

<b>COUNCIL</b>	<b>AGENDA ITEM No. 10</b>
<b>12 DECEMBER 2018</b>	<b>PUBLIC REPORT</b>

## **RECORD OF EXECUTIVE DECISIONS MADE SINCE THE LAST MEETING**

### **1. CABINET MEETING HELD ON 15 OCTOBER 2018**

#### **i. Medium Term Financial Strategy 2019/20 to 2021/22**

Cabinet considered the report and RESOLVED to approve:

1. The Tranche Two service proposals, outlined in Appendix E to the report as the basis for public consultation.
2. The updated budget assumptions, to be incorporated within the Medium Term Financial Strategy (MTFS) 2019/20- 2021/22. These were outlined in section 5.4 of the report.
3. The revised capital programme approach outlined in section 5.7 and referencing Appendix D to the report.
4. The Medium Term Financial Strategy 2019/20-2021/22-Tranche Two, as set out in the body of the report and the following appendices:
  - Appendix A – 2019/20-2021/22 MTFS Detailed Budget Position – Tranche Two
  - Appendix B – Local Government Finance Event Timeline
  - Appendix C – Performance Data
  - Appendix D – Capital Programme 2018/19 - 2021/22
  - Appendix E – Budget Consultation Document, including Budget Proposals
  - Appendix F – Equality Impact Assessments

Cabinet RESOLVED to note:

5. The future strategic direction for the Council outlined in section 5.6 of the report.
6. The forecast reserves position outlined in section 5.8 of the report.

#### **ii. Budget Control Report August 2018**

Cabinet considered the report and RESOLVED to note:

1. The Revenue Budgetary Control position for 2018/19 at August 2018 included a £6.482m overspend position on the revenue budget.
2. The key variance analysis and explanations that were contained in Appendix A to the report.
3. The estimated reserves position for 2018/19 as outlined in Appendix B to the report.
4. In year budget risks were highlighted in Appendix C to the report.
5. The Asset Investment and Treasury Budget Report as contained in Appendix D to the report.

## 2. CABINET MEETING HELD ON 19 NOVEMBER 2018

### i. Petition for Debate – Herlington Post Office

Cabinet considered the report and **RESOLVED** to note the petition and comments but took no action.

### ii. Peterborough Business Improvement District (Bid) Development

Cabinet considered the report and **RESOLVED** to approve the development of a Business Improvement District (BID) application for Peterborough City Centre.

### iii. Council Tax and Care Leavers

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

1. Note the content of the report;
2. Agree that in the absence of any national scheme, it was not appropriate for the Council to exempt care leavers from Council Tax;
3. Support the Director of Children's Services in writing to Central Government to suggest the implementation of a national scheme that provides some exemption from Council Tax to all vulnerable young people and adults up to the age of 25 living away from home;
4. Support the Director of Children's Services in writing to colleague Directors and seeking support in lobbying for a national scheme; and
5. Support the Director of Children's Services in writing to the Local Government Association and local MP's seeking support in lobbying for a national scheme.

### iv. Peterborough City Council Biodiversity Strategy

Cabinet considered the report and **RESOLVED** to recommend the Biodiversity Strategy to Full Council for approval.

### v. Budget Control Report September 2018

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

1. The Revenue Budgetary Control position for 2018/19 at September 2018 includes a £4.910m overspend position on the revenue budget.
2. The key variance analysis and explanations are contained in Appendix A to the report.
3. The estimated reserves position for 2018/19 is outlined in Appendix B to the report.
4. In year budget risks were highlighted in Appendix C to the report.
5. The Asset Investment and Treasury Budget Report was contained in Appendix D to the report.

### vi. Outcome of Petitions

Cabinet considered the report and **RESOLVED** to note the actions taken in respect of petitions.

### 3. CABINET MEETING HELD ON 3 DECEMBER 2018

#### Medium Term Financial Strategy 2019/20 To 2021/22 - Tranche Two

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

1. The Tranche Two service proposals, outlined in Appendix E.
2. The updated budget assumptions, to be incorporated within the Medium Term Financial Strategy (MTFS) 2019/20- 2021/22. These are outlined in section 5.4 of the report.
3. The revised capital programme approach outlined in section 5.7 and referencing Appendix D.
4. The Medium Term Financial Strategy 2019/20-2021/22-Tranche Two, as set out in the body of the report and the following appendices:
  - Appendix A – 2019/20-2021/22 MTFS Detailed Budget Position-Tranche Two
  - Appendix B – Local Government Finance Event Timeline
  - Appendix C – Performance Data
  - Appendix D – Capital Programme 2018/19- 2021/22
  - Appendix E – Budget Consultation Document, including Budget Proposals
  - Appendix F – Equality Impact Assessments
  - Appendix G– Budget Consultation Feedback

Cabinet **RESOLVED** to:

5. Note the future strategic direction for the Council outlined in section 5.6 of the report.
6. Note the forecast reserves position outlined in section 5.8 of the report.
7. Note the feedback received on the budget proposals, received via the consultation detailed in Appendix G.
8. Approve the proposed methodology for reviewing the Bus Subsidy in order to achieve savings of £150,000 as put forward in the Council's Tranche Two savings proposals.
9. Note that no changes would be implemented until consultation with end users had been completed. Progress on implementation would be reviewed at Cabinet on 3 February 2019. If consultation responses indicated that a different approach was required, this would be brought back to Cabinet and Council as part of the Council's Tranche Three proposals.

### 4. CALL-IN BY SCRUTINY COMMITTEE

Since the publication of the previous report to Council, the call-in mechanism has been invoked once:

- 1) This was in respect of the decision taken by the Cabinet Member for Resources on 24 October 2018 relating to an Executive Decision: Amendment of Loan Facility For Fletton Quays Hotel - OCT18/CMDN/47. The call-in request was considered by the Growth, Environment and Resources Scrutiny Committee on 7 November 2018. Following consideration of the reasons stated on the request for call-in and the response to the call-in, the Committee did not agree to the call-in of this decision on any of the reasons stated.

### 4. SPECIAL URGENCY AND WAIVER OF CALL-IN PROVISIONS

Since the publication of the previous report to Council the urgency, special urgency and waiver of call-in provisions have been invoked twice:

- 1) Award of Contract to HW Martin Waste Ltd. for the Management and Operation of Dogsthorpe Household Recycling Centre - KEY/12NOV18/08 - due to the nature of the construction and the potential for buried archaeology, there was some ambiguity on the exact date the replacement Fengate site would be ready to open to the public. It has only subsequently been possible to agree the terms of the extension period required and receive agreement from the operator of Dogsthorpe that they are willing to extend.
- 2) Amendment of Existing Loan Arrangements to Empower - NOV18/CMDN/57 - The urgent timescale is driven by external commercial factors. The Council had been reassured by Empower that full refinancing was progressing within agreed timescales. When it became clear that neither was the case the Council needed to spend time investigating and understanding why the outcome of Empower's refinancing process was not as expected, while considering the range of options now available to it. Those refinancing and other options currently under discussion with Empower LLP and external parties have only now reached a point at which specific recommendations and decisions can be made. The loan facility currently expires on 30 November 2018.

## 5. CABINET MEMBER DECISIONS

<b>CABINET MEMBER AND DATE OF DECISION</b>	<b>REFERENCE</b>	<b>DECISION TAKEN</b>
<p>Cabinet Member for Resources</p> <p>Councillor David Seaton</p> <p>22 October 2018 Date taken</p>	<p>OCT18/CMDN/46</p>	<p><a href="#">Town Hall Lease and Remodelling Project - OCT18/CMDN/46</a></p> <p>The Cabinet Member:</p> <ol style="list-style-type: none"> <li>1. Authorised the Council to enter into an Agreement for Lease and Lease on the agreed Heads of Terms with Cambridgeshire &amp; Peterborough NHS Foundation Trust (CPFT).</li> <li>2. Authorised the Council to enter into a Pre-Construction Services Agreement (PCSA) to the value of £116,203.19 and an Early Works Agreement (EWA) to the value of £154,471.08 with RG Carter (Cambridge) Ltd to respectively undertake design and enabling works in advance of the main construction works.</li> <li>3. Authorised the Council to enter into any other legal documentation on behalf of the council in relation to this matter, including a design and build contract for the main construction works subject to a full value for money report and Cabinet Member Decision Notice.</li> </ol>
<p>Cabinet Member for Resource</p> <p>Councillor David Seaton</p> <p>30 October 2018</p>	<p>CT18/CMDN/47</p>	<p><a href="#">Amendment of Loan Facility for Fletton Quays Hotel</a></p> <p>The Cabinet Member:</p> <ol style="list-style-type: none"> <li>1. Noted the change of ownership of Fletton Quays Hotel Ltd from Norlin Hotel Holdings Ltd to Propiteer Hotels Ltd and</li> </ol>

		<p>a) approved the amendment of the terms of the facility of £15m to provide funding for the construction of a Hotel on the Fletton Quays site from Norlin Hotels Holdings Limited and its subsidiary Fletton Quays Hotel Limited, to Propiteer Hotels Ltd and its subsidiary Fletton Quays Hotel Ltd; and</p> <p>b) approved the amendment of the term of the facility from 24 months commencing the date of SEPT 17/CAB/41 to 24 months from the date of the first drawdown</p> <p>2. Authorised the Interim Director of Law and Governance and Interim Corporate Director of Resources to exercise delegated authority to finalise and agree all necessary additional due diligence and any amendments to the business case to reflect the change of ownership and company structure noted in 1. above.</p> <p>3. Authorised the Interim Director of Law and Governance and Interim Corporate Director of Resources to exercise delegated authority to finalise and agree all necessary legal agreements with Propiteer Hotels Ltd for the purposes of facilitating these arrangements.</p>
<p>Cabinet Member for Waste and Street Scene</p> <p>Councillor Marco Cereste</p> <p>5 November 2018</p>	OCT18/CMDN/48	<p><a href="#">Award of Contract to HW Martin Waste Ltd for the Management and Operation of Dogsthorpe Household Recycling Centre</a></p> <p>With the approval of the Chairman of the Growth, Environment and Resources Scrutiny Committee Urgency, Special Urgency and waiver of call-in procedures have been invoked to suspend the requirement to advertise the decision for 28 days, publish the decision for 5 days prior to publication, and to suspend the 3 day call-in period.</p> <p>This is because until very recently, due to the nature of the construction and the potential for buried archaeology, there was some ambiguity on the exact date the replacement Fengate site would be ready to open to the public. It has only subsequently been possible to agree the terms of the extension period required and receive agreement from the operator of Dogsthorpe that they are willing to extend.</p> <p>The Cabinet Member approved the extension of contract for the management and operation of Dogsthorpe Householder Recycling Centre (HRC) to HW Martin Waste Ltd. for the period of 01 November 2018 to 17 February 2019. The total value of this extension and an estimation of the variable spend related to waste arising is £185,000.</p>
<p>Cabinet Member for Resources</p> <p>Cllr David Seaton</p> <p>21 November 2018</p>	NOV18/CMDN/49	<p><a href="#">Extension of the Peterborough Serco Strategic Partnership Services Agreement</a></p> <p>The Cabinet Member authorised extension of the Peterborough Serco Strategic Partnership Services Agreement with Serco Limited for a period of ten years between 28 November 2021 to 27 November 2031. The estimated value of the ten year extension shall be up to a maximum of £105,000,000.</p>

<p>Cabinet Member for Education Skills and University</p> <p>Cllr Lynn Ayres</p> <p>15 November 2018</p>	<p>NOV18/CMDN/50</p>	<p><a href="#">Decision to Award Compensation As Recommended By The Local Government Ombudsman</a></p> <p>The Cabinet Member authorised the payment of the recommended settlement amount.</p>
<p>Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>Cllr Peter Hiller</p> <p>28 November 2018</p>	<p>NOV18/CMDN/55</p>	<p><a href="#">Care and Repair Framework Agreement - Award of Contracts Lots 1 to 5</a></p> <p>The Cabinet Member authorised the award of placement on the Council's new Care and Repair Framework Agreement to the successful contractors who have submitted tenders to the new framework for Care &amp; Repair Works &amp; Services due to commence on 1 January 2019. This Framework Agreement will be for a period of 3 years to 31 Dec 2021 with an option to extend for a further year until 31 December 2022 and a further year beyond that to December 2023. The Framework Agreement has been split into 5 Lots. These are detailed below with successful bidders and total estimated Lot values for 3 years</p>
<p>Cabinet Member for Waste and Street Scene</p> <p>Councillor Marco Cereste</p> <p>28 November 2018</p>	<p>NOV18/CMDN/56</p>	<p><a href="#">Closure of the Waste Electrical and Electronic Equipment Reuse Facility</a></p> <p>The Cabinet Member agreed:</p> <p>a) In line with the proposed savings for the MTF5 2018 – 19 to close the Waste Electrical and Electronic Equipment (WEEE) reuse facility on 31 December 2018 currently operated by Amey Limited in fulfilment of the Council's service agreement with Enterprise managed Services Limited.</p> <p>b) To approve the variation of the services agreement with Enterprise Managed Services Limited to reflect the closure.</p>
<p>Cabinet Member for Resources</p> <p>Councillor David Seaton</p> <p>30 November 2018</p>	<p>NOV18/CMDN/57</p>	<p><a href="#">Amendment of Existing Loan Arrangements to Empower</a></p> <p>The Cabinet Member:</p> <ol style="list-style-type: none"> <li>1. Approved the amendment of the terms of the Strategic Partnership with Empower Community Management LLP</li> <li>2. Approved the amendment of the financing agreement with ECS Peterborough 1 LLP</li> <li>3. Approved the Council entering into such further agreements with ECS Peterborough 1 LLP and any other body necessary to facilitate the arrangements set out in this report.</li> <li>4. Delegated to the Corporate Director, Resources and Director of Law and Governance the ability to finalise matters 1 to 3 above.</li> </ol>

		<p>5. Delegated to the Corporate Director, Resources the ability to extend the funding facility which will be included in the financing agreement at 3. above on a monthly basis for up to 4months based on the methodology for extending the facility set out in this report</p>
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