEA Governors:</p> <p><u>NeneGate School</u> To appoint Mr Anthony Robinson nominated by the local authority</p> <p><u>Leighton Primary School</u> To appoint Mrs Rona Metters nominated by the local authority</p> <p><u>Hampton College</u> To appoint Mr John Grant nominated by the local authority</p> <p><u>Peakirk-cum-Glinton Primary School</u> To appoint Mr Russell Atkinson nominated by the governing body, changing from parent to LEA governor.</p>
<p>14 August 2009 Councillor Seaton</p>	<p>Multi Functional Devices – Contract Extension</p> <p>Authority to undertake the option of extending the current contract for the provision of Multi Functional Devices (MFDs) with the Danwood Group plc, from the existing period of 10 September 2007 to 9 September 2010 for a further period of 2 years from 10 April 2010 to 9 September 2012. Provision for the contract extension was included in the original Key Cabinet Member Decision Notice.</p>
<p>20 August 2009 Councillor Seaton</p>	<p>Peterborough City Council Lottery Grants</p> <p>To approve applications for grant funding from the City Council Lottery Grants Fund for the following grants submitted in Period 1 of the 2009/10 grant round:</p>

	<p>1. <u>Start Up Grants: To approve payment (up to the maximum) of £150 each for the groups below:</u></p> <ul style="list-style-type: none"> Fellowes Gardens Residents Association - £150: Contribution towards room hire for their committee meetings, initial stationery and printing costs. This would enable them to represent the interests of all residents of Fellowes Gardens and encourage a better sense of community and wellbeing. <p>2. <u>Special Project Grants: To approve payment (up to the maximum) of £300 each for the groups below:</u></p> <ul style="list-style-type: none"> Peterborough Football Association Youth and Community Centre - £296.56: Contribution towards catering for visitors to the centre during the Dogsthorpe Festival. Zimbabwe Peterborough Community - £230: Contribution towards hire of a venue for a public day meeting. The event would include briefings and a presentation from representatives of a BBC funded programme for children and Froglife. <p>3. <u>Capital Grants: To approve payment (up to the maximum) of £500 each for the groups below:</u></p> <ul style="list-style-type: none"> Hampton Hargate Community Allotment Gardens - £500: Contribution towards a notice board at the allotment site to post information and advertise meetings and events. This would aid communication for those members who did not have email access. Newborough Bowls Club - £500: Contribution towards replacing the carpet bowls carpet and a half set of yellow bowls to enable members to identify whose bowls belonged to whom. Peterborough Football Association and Youth Community Centre - £500: Contribution towards a "Vertidrain" system to all three pitches to improve drainage. Werrington Neighbourhood Council - £462.87: Contribution towards production of display materials (posters, photos), a banner support stand and a gazebo for open air events. This would help them expand their role in community engagement and attendance at local events. <p>4. <u>Sport, Individual and Team Sponsorship Grants:</u></p> <p><u>Individual Sponsorship Grant: To approve payment of £300 each for the following persons:</u></p> <ul style="list-style-type: none"> Georgina Hendry - £300: to compete in the Women's Hocktoberfeast Hockey Tournament in Canada in October 2009. Shane Mills - £300: to compete in the national British BMX championships in Autumn 2009 season. <p><u>Allocation: £3,239.43</u></p>
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<p>24 August 2009 Councillor Seaton</p>	<p>Managed ICT Service</p> <p>To authorise the award of the Managed ICT Service contract to Serco Ltd for a term of eleven years commencing on 1 October 2009 and ending on September 31 2020 for the provision of a Managed ICT Service to Peterborough City Council, and</p> <p>To authorise the Executive Director - Strategic Resources to create a Partnership Vehicle (JV, LLP or other entity) with the preferred bidder Serco Ltd.</p>
<p>2 September 2009 Councillor Lee</p>	<p>Peterborough Crematorium – Mercury Abatement</p> <p>To approve the procurement of mercury abatement plant, new cremators and ancillary equipment through the Essex Procurement Hub from Facultatieve Technologies Limited (FTL) for the value outlined in the exempt annex to the report.</p>
<p>2 September 2009 Councillor Seaton</p>	<p>Provision of Cash Collection and Key Holding Services</p> <p>To authorise the extension of the provision of the Secure Cash Collection and Key Holding Services contract with Central Security Services Limited for a period up to 31 March 2010.</p>
<p>8 September 2009 Councillor Hiller</p>	<p>Nene Bridge Refurbishment Extension of Contract to include Fletton Underbridge & Bishops Road Bridge</p> <p>Authority was sought to extend the current Nene Bridge Refurbishment works to include Fletton Underbridge and Bishops Road Bridge, and to award the contract for the works to Geoffrey Osborne Limited for the sum set out in the exempt annex to the report.</p> <p>The Cabinet Member's approval was also requested to exempt these additional works from the requirements of the Contract Regulations. Under paragraph 3.18 of the Contract Regulations an urgent contract in excess of £500,000 may only be awarded if it has the approval of the Cabinet Member that the contract may be awarded other than in accordance with the usual requirements of the Contract Regulations and that the estimate for the works has been confirmed.</p> <p>The Solicitor to the Council was consulted and advised that this contract was not required to comply with the EU procedure and the Cabinet Member was therefore entitled to provide such an exemption if satisfied that it was justified.</p> <p>This decision was supplemental to an earlier decision notice dated 20 January 2009 authorising the award of a contract to refurbish the Nene Bridge to Geoffrey Osborne Limited.</p>
<p>21 September 2009 Councillor Holdich</p>	<p>Appointments of LEA Governors</p> <p><u>Marshfields School</u> To appoint Ms Celia Hewetson nominated by the local authority</p>

	<p><u>Heritage Park Primary School</u> To appoint Ms Jacky Wharton nominated by the local authority.</p>
<p>30 September 2009 Councillor Croft</p>	<p>East Midlands Spatial Strategy Partial Review: Options Consultation</p> <p>To approve Peterborough City Council's response to the East Midlands Regional Assembly's '<i>East Midlands Regional Plan: Partial Review – Options Consultation</i>'.</p>