

<b>COUNCIL</b>	<b>AGENDA ITEM No. 10</b>
<b>21 OCTOBER 2020</b>	<b>PUBLIC REPORT</b>

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

### **1. SHAREHOLDER CABINET COMMITTEE MEETING HELD ON 14 SEPTEMBER 2020**

#### **i. Review of Vivacity Transition Arrangements**

The Shareholder Cabinet Committee considered the report and **RESOLVED** to note and commented upon the progress being made to secure the safe transition of services from Vivacity, specifically referencing any points that need to be considered as part of the transition or following transition, relating to the other services overseen by Shareholder Cabinet Committee.

#### **ii. Opportunity Peterborough**

The Shareholder Cabinet Committee considered the report and **RESOLVED** to:

- Note the achievements and impact of Opportunity Peterborough with regards to support for the local economy and jobs creation.
- Note the opportunities for enhancing its services, and thus its impact, as laid out in the Business Plan in Appendix A.
- Note the challenges that the company will face should it be unsuccessful in securing a new contract with the CPCA.
- Recommend that Cabinet consider the continuing benefits of Opportunity Peterborough as a valued asset, and to pursue the potential to share costs and service outcomes with neighbouring authorities such as Cambridgeshire County Council and South Kesteven District Council.

### **2. CABINET MEETING HELD ON 21 SEPTEMBER 2020**

#### **i. University of Peterborough Project: Land Transfer and Delivery Arrangements**

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

1. Note the approval by the Cambridgeshire and Peterborough Combined Authority, at its Board meeting of 20 July 2020, of the final business case for the University of Peterborough project.
2. Note the selection by CPCA of Anglia Ruskin University (ARU) as the academic delivery partner for the new University and the intention of ARU to invest directly in the development of the University.
3. Approve the formation of a special purpose joint venture vehicle with CPCA and ARU in which the Council will retain shares of equivalent value to the land transferred into this company.
4. Authorise the transfer of around 4 acres of Council-owned land (edged in red in the site map at appendix 1) to a special purpose joint venture vehicle to be formed among the Council, the Cambridgeshire and Peterborough Combined Authority and Anglia Ruskin University for the purpose of delivering phase one of the University.

5. Delegate authority to the Executive Director Place and Economy and Director of Law and Governance to finalise the necessary legal and related documents needed to execute the recommendations and approach outlined in this report.
6. Delegate authority to the Executive Director Place and Economy and Director of Law and Governance to agree the transfer of further tranches of land to the joint venture company as may be needed to facilitate the delivery of further phases of the University subject to such land being identified for Higher Education related use within the local plan and suitable for development taking due account of the emerging University masterplan.
7. Authorise the Council to enter into a Subscription and Project Management Agreement to enable delivery of the University in Peterborough.
8. Approve the amendment of the 'Appointments to External Organisations' list to include the joint venture company within the 'key partnerships' category, to enable the Leader to appoint a Member to take up the position of non-Executive Director on the Board of the company.
9. Recommend to Full Council:
  - a. amends the Capital Strategy and Asset Management Plan to take account of the proposed transfer of this land to the special purpose joint venture vehicle.

**ii. Peterborough Limited Articles of Association**

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

1. Alterations to Peterborough Limited's (trading as Aragon Direct Services) Articles of Association ("Articles") to allow inspection by the Council and its auditors of documents relating to Peterborough Limited and the supply of such documents as set out in Appendix A;
2. Alterations to the Reserved Matters, Appendix B to allow Peterborough Limited to swiftly pursue commercial opportunities

**iii. Amendment to Arrangements with Empower**

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

1. Approve the amendment of the terms of the Strategic Partnership with Empower Community Management LLP.
2. Approve the amendment of the financing agreement with ECS Peterborough 1 LLP.
3. Delegate to the Acting Corporate Director Resources and Director of Law and Governance the ability to finalise matters 1 and 2 above.

**iv. Formation of a Cycling and Walking Member Working Group**

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

1. Agree to form a Cycling and Walking Member Working Group.
2. Review and approve the draft terms of reference for the Working Group

**v. Budget Control Report July 2020**

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

1. The Budgetary Control position for 2020/21 as at July 2020 is a forecast overspend of £9.6m against budget. This includes the current estimated impact of COVID-19;
2. The specific impact COVID-19 on the Councils expenditure and income and the additional funding being received;
3. The reduction in collection rates in respect of Council Tax and National Non-Domestic Rates, in comparison to the levels achieved in 2019/20, as outlined in section 4;
4. The additional funding that has been made available and allocated to the business community and households due to COVID-19, as outlined in section 4;
5. An update on the Medium Term Financial Strategy 2021/22 process as set out in section 4;
6. The key variance analysis and explanations are contained in Appendix A;
7. The Councils reserves position, as outlined within Appendix A.

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

8. The Capital virements contained in Appendix B, which include the purchase of 62-68 Bridge Street, and a contribution to a new access to the parkway as part of the University development which require additional borrowing to the existing capital programme.

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

Since the publication of the previous report to Council, the call-in mechanism has not been invoked.

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

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

- Agreement to lease 9 three-bedroom houses at Paston Lane, Peterborough - AUG20/CMDN/20 - With the approval of the Chairman of Growth, Environment and Resources Scrutiny Committee, special urgency procedures have been invoked to suspend the requirement to publish on the Forward Plan and the five day consideration period. These procedures have been invoked as initially it was anticipated that the agreement would be concluded in July 2020. In reliance on this the developer has a contractor ready and waiting to start on site and any further delay is likely to prejudice that arrangement and the overall progress of the scheme.
- Transfer of Services from Vivacity to Peterborough Limited and City College Peterborough - AUG20/CMDN/22 - With the approval of the Chairman of Growth, Environment and Resources Scrutiny Committee, the urgency procedure, special urgency procedure, and waiver of call-in procedure have been invoked to suspend the requirement to publish notice of the decision for 28 days, to suspend the requirement to publish the decision for five days, and to suspend the three day call-in period. This decision needs to follow special urgency procedures as outlined in the Councils Constitution because of the limited timescales to undertake the transfer of Leisure and Cultural services to the Council. Significant work has taken place since that date and the Report is the result of discussions with Vivacity and Partners to set out where these services will be delivered from the 17th September. The urgency of

this decision is to ensure there is clarity with Members and the public on what is happening and what these interim arrangements are. This is not on the forward plan.

- Award of Utility Contracts (Gas, Electricity, HH and NHH) to either suppliers under the ESPO or CCS Frameworks – AUG20/CMDN/25 - With the approval of the Chairman of Growth, Environment and Resources Scrutiny Committee, special urgency procedures have been invoked to suspend the requirement to publish for a five day consideration period, and the waiver of call-in procedure has been invoked to suspend the option to call the decision in. These procedures have been invoked due to the need to notify the supplier of the Council's intention to move to a green electricity tariff on the 1 October 2020, by 31 August 2020 (as requested by the new supplier (TG&P)). If the Council were to miss this deadline, it would remain on a brown electricity tariff, and would fail to achieve the targets previously committed to.

## 5. CABINET MEMBER DECISIONS

CABINET MEMBER AND DATE OF DECISION	REFERENCE	DECISION TAKEN
Deputy Leader and Cabinet Member for Adult Social Care, Health & Public Health  Cllr Fitzgerald  24/07/2020	JUL20/CMDN/18	<u>Direct award and tender of Extra Care services</u>  The Cabinet Member:  1. Directly awarded three services to Longhurst (as incumbent provider) on the basis of the financial savings offered. The contract would be for 2 years 7 months at a total cost of £2,340,818. 2. Noted the procurement of the remaining two schemes. 3. Authorised a 7 month extension in order to allow sufficient time for the procurement exercise above. The total value of the exemption would be £506,952.
Deputy Leader and Cabinet Member for Adult Social Care, Health & Public Health  Cllr Fitzgerald  24/07/20	JUL20/CMDN/19	<u>Extension of the Peterborough Integrated Sexual Health Service</u>  The Cabinet Member approved the following:  The extension of the Peterborough City Council commissioned Integrated Sexual and Reproductive Health service contract for Peterborough for a further 6 months, for the period 01 <sup>st</sup> October 2020 until 31 <sup>st</sup> March 2021; for a value of £783,149.00  Due to the ongoing COVID-19 pandemic, the procurement set out in the original CMDN (MAR20/CMDN/88) has been delayed and the decision has been taken to extend the existing services to ensure stability during this time. The transformational recommissioning of sexual and reproductive health services collaboratively between Cambridgeshire and Peterborough local authorities, Cambridgeshire and Peterborough CCG and NHS England will take place later in the year.
Cabinet Member for Housing,	AUG20/CMDN/20	<u>Agreement to lease 9 three-bedroom houses at Paston Lane, Peterborough</u>

<p>Culture and Recreation</p> <p>Cllr Allen</p> <p>07/08/2020</p>		<p>The Cabinet Member:</p> <ol style="list-style-type: none"> <li>1. Approved an agreement to lease 9 three-bedroom houses to be used for temporary accommodation and / or general needs affordable housing for a term of 20 years.</li> <li>2. Approved payment of the associated Stamp Duty Land Tax and professional fees.</li> </ol>
<p>Cabinet Member for Children's Services, Education, Skills and the University</p> <p>Cllr Ayres</p> <p>10/08/2020</p>	<p>AUG20/CMDN/21</p>	<p><u>Approval to enter into a Section 256 agreement with Cambridgeshire and Peterborough's Clinical Commissioning Group</u></p> <p>The Cabinet Member authorised the Council to enter into a Section 256 Agreement (pursuant to section 256 NHS Act 2006) with the Cambridgeshire and Peterborough Clinical Commissioning Group for receipt of funding relating to health funded support to children and young people and their families for the financial years 2020/2021 and 2021/2022.</p>
<p>Cabinet Member for Housing, Culture and Recreation</p> <p>Cllr Allen</p> <p>24/08/2020</p>	<p>AUG20/CMDN/22</p>	<p><u>Transfer of Services from Vivacity to Peterborough Limited and City College Peterborough</u></p> <p>The Cabinet Member approved:</p> <ol style="list-style-type: none"> <li>1. The transfer of services provided by Vivacity to Peterborough Limited and City College Peterborough;</li> <li>2. The proposed client arrangements and the associated processes to re-open services;</li> <li>3. The draft timetable and review process to transfer these services to their final delivery provider;</li> <li>4. The financial remuneration package for Peterborough Limited and City College Peterborough to deliver services in this interim period.</li> </ol>
<p>Cabinet Member for Strategic Planning and Commercial Strategy and Investments</p> <p>Cllr Hiller</p> <p>25/08/2020</p>	<p>AUG20/CMDN/23</p>	<p><u>Freehold acquisition of 62-68 Bridge Street, Peterborough, PE1 1DT</u></p> <p>The Cabinet Member:</p> <ol style="list-style-type: none"> <li>1. Approved the freehold acquisition of 62-68 Bridge Street, Peterborough.</li> <li>2. Approved associated stamp duty land tax and professional fees.</li> <li>3. Approved a contribution towards building conversion and fit out costs, subject to confirmation of financial support from the Towns Fund.</li> </ol>
<p>Cabinet Member for Digital Services and Transformation</p> <p>Cllr Farooq</p> <p>26/08/2020</p>	<p>AUG20/CMDN/24</p>	<p><u>Variation to the Council's Operational Services Agreement (Peterborough Serco Strategic Partnership Contract): Modification to scope of the PSSP Contract - Agresso Service Support element</u></p> <p>The Cabinet Member authorised a variation to the Council's Operational Services Agreement (Peterborough Serco Strategic Partnership Contract) ("PSSP Contract")</p>

		whereby the Agresso Service Support element is removed from the PSSP Contract's scope with effect from 1 October 2020.
Cabinet Member for Finance  Cllr Seaton  28/08/2020	AUG20/CMDN/25	<u>Award of Utility Contracts (Gas, Electricity, HH and NHH) to either suppliers under the ESPO or CCS Frameworks</u>  The Cabinet Member approved the new contractual arrangements for the Council's supply of electricity and gas under the ESPO framework. This includes switching to a 'green' electricity tariff which is one of the Council's declared 'top 20' actions for 2020/21.
Cabinet Member for Housing, Culture and Recreation  Cllr Allen  09/09/2020	SEPT20/CMDN/26	<u>Regional Pool: replacement option</u>  The Cabinet Member:  1. Endorsed the outcomes of the analysis set out in this report and the accompanying annexes and support the case for replacing the existing Regional Pool facility. 2. Approved the selection of Pleasure Fair Meadows as the preferred location for a new Regional Pool leisure facility subject to a detailed business case being developed. 3. Instructed Council officers to develop a detailed business case, working with Peterborough Investment Partnership.
Cabinet Member for Finance  Cllr Seaton  29/09/2020	SEPT20/CMDN/34	<u>Discretionary Rate Relief</u>  The Cabinet Member:  1. Approved the award of Discretionary Rate Relief for charities and similar organisations shown on the attached schedule at Appendix A to 31 March 2021; and  2. Rejected the applications for the award of Discretionary Rate Relief for charities and similar organisations shown on the attached schedule at Appendix B.
Cabinet Member for Strategic Planning and Commercial Strategy and Investments  Cllr Hiller  05/10/2020	OCT20/CMDN/35	<u>A605 Whittlesey Access Phase 2 - Stanground Access: Contract exemption for Cadent Gas works</u>  The Cabinet Member authorised an exemption from the Council's Contract Rules to allow a contract to be placed with Cadent Gas to undertake essential works associated with the A605 Whittlesey Access Phase 2 – Stanground Access highway scheme at a cost of £1,657,393.08. This CMDN does not increase the overall cost of the scheme.
Cabinet Member for Children's Services, Education, Skills	OCT20/CMDN/36	<u>Award of Contract - Provision of Child and Family Centres Services in Peterborough and Cambridgeshire</u>  The Cabinet Member authorised the award of contract to Barnardos Services Ltd for the delivery of children's

<p>and the University</p> <p>Cllr Ayres</p> <p>06/10/2020</p>		<p>centre services, due to commence on 18 January 2021. This contract will be for a period of 5 years, with an optional 2 year extension followed by 3 further extension periods of 12 months.</p> <p>The contract price shall be £6,691,590, for the five year contract period from 18 January 2021 to 17 January 2026.</p>
<p>Cabinet Member for Communities</p> <p>Cllr Walsh</p> <p>06/10/2020</p>	<p>OCT20/CMDN/37</p>	<p><u>Review and Re-Implementation of Gating and Designated Public Place Orders (Public Space Protection Orders)</u></p> <p>The Cabinet Member authorised the re-implementation of Public Space Protection Orders under Sections 60 and 61 of the Anti-Social Behaviour, Crime &amp; Policing Act 2014.</p>

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