

COUNCIL	AGENDA ITEM No. 7 (ii)
13 OCTOBER 2010	PUBLIC REPORT

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

1. DECISIONS FROM CABINET MEETING HELD 29 SEPTEMBER 2010

REVISED BIODIVERSITY STRATEGY

Cabinet received the City Council’s updated Biodiversity Strategy for consideration and was requested to refer it to Full Council for consideration as part of the major policy framework if appropriate.

CABINET RESOLVED TO:

- (i) endorse the Biodiversity Strategy prior to its consideration by Council as part of the major policy framework; and
- (ii) consider the requirement for additional resources during the development of the Council Budgets alongside other budget pressures.

PROGRESS ON THE DELIVERY OF THE ENVIRONMENT CAPITAL PORTFOLIO

Cabinet considered the proposed Home of Environment Capital Policy 2010 policy which would form part of the major policy framework to be considered by Council on 13th October 2010.

CABINET RESOLVED TO:

- (i) recommend the draft “Home of Environment Capital Policy 2010” policy to Council on 13th October 2010 for adoption as part of the Major Policy Framework; and
- (ii) support the Home of Environment Capital communication and marketing approach for implementation subject to the adoption of the Major Policy by Council.

HEALTH WHITE PAPER - EQUITY AND EXCELLENCE: LIBERATING THE NHS

Cabinet considered the proposed response from the City Council on the Health White Paper.

CABINET RESOLVED TO:

Submit the response to the government’s White Paper: “Equity & Excellence: Liberating the NHS” and its associated consultation documents.

CABINET FURTHER RESOLVED TO:

Strengthen the wording concerning future Health Scrutiny and its need for separation from Well Being boards.

EXECUTIVE ARRANGEMENTS

Cabinet considered the response of the public consultation to date.

CABINET RESOLVED TO:

Recommends to Council that it adopts the Strong Leader and Cabinet style of Executive Arrangements to take effect from May 2011.

PROPOSAL TO CHANGE THE NAME OF FLETTON WARD TO FLETTON & WOODSTON WARD

Cabinet considered a request to change the name of Fletton Ward to Fletton & Woodston Ward to reflect the fact that Fletton ward is made up of the Fletton and Woodston areas.

CABINET RESOLVED TO:

Recommend to Council that it agrees to consult all appropriate persons on the proposed change of name for Fletton Ward to Fletton & Woodston Ward.

BUDGET AND POLICY FRAMEWORK

Cabinet received the council's agreed Annual Budget Framework to consider the council's budget and financial strategy and to set provisional cash limits for the forthcoming year.

CABINET RESOLVED TO:

- (i) note the potential impact of the state of national public finances on the Council's future grant settlements and its implications for the medium term financial strategy;
- (ii) approve plans to consult with Scrutiny and Stakeholders on the medium term financial strategy earlier (one month) than previous years, reflecting the scale of the challenge facing the Council;
- (iii) approve the approach that is proposed for the budget process incorporating the medium term financial strategy (MTFS);
- (iv) approve the grant scenarios for departments to enable them to finalise options for financial years 2011/12 through to and including 2015/16 for further consideration; and
- (v) note that proposals will need to be considered for implementation during the current financial year to address the grant reductions announced for 2010/11.

BUDGET MONITORING - FINAL OUTTURN 2009/2010

Cabinet was asked to note the final financial performance for revenue and capital at 31 March 2010 and the performance information on treasury management activities, the payment of creditors in services and collection performance for debtors, local taxation and benefit overpayments.

CABINET RESOLVED TO:

- (i) Note the final outturn position (based on expenditure at the end of March 2010) on the Council's revenue and capital budget;
- (ii) Note the performance against the prudential indicators;

- (iii) Note the performance on treasury management activities, payment of creditors in services and collection performance for debtors, local taxation and benefit overpayments; and
- (iv) Note the financial uncertainty of local government financing in future years and how this could impact the Council.

OUTCOME OF PETITIONS

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

a) Petition for CCTV camera(s) to be installed on a permanent basis within Century Square, Millfield, Peterborough, Cambridgeshire PE1 3FR

This petition was presented to full Council on 26 July 2010 by Councillor Peach.

The Council's Resilience and Risk Services Manager responded on 2 September following information gathered from Safer Peterborough Partnership and the relevant Neighbourhood Team advising that incidents reported were mainly of anti-social behaviour and due to their nature, the cost of installing, maintaining and monitoring a CCTV system for Century Square could not be justified (2 cameras would be needed for this operation). Due to the nature of the offences, it was also not certain that CCTV would be an effective deterrent.

b) Petition opposing change in route to the number 5 bus through Bluebell Avenue

This petition was presented to Council by Councillor Swift.

The Council's Head of Planning Transport and Engineering responded to Councillor Swift and all signatories on the petition by letter dated 10 August advising that as the service is operated by a private company, Stagecoach, the Council is limited to what it can do regarding the operating routes. Stagecoach would have had approval to use the altered route from the Area Traffic Office at least 56 days in advance but there was no statutory requirement to advise residents of bus service changes. Speed checks and vehicle monitoring would be arranged on this route. All of the Stagecoach buses run on Ultra Low Sulphur Diesel including the additive Envirox to further reduce pollution. All city bus routes would be gritted in the winter times. Concerns over the stopping of buses at non-marked bus stops would be raised with Stagecoach.

c) Petition for Pavement Resurfacing in Dudley Avenue and Rockingham Grove

This petition was presented to Council by Councillor Sandford.

The Council's Highway Maintenance Team Manager responded to Councillor Sandford on 4 August and reiterated information sent to Councillor Sandford in April this year that inspections had been carried out and the pavements were not deemed to be in need of repair and any cracks or other defects were not serious enough to warrant major works in the foreseeable future. The Highway Maintenance Team Manager advised that any maintenance requests were assessed and considered alongside other requests across the city in order to identify and prioritise sites in a fair and measured way.

A further email was sent to Councillor Sandford on 12 August stating that a further inspection had been carried out on 10 August where some cracked slabs had been marked for repair due to the possibility of developing into a trip hazard and an order was raised with the contractor to resolve this.

d) Petition for refusal of planning application reference 10/00328/FUL at 157-161 Fletton Avenue

This petition was presented to Council by Councillor Walsh.

The council's Group Manager Planning Services responded to the lead signatory on the petition and Cllr Walsh advising that the considerations of the signatories would be taken into account when a decision was made on the application. The letter also advised that most planning decisions were taken by officers and not a formal meeting of the Planning and Environmental Protection Committee.

The Planning and Environmental Protection committee meeting of 7 September considered this application and subsequently, the planning application was approved by the committee.

e) Petition opposing introduction of residents' parking permits in Gloucester Road and St Johns Road

This petition was presented to Council by Councillor Serluca.

A public meeting was held between officers, residents and ward councillors on 25 August. The Zonal parking scheme as proposed has not received sufficient support to proceed. A refund will be provided upon request to all applicants. An alternative scheme is being considered.

f) Petition opposing introduction of residents' parking permits in Queens Road and Fairfield Road

This petition was presented to Council by Councillor Serluca.

A public meeting was held between officers, residents and ward councillors on 25 August. The Zonal parking scheme as proposed has not received sufficient support to proceed. A refund will be provided upon request to all applicants. An alternative scheme is being considered.

2. CALL-IN BY SCRUTINY COMMITTEE OR COMMISSION

Since the last report to Council, the call-in mechanism has not been invoked.

3. 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 special urgency provisions have been invoked in respect of the following decisions:

Special Urgency and Waiver of Call-in

Peterborough Bridges Refurbishment Programme 2010/11 - Nomination of Contractor through Midlands Works Framework 4

The Chairman of the Council's Sustainable Growth Scrutiny Committee agreed to the Council's urgency procedures being invoked in respect of this decision which:

(i) waived the five day consideration period; and
(ii) waived the three day call-in period;
as any delay caused by the consideration and call-in periods would have resulted in a delay to urgent work being undertaken to the Northey Gravel Bridge and would, in turn, have prejudiced the Council's and the public interest.

Betta Cars Contract Termination

The Chairman of the Council's Sustainable Growth Scrutiny Committee agreed to the Council's urgency procedures being invoked in respect of this decision which:

- (i) waived the need to be included on the Forward Plan
- (ii) waived the five day consideration period; and
- (iii) waived the three day call-in period;

as any delay would have significantly prejudiced the council's and public's interest as no home to school transport provision would have been in place for those who benefit from and rely upon the service to gain access to school and education.

4. CABINET MEMBER DECISIONS

CABINET MEMBER AND DATE OF DECISION	REFERENCE	DECISION TAKEN
Councillor Cereste 2 July 2010	JUL10/CMDN/066	<p>Appointment to the Voyager Cooperative Learning Trust</p> <p>The Leader of the Council and Cabinet Member for Growth, Strategic Planning and Economic Development authorised:</p> <ol style="list-style-type: none"> 1. inclusion of the Voyager Co-operative Learning Trust on the Council's list of Outside Bodies in the Strategic and Executive category of the Council's list of Outside Bodies, and 2. the appointment of Melanie Collins, Assistant Director - Learning & Skills, to represent the City Council on the board of the Voyager Learning Co-operative Trust for the 2010-2011 municipal year as agreed by Group Secretaries.
Councillor Holdich 8 July 2010	JUL10/CMDN/067	<p>Closure of Southfields Infant School and the extension of the age range of Southfields Junior School</p> <p>The Cabinet Member authorised:</p> <ol style="list-style-type: none"> 1. the closure of Southfields Infant School on 31 August 2010 (in accordance with paragraph 8 of Schedule 2 of the Education and Inspections Act 2006); and 2. the proposal to extend the age range of Southfields Junior School from 1 September

		2010 (in accordance with Section 21 of the Education and Inspections Act 2006).
Councillor Hiller 16 July 2010	JUL10/CMDN/068	Peterborough Bridges Refurbishment Programme 2010/11 - Nomination of Contractor through Midlands Works Framework 4 The Cabinet Member gave authority to: 1. waive Contract Regulations to permit the appointment of a single contractor from the Midlands Works Framework 4 (MWF4) for each of the five contracts for the reasons set out in the report; and 2. award the updated Peterborough Bridges Refurbishment contracts (as detailed in Annex 1) to Geoffrey Osborne Ltd within the budget for these works.
Councillor Holdich 20 July 2010	JUL10/CMDN/069	Appointment of Authority Governor - St John C of E Primary School To appoint Mr Gary Ball nominated by the governing body.
Councillor Holdich 20 July 2010	JUL10/CMDN/070	Appointment of Authority Governor - Winyates Primary School - To appoint Mr David Alvey nominated by the local authority.
Councillor Holdich 20 July 2010	JUL10/CMDN/071	Appointment of Authority Governor - St Augustines Junior School To appoint Mr David Kingdom who has been nominated by the governing body.
Councillor Holdich 26 July 2010	JUL10/CMDN/072	Extension to Hampton Hargate Primary School to Provide Six Additional Classrooms, Hall and Associated Facilities The Cabinet Member authorised the award of the contract for the extension of Hampton Hargate Primary School to provide six additional classrooms and associated facilities to M.A.R.S. (Construction) Limited for the sum referred to in the exempt annex.
Councillor Cereste 26 July 2010	JUL10/CMDN/073	Proposed New Children's Centre at Hampton Hargate Primary School The Leader of the Council authorised the award of the contract for the construction of a Children's Centre within the grounds of Hampton Hargate Primary School to M.A.R.S. construction Ltd for the sum outlined in the exempt annex.

Councillor Holdich 26 July 2010	JUL10/CMDN/074	School Term Dates 2011-2012 Approved the proposed term dates for the academic year 2011-2012.
Councillor Seaton 3 August 2010	AUG10/CMDN/075	Discretionary Rate Relief from Business Rates on the Grounds of Hardship The Cabinet Member considered the application for hardship relief and accepted the recommendation that it be refused as outlined in the background information in relation to the company named in the exempt annex.
Councillor Seaton 3 August 2010	AUG10/CMDN/076	Discretionary Rate Relief from Business Rates on the Grounds of Hardship The Cabinet Member considered the application for hardship relief and accepted the recommendation that it be refused as outlined in the background information in relation to the company named in the exempt annex.
Councillor S Dalton 11 August 2010	AUG10/CMDN/077	Registration as a participant in the Carbon Reduction Commitment Scheme The Cabinet Member authorised submission of the application for registration under the Carbon Reduction Commitment (CRC) Energy Efficiency Scheme.
Councillor Hiller 19 August 2010	AUG10/CMDN/078	Variation to Transport and Engineering Professional Services Contract The Cabinet Member agreed the variations (set out in the Exempt Annex) to the Contract with Atkins Limited for the provision of Professional Services in Transportation and Engineering.
Councillor Cereste 20 August 2010	AUG10/CMDN/079	Peterborough Site Allocations - Cemetery Provision Options Consultation Approved the Cemetery Provision Options report for public consultation during August/September 2010.
Councillor Lamb 25 August 2010	AUG10/CMDN/080	Supporting People Programme: Independent Living Support Service Enabled the transfer of Supporting People funding to NHS Peterborough to obtain statutory and non-statutory services for the Supporting People Independent Living Support Service for the sum referred to in the Exempt Annex. This funding arrangement was to be for a period of 1 year from 1 April 2010 to 31 March 2011 with an

		option to extend the funding arrangements for a further year from 1 April 2011 to 31 March 2012 and then a further year from 1 April 2012 to 31 March 2013. The decisions to extend for further years will be published Key Decisions.
Councillor Holdich 23 August 2010	AUG10/CMDN/081	Appointment of Authority Governor - Paston Ridings Primary School To appoint Miss Laura Haynes nominated by the local authority.
Councillor Holdich 23 August 2010	AUG10/CMDN/082	Appointment of Authority Governor - Highlees Primary School To appoint Mrs Janet Shaw nominated by the local authority.
Councillor Holdich 23 August 2010	AUG10/CMDN/083	Appointment of Authority Governor - Sacred Heart RC Primary School To appoint Mr Larry Binns nominated by the governing body.
Councillor Lee 31 August 2010	AUG10/CMDN/084	Betta Cars Contract Termination To terminate the council's contract with Betta Cars for providing passenger transport services for 19 home to school routes and 2 call off contracts for children's social care routes.
Councillor Holdich 3 September 2010	SEP10/CMDN/085	Appointment of LEA Governor - Ravensthorpe Riding Primary School To appoint Mrs Caroline Parsons nominated by the local authority.
Councillor Holdich 3 September 2010	SEP10/CMDN/086	Appointment of Authority Governor - Nenegate School To appoint Miss Joanne Cousins nominated by the local authority.
Councillor Holdich 3 September 2010	SEP10/CMDN/087	Appointment of Authority Governor - St John Fisher Catholic High School To appoint Ms Shan Oswald nominated by the local authority.
Councillor Holdich 3 September 2010	SEP10/CMDN/088	Appointment of Authority Governor - Jack Hunt School To appoint Miss Karen Moody nominated by the local authority.

<p>Councillor Holdich and Councillor Seaton</p> <p>9 September 2010</p>	<p>SEP10/CMDN/089</p>	<p>Ormiston Bushfield Academy - Development Agreement</p> <p>The Cabinet Members authorised the Council to enter into the Development Agreement with the Ormiston Academies Trust (OAT).</p>
<p>Councillor Holdich</p> <p>13 September 2010</p>	<p>SEP10/CMDN/090</p>	<p>Award of Contract - Heltwate School</p> <p>The Cabinet Member authorised the award of the contract for the alteration to Heltwate Special School to provide three refurbished classrooms, staffroom, life-skills area and covered courtyard to E.N Suiter and Sons Limited for the sum of £567,789.00.</p>
<p>Councillor Holdich</p> <p>21 September 2010</p>	<p>SEP10/CMDN/091</p>	<p>Appointment of Authority Governor - Watergall Primary School</p> <p>To appoint Mr Neelkumar Patel as nominated by the local authority.</p>
<p>Councillor Lee</p> <p>28 September 2010</p>	<p>SEP10/CMDN/092</p>	<p>Transfer of Contract and Lease of Materials Recycling Facility</p> <p>The Cabinet Member approved:-</p> <ul style="list-style-type: none"> (a) a novation (transfer) of the existing Contract for the Management and Operation of the existing Materials Recycling Facility; and (b) an assignment of the existing Lease which accompanies the Contract; <p>from Viridor Resource Peterborough Limited to Viridor Waste Management Limited.</p>
<p>Councillor Seaton</p> <p>30 September 2010</p>	<p>SEP10/CMDN/093</p>	<p>Award of Contract - Legal Services for the Medium Term Financial Strategy and Economic Development Projects</p> <p>The Cabinet Member authorised the award of the contract for provision of Legal Services for the Medium Term Financial Strategy & associated Economic Development Projects to Pinsent Masons LLP for a duration of three years plus an option to extend for a further year. Rates are in accordance with the rate card submitted in the exempt annex.</p>
<p>Councillor Seaton</p> <p>30 September 2010</p>	<p>SEP10/CMDN/094</p>	<p>Sale of surplus former allotment land at Monarch Avenue/Fletton High Street, Peterborough</p> <p>The Cabinet Member, in consultation with the</p>

		<p>Leader of the Council, authorised:</p> <p>(1) an application to the Secretary of State to grant consent for the disposal of the Monarch Avenue/Fletton High Street allotments and</p> <p>(2) the sale of the former allotment land at Monarch Avenue/Fletton High Street subject to a tripartite option agreement that the following obligations are fulfilled prior to sale:</p> <ul style="list-style-type: none"> • the council secures a favourable and unconditional Government Office Midlands (GOM) approval for the sale of former statutory allotment land. • the housing developer secures from the adjoining owner of land to the east of the site (an RSL) highway access into the proposed scheme; and • the Housing developer at their own risk, carries out all the due diligence in order to secure a planning approval for a Housing scheme.
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