

## **MINUTES OF CABINET MEETING HELD 7 FEBRUARY 2011**

### **PRESENT**

#### **Cabinet Members:**

Councillor Cereste (chair), Councillor S Dalton, Councillor Elsey, Councillor Hiller, Councillor Holdich, Councillor Lamb, Councillor Lee, Councillor Seaton and Councillor Walsh.

#### **Cabinet Adviser:**

Councillor Benton.

### **1. Apologies for Absence**

Apologies were received from Councillor Scott and also from Councillor Lee due to working a night shift.

### **2. Declarations of Interest**

No declarations of interest were given.

### **3. Minutes of Cabinet Meeting – 13 December 2010 and continued to 20 December 2010**

The minutes of the meeting held 13 December 2010 and continued on 20 December were agreed and signed as an accurate record.

## **ITEMS FROM SCRUTINY COMMITTEES AND COMMISSIONS**

### **4. Neighbourhood Council Review – Part One**

The Chairman of the review group, Councillor Burton, introduced the report and recommendations within. Cabinet noted the outcome of part one of a review of Neighbourhood Councils which had been undertaken by the Strong and Supportive Communities Scrutiny Task and Finish Group. The review was being undertaken in two parts, the outcome of the first part was attached at Annex 1 to the report. The outcome of the second part would be presented to Cabinet on 21 March.

A statement from Councillor Sandford was read out by Councillor Todd (both members of the review group) commending the recommendations that were before Cabinet today and thanking Councillors Cereste and Seaton for their support in the matter.

Councillor Hiller moved that the recommendations in the report be approved. Cabinet debated the report and recommendations within including detailed debate regarding recommendations 3 (annual budgets), 7 (use of Community Leadership Fund), 10 (rural north review), 14 (Special Responsibility Allowance for chairmen) and 15 (the overall commitment to see the agreed recommendations be carried out). The Solicitor to the Council advised that recommendation 7 concerning the pooling of Community Leadership Fund

(CLF) monies would not be possible without a separate Decision to change the scheme as CLF money should be spent within the ward it was allocated to.

Following debate, Cabinet **RESOLVED** to:

1. Agree that the principle of delegating as much revenue and capital funding as possible is a driving principle behind Neighbourhood Councils, in line with the spirit of the new Localism Bill, and that this principle is agreed by Councillors and shared with officers.
2. Commit to reviewing the Constitutional delegations to Neighbourhood Councils in support of maximising funding delegated to them.
3. Agree that the current level of £25,000 funding is guaranteed from 2011/12 for the medium term financial plan as a minimum sum available to each Neighbourhood Council to be offset by any POIS monies that become available to each Neighbourhood Council.
4. Agree that the process for determining and allocating POIS monies be carefully assessed and agreed to ensure that all parts of Peterborough benefit from growth and new development.
5. Agree that mainstream revenue budgets are disaggregated, wherever possible, feasible and legal, and delegated to Neighbourhood Councils. In agreeing to this a pilot programme to be implemented focussing on a specific part of Council activity before a more expansive roll-out programme.
6. Agree that Neighbourhood Plans are produced for each of the Neighbourhood Council areas in line with the thinking articulated in the Localism Bill in order to help determine how all funding and other resources delegated to Neighbourhood Councils should be spent.
7. Agree that the Community Leadership Fund is maintained at £10,000 per ward, but that 25% of that budget is allocated, if all ward members agree, to meet needs identified through the Neighbourhood Council Neighbourhood Planning process.
8. Agree that the frequency of Neighbourhood Council meetings be maintained at four per year in each area and that any future change to this pattern should see an *increase* rather than *decrease* in the frequency of meetings.
9. Agree that a thorough review be conducted of all other community-based meetings with a view to combining meetings wherever possible.
10. Agree that the ongoing but separate review of the Rural North Neighbourhood Council be included in the overall review of Neighbourhood Councils to ensure shared learning and avoidance of confusion and misinformation.
11. Agree that Neighbourhood Management Delivery meetings, led by the relevant Neighbourhood Manager, be created in all Neighbourhood Council areas as a means of engaging and progressing actions between Neighbourhood Council meetings.
12. Agree that minimal staffing costs be maintained by ensuring only essential Council officers are present at each Neighbourhood Council meeting.
13. Agree that ALL Councillors are encouraged, through a flexible and modern programme of continuous training and development, to actively participate in all aspects of Neighbourhood Council business, this training and development programme to incorporate the broader aspects of Neighbourhood Management, Localism and Big Society.

14. Agree that the agreed recommendations form part of an overall implementation plan for Neighbourhood Councils alongside the agreed recommendations that emerge from part two of the Review to be overseen by the cross-party working group formed from the task and finish group; and that the Constitution be updated accordingly to reflect any agreed recommended changes.

Cabinet further **RESOLVED** to:

1. Agree that a rural Councillor be a member of the review panel for the separate review of the Rural North Neighbourhood Council indicated in recommendation 10 above.
2. Disagree that Special Responsibility Allowance for Neighbourhood Council Chairs is no longer awarded; reflecting the greater role to be played by ALL Councillors in relation to Neighbourhood Councils and that each of the seven Neighbourhood Councils should elect its own Chair who should be a Councillor from one of the wards represented at that Neighbourhood Council.

## **REASONS FOR THE DECISION**

This report came to Cabinet following a request from the Strong and Supportive Communities Scrutiny Committee to conduct a review of Neighbourhood Councils. The review has taken into account the learning and experience from the first year of operations, in order to produce the recommendations for their continued development.

## **ALTERNATIVE OPTIONS CONSIDERED**

Option 1: Not to agree to the recommendations. The Committee do not recommend this as they consider it to be detrimental to the ongoing improvement and development of Neighbourhood Councils.

Option 2: Develop alternative recommendations. The Committee do not recommend this as they consider that the Task and Finish Group have conducted an in depth and objective review and therefore the recommendations put forward are considered to be the most effective way of improving the provision of Neighbourhood Councils.

## **STRATEGIC DECISIONS**

### **5. Peterborough Local Development Framework(LDF): Peterborough Core Strategy (Version for Adoption)**

Cabinet received a report following Council's decision on 2 December 2009 to approve the Peterborough Core Strategy (Proposed Submission Version) for the purposes of public consultation and submission to the Secretary of State. Such consultation had taken place and the plan was submitted to the Secretary of State. Subsequently, an independent Inspector appointed by the Secretary of State has sent her report to the Chief Executive setting out her conclusions on the Core Strategy. Cabinet was requested to refer the final Core Strategy document to Council for approval.

Councillor Hiller introduced and moved the recommendations in the report with additional information provided by Richard Kay, Policy and Strategy Manager, highlighting that the document provided for 25,000 new homes and over 24,000 new jobs. Minor additions were recommended from the Inspector including the need to consider the needs of the Gypsy and Traveller community when carrying out development works.

Councillor Holdich commended the document and seconded the recommendations.

Cabinet **RESOLVED** to:

1. Note the conclusions of the independent Inspector who was appointed to examine the council's submitted Core Strategy; and
2. Recommend to Council the adoption of the Peterborough Core Strategy, incorporating changes as recommended by the Inspector.

## **REASONS**

As outlined in the report, Council only has two options available to it; either adopt the strategy or not adopt the strategy. The former was recommended, as it was a statutory duty to prepare a core strategy and, in adopting it, Peterborough would have a clear and robust policy document setting out its vision, objectives and key planning policies.

## **ALTERNATIVE OPTIONS**

The option of not adopting the plan was not recommended, because in doing so the council:

- would have no clear vision or strategy as to how Peterborough will grow;
- would have no clear policies to progressively push forward on matters such as the environment, affordable homes and job creation; and
- would be at considerable risk of having to consider ad hoc major planning proposals from developers with no real basis or policy in place for considering such proposals (which in turn could lead to poorly planned growth, reduced investment in Peterborough, lower job growth, increased housing waiting list and insufficient provision of infrastructure due to uncoordinated, developer-led, development schemes).

In addition, should the Core Strategy not be adopted, this would mean that all other LDF documents currently under preparation (Site Allocations Document, City Centre Area Action Plan, Planning Policies DPD, etc) would need to be put on hold for perhaps 3-4 years until a revised Core Strategy was prepared, a situation which would exacerbate the issues identified above.

## **6. Affordable Housing Capital Funding Policy**

Cabinet received a report explaining and recommending approval of a draft Affordable Housing Capital Funding Policy document. Cabinet further received recommendations from the Sustainable Growth Scrutiny Committee of 2 February 2011 relating to the document.

Councillor Hiller introduced the report highlighting the need to continue to ensure affordable housing was available in the city and therefore a sound policy was needed to direct funding towards development projects.

During debate issues around clarification of what constituted a Registered Social Landlord, design quality and standards of buildings, sources of funding and previous funding policies were raised. Also considered during debate were letters from Stewart Jackson MP and Councillor Swift OBE respectively.

Cabinet **RESOLVED** to:

Adopt the Affordable Housing Capital Funding Policy, publish the policy document on the website and ensure appropriate bodies were made aware of the document subject to Council approval if appropriate.

Cabinet further **RESOLVED** to:

1. Agree to include further clarification as to who a 'registered provider' was in paragraph 2.1 of the policy document as recommended by Sustainable Growth Scrutiny Committee on 2 February 2011; and
2. Agree that should a Director seek to overrule and reject the recommendation of the panel to approve of a bid, a Cabinet Member Decision Notice would be required to approve that rejection as recommended by Sustainable Growth Scrutiny Committee on 2 February 2011.

## **REASONS FOR THE DECISION**

By adopting the policy, the city council would have in place an open, transparent, and fair process in place. It would encourage high quality bids, which in turn would enable a continued supply of high quality affordable housing provision.

## **ALTERNATIVE OPTIONS CONSIDERED**

No Policy Document: this option was rejected because a continuation of the current process could be open to challenge by Registered Providers or, from a wider perspective of public spend, the general public. This was not to say that the current process is wrong in any way, or has reached any unsatisfactory decisions, or has been challenged by anyone; rather it was considered that the process and policy needed to be updated, formalised and made more transparent.

Alternative Policy: Variations of the document attached at Appendix A to the report were possible, and Cabinet may have wished to seek changes. For example: the bid limits could have been increased or decreased; the criteria for assessing bids could have been amended; the scoring system to assess bids could have been varied (to put more weight on one criterion more than another). However, the policy document as attached had been thoroughly considered by a senior officer in housing, planning, finance, property and legal teams and was therefore considered to be sound and most appropriate.

## **7. Budget 2011/12 and Medium Term Financial Plan (MTFP) to 2015/16**

Cabinet received a report presenting budget proposals for 2011/12 through to 2015/16 in line with the provisional local government finance settlement. The report contained three key sections:

- Cabinet report and summary of changes since the December Cabinet meeting;
- The MTFP, including capital strategy, asset management plan and Treasury Strategy; and
- Budget consultation responses from stakeholders and resultant actions taken by Cabinet.

Councillor Seaton introduced the report recommending it to Council for approval. Councillor Seaton highlighted the financial constraints that were received from central government, a proposed freeze in council tax and the changes to earlier drafts following the public consultation process.

Councillor Holdich requested that the saving on post 16 school transport be removed from the final document to reflect previous agreements.

Following a proposal from Councillor Walsh, Cabinet agreed to pass its thanks to Councillor Seaton, John Harrison – Executive Director Strategic Resources – and the finance team within the council for the preparation of this budget.

Cabinet **RESOLVED** to:

1. Have regard to the consultation comments and statutory advice detailed in the report when determining the following budget recommendations:
2. Agree that the following be approved and recommended to Council on 23 February 2011:
  - a) That the MTFP is set in the context of the sustainable community strategy
  - b) The Budget monitoring report as the latest probable outturn position for 2010/11, noting the actions taken to deliver a balanced budget.
  - c) The revenue budget for 2011/12 and indicative figures for 2012/13 to 2015/16).
  - d) The capital programme for 2011/12 to 2015/16, associated capital strategy, treasury strategy and asset management plan.
  - e) The medium term financial plan for 2011/12 to 2015/16.
  - f) The proposed council tax freeze for 2011/12 and indicative increases of 2.5% for 2012/13 to 2015/16.
  - g) To spend at the level of the Dedicated Schools Grant for 2011/12 to 2015/16.
  - h) The proposals for reserves and balances.
  - i) The Annual Accountability Agreement with the Primary Care Trust for 2011/12.
3. These recommendations are put forward in advance of the final local government finance settlement being announced and assume that any changes arising from the settlement will be immaterial to the approval of the budget.

Cabinet further **RESOLVED** to:

1. Agree the recommendations contained within the tabled addendum, outlining the final grant settlement and other amendments, and for these amendments to be included within the final report to Council on 23 February 2011; and
2. Remove savings for Post 16 transport charges on page 67 of the report (£12k in 2011/12, £20k 2012-2016).

## **REASONS FOR THE DECISION**

The Council must set a lawful and balanced budget.

The Council is required to set a Council Tax for 2011/12 within statutory prescribed timescales.

Before setting the level of Council Tax, the Council must have agreed a balanced budget.

## **ALTERNATIVE OPTIONS CONSIDERED**

Alternative levels of Council Tax increase and areas for growth/savings can be considered but this must be seen in the context of the Corporate Plan and other constraints, along with the loss of council tax freeze grant that any increase would lead to.

## **MONITORING ITEMS**

### **8. Outcome of Petitions**

Cabinet noted the progress being made in response to petitions in accordance with Standing Order 13 of the Council's Rules of Procedure.

**CABINET RESOLVED TO:**

Note the actions taken in respect of petitions presented to Full Council.

**REASONS**

Standing Orders require that Council receive a report about the action taken on petitions. As the petition presented in this report has been dealt with by Cabinet Members or officers it is appropriate that the action taken is reported to Cabinet, prior to it being included within the Executive's report to full Council.

**ALTERNATIVE OPTIONS CONSIDERED**

Any alternative options would require an amendment to the Council's Constitution to remove the requirement to report to Council.

Meeting closed at 11.30 a.m.

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