

**MINUTES OF A MEETING OF THE SUSTAINABLE GROWTH SCRUTINY COMMITTEE
HELD AT THE BOURGES/VIERSEN ROOM - TOWN HALL ON 16 MARCH 2011**

Present: Councillors M Dalton (Chairman), S Allen (Vice-Chairman), Arculus, D Day, J Peach and S Lane

Officers Present: Andrew Edwards, Head of Peterborough Delivery Partnership
Simon Machen, Head of Planning, Transport and Engineering
Ruth Lea, Lawyer - Growth Team
Louise Tyers, Scrutiny Manager

1. Apologies for Absence

Apologies for absence were received from Councillors Allen, D Day and Murphy. Councillor Goldspink submitted his apologies for his late arrival.

2. Declarations of Interest and Whipping Declarations

No declarations of interest were made.

3. Minutes

3.1 Joint Scrutiny Meeting (Budget) - 6 January 2011

The minutes of the Joint Meeting held on 6 January 2011 were deferred until the next meeting.

3.2 2 February 2011

The minutes of the meeting held on 2 February 2011 were approved as a correct record.

4. Call In of any Cabinet, Cabinet Member or Key Officer Decisions

There were no requests for call-in to consider.

5. Complaints Monitoring Report 2009/10

The report gave a summary of the formal complaints received by the Council between 1 April 2009 and 31 March 2010.

The Corporate Complaints Policy had three-stages:

- Stage One (First Contact Complaint) – 10 working days
- Stage Two (Service Review) – 15 working days
- Stage Three (Independent Person Review) – 30 working days

During 2009/10 there had been a reduction in the number of complaints from 441 to 366. This decrease could be attributed to various factors such as better record keeping to avoid repeat complaints and ensuring only matters that fell under the complaints policy were treated as complaints. For example customers complaining about benefit or housing decisions would be advised of their appeal rights rather than pursuing matters as a complaint. The breakdown of complaints by department was:

The number of Stage One complaints				
Department	2008/2009		2009/2010	
	Total complaints received	Logged by CCO	Total complaints received	Logged by CCO
Chief Executive's Dep't	43	32	2	6
Children's Services	12	2	3	3
City Services	105	52	87	54
Operations	173	83	151	81
Strategic Resources	108	29	123	55
TOTAL	441	204*	366	199

* 6 complaint cases fell under a number of different departments

Of the complaints received 139 had been upheld, 160 had not been upheld and 67 had been partially upheld.

The number of Stage 2 complaints had remained the same as the previous year at 60 and was broken down as follows:

Stage Two Complaints By Business Unit	2008-09	2009-10
Chief Executive's Department	6	2
Legal and Democratic	0	2
Strategic Growth and Development	6	n/a
Children's Services Department	1	0
Learning and Standards	1	0
City Services	12	6
Recreation	3	0
Street Scene and Facilities	9	6
Operations	30	38
City Centre Operations	n/a	2
Cultural Services	4	5
Environment Transport and Engineering	8	9
Neighbourhoods	8	11
Planning Services	10	11
Strategic Resources	11	14
Customer Services	0	2
Revenues & Benefits	6	11
Strategic Property	5	1
Overall	60	60

Of the Stage 2 complaints 12 had been upheld, 34 had not been upheld and 14 had been partially upheld.

The Council had received 16 stage three complaints, compared to 25 during 2008-09. Of these complaints none had been upheld, four had not been upheld and 12 had been partially upheld.

Complaints at Stage 3 were investigated by the Compliance and Ethical Standards Team and investigators were asked to investigate and prepare a report within 20 working days. In seven of the 16 cases the decision was the same as that made at Stage 2, eight cases had a different outcome and one went straight to Stage 3. Where the decision at Stage 3 differed from Stage 2 this changed a Not Upheld case to a Partially Upheld. This showed there was still some merit in having a three Stage process but this would continue to be kept under review. Only four of these complaints were subsequently referred to the Ombudsman and in each case the Ombudsman's decision was in line with the Council's findings.

In July each year the Local Government Ombudsman (LGO) provided an annual review to the Council. The aim of the review was to provide a summary of complaints received in respect of the Council and included comments on performance and complaint-handling to assist us with service improvements that contributed to improved customer service. For 2009/10 the LGO received 45 complaints and enquiries relating to Peterborough City Council, compared to the 43 that were raised the previous year. The LGO proceeded to investigate 24 of these complaints about the Council, the same number of cases as the previous year. The table below outlines the number and types of decisions the Ombudsman made during the last three years.

Ombudsman's Decisions	2007-08	2008-09	2009-2010
Maladministration	0	1	0
Local Settlement	6	5	4
No or Insufficient Evidence of Maladministration	7	8	12
Ombudsman Discretion	4	9	6
Outside Jurisdiction	8	1	2
Overall	25	24	24

The annual review highlighted that the Ombudsman had made no decisions against the Council last year. This was an encouraging sign as it showed that the Council's own complaint investigations were robust and that the Ombudsman was agreeing with the Council's findings in a high percentage of cases. For the Council there were five cases classified as Local Settlements, that equated to 18% of the cases which the Ombudsmen decided were within their jurisdiction. In total the Authority paid £1500 in compensation on those local settlements and in most cases offers had been made to the complainants before referral to the Ombudsman. The LGO made written enquiries about 16 complaints in the year and they were pleased to note a steady improvement with regard to the average response time to their enquires, coming in at just over 29 days. The LGO did however, comment on the significant variations with some of the responses, for example an enquiry about an adult social care case took 53 days to respond to and a complaint about children and families took 140 days to respond. The LGO asked the Council to take the necessary steps to ensure that such delays were avoided in the future. Those concerns had been shared with senior management from both Adult Social Care and Children's Social Care to look into those delays and changes were made to their processes to ensure such delays did not reoccur. In summary the Ombudsman congratulated the Council's efforts in consulting his investigative staff about appropriate remedies in individual cases. He stated that the Council generally investigated complaints thoroughly and fairly and made good use of his published guidance on remedies.

The table below lists some service improvements following complaints that have been made.

Service Improvements Arising From Complaints	
Department	Service Improvement
Various	Training needs identified for staff
Customer Services	All faxes received will be logged and a record made of where the fax was forwarded to
Street Lighting	Night time inspections will be carried out by the council's maintenance contractor to identify any issues with lighting.
Environmental Enforcement	The advice and guidance provided to officers of how to conduct themselves whilst on patrol has been renewed to ensure that officers do not come across as intimidating to members of the public
Housing	Reminder issued to staff that customers should always receive a response to their telephone calls within a reasonable period of time

Questions and observations were raised around the following areas:

- There was concern that a response to the LGO had taken 140 days, were officers confident that it would not happen again? *We had learnt from that particular case and it would not happen again following a review of processes. The Central Complaints Team now chased if there was not a response by 14 days which was then escalated to the relevant Director if there was still not a response by 21 days.*
- Were these types of delays in responding common? *This length of response time was not common and procedures had now been put in place to ensure it did not happen again. In this particular incident some paperwork had also been sent to a court and they would not release the information, so now copies of all papers were kept at the Council.*
- Why was there an increase in the number of Stage 2 complaints for Revenues and Benefits? *There had been a significant increase in the number of families relying on benefits but it was now believed that the situation had now stabilised.*
- Was there a cost implication to the Council with the reduction in the number of people making complaints by email instead of using the telephone? *More services were now delivered through the call centre. It was difficult to explain why email was being used less and it was something officers would take away and think about. Also in the Your Peterborough magazine, complaints was the first number on the list of useful numbers so often that was why people called rather than using email.*
- What was the case of maladministration in 2008/09? *It was around planning and the issuing of planning consent which should not have been given. The neighbour had been unable to sell their property and so we had to pay compensation due to the reduced property value.*

ACTION AGREED

To note the information on the complaints received during 2009/10.

6. Peterborough Local Investment Plan

The report presented the Peterborough Local Investment Plan.

The Local Investment Plan (LIP) was a document initiated by the Homes and Communities Agency (HCA). The purpose of the LIP was to provide the first step in a funding application process towards the encouragement of strategic growth projects, with a particular emphasis on the provision of housing. The HCA were the intended recipient of the document, although

they were keen that it was also used as a tool to attract other possible inward investors. It had been based upon the Peterborough Integrated Development Programme (IDP), which had been adopted by Cabinet in December 2009. The LIP was more focussed and was intended by the HCA to be a very fluid document. Regular updates and revisions were expected from the Council in accordance with changing situations and priorities.

The LIP was presented in two parts. Evidenced policy text, from which the existing IDP document was heavily drawn upon, and a programme of specific proposed projects, which were currently made up of four large affordable housing developments and four transport infrastructure plans enabling residential development. The LIP was not in itself a funding application or binding agreement but was a plan where the projects within it were eligible for progression to the next stage of the application process. The LIP was intended to be a fluid document in that the content, notably the project content, could be revised on an ongoing basis, with specific project cases deleted, altered, or added to as required.

There was currently no definitive information from the HCA as regards to the volume of funds available or exactly how they would be prioritised and allocated, other than that it was anticipated that there would be unallocated budget becoming available to them during the course of 2011.

Questions and observations were raised around the following areas:

- There was a focus on new housing developments but it was not uncommon to find empty properties in any number of streets in the city. Actively pursuing a policy of bringing empty homes back into use could be an easy win.
- There was a need to ensure the redevelopment of the District Centres. Was the viability of the District Centres down to the traders? *There was concern at the amount of footfall to the trading units in the District Centres and this was due to a combination of the number of people using them but also the market offering.*
- What evidence was there that family sizes were declining? *Officers would provide the evidence on family sizes.*
- The document needed to be updated to include the most up to date data in a number of areas. Some of the information also needed to include comparison with national figures.
- It would be helpful to include what the NVQ levels were equivalent to for example GCSEs, A Levels or Degree level.
- The document made reference to the need for 38% of all new housing being built as affordable but this needed to be set against other figures around the need for 3 or 4 bedroom houses in the city.

ACTION AGREED

To support the adoption of the Local Investment Plan, developed in conjunction with the Homes and Communities Agency, in order that it can be used to help to attract inward investment into Peterborough, primarily for the purpose of encouraging residential regeneration.

7. Update on Prestige Homes

The report provided an update on what was being done to support and encourage the provision of prestige homes in Peterborough.

In March 2009 a research report was produced which examined the need for “top of the market” prestige (or executive) homes in Peterborough. The report concluded that there was a relative shortage of prestige homes in Peterborough and made two clear policy recommendations:

1. Preventing the loss of existing homes that serve, or could serve, this type of market; and
2. Securing the provision of more homes of the type that could meet the need at this end of the market.

The 2009 report had been used as part of the evidence base to help prepare various documents that made up the Local Development Framework (LDF), as set out below. Policies were included, or in draft, in those documents which, on the whole, both encouraged the provision of prestige homes.

- **The Core Strategy (Adopted February 2011):** Core Strategy Objective 7 and Policy CS8 (and its associated supporting text) referred to Meeting Housing Needs, and required the provision of a variety of housing in terms of size, type and tenure including encouraging “executive housing” and “prestige homes aimed at the senior professional and managerial market”.
- **Site Allocations DPD – Proposed Submission consultation version February 2011:** The Proposed Submission version of the Site Allocations DPD was currently available for public consultation until 24 March 2011. The document had been approved by Council in December 2010 and would be submitted to the Secretary of State in late April or May 2011. The Document built on the overarching support of the Core Strategy, and had an explicit policy on ‘Prestige Homes’ (Policy SA8) which included naming specific sites where such homes would be encouraged. The Site Allocations Document was scheduled for adoption in early 2012.
- **Planning Policies DPD – Consultation Draft February 2011:** The Planning Policies DPD would provide detailed planning policy to help in determining planning applications. This document was in the early stages of production and a consultation draft was currently available for public consultation until 24 March 2011. We would review all the comments made and prepare a Proposed Submission draft version of the document, which would be subject to further public consultation in the autumn / winter. The consultation draft included a policy (PP4) which restricted the loss of existing prestige homes. As stated, this policy was still in draft form, however the existing Peterborough Local Plan (First Replacement 2005) policy ‘H24 – Subdivision of Single Dwellings’ could in the meantime be used when determining planning applications on existing larger homes.
- **Monitoring the delivery of Prestige Homes:** The Strategic Planning and Enabling team monitored the number of new dwellings completed each year and produced a Housing Monitoring Report. The report monitored different tenures, but did not monitor different type and size of dwellings. We did not have a baseline of precisely how many prestige homes there currently were in Peterborough and we did not monitor the number of prestige homes built each year. The main reason for this was that it was somewhat subjective in determining whether a home (existing or built) qualified as a ‘prestige home’, and therefore it would be unduly burdensome and ineffective for officers to attempt to statistically monitor the situation. As such, there were no plans to commence such statistical monitoring of prestige home building.

Questions and observations were raised around the following areas:

- There was some concern that we were not able to monitor the number of executive homes built. There were a number of ways monitoring could happen including using the Council Tax bandings for example the number of Band H properties registered each month. *New Council Tax registrations could be used but that would not be through the planning process.*
- Could any analysis be done on current planning applications and the likely Council Tax bands they would fall in to? *That was not a feasible approach as each application would have to be valued.*
- A definition of what a prestige home was needed to be established as it could mean different things in different areas of the city.

- Members still had concerns that this area of development could not be monitored and suggested that officers could identify a number of ways that monitoring could happen and bring them to a future meeting.
- It was believed that in Peterborough there was an overbalance of smaller homes and some members wanted to see a fairer balance. We needed to encourage senior executives to move to Peterborough rather than towns such as Stamford or Yaxley. *Housing was not the only factor in attracting people to Peterborough and other areas needed to be looked at including the retail and education offers.*
- Some members were surprised that only a few sites were mentioned in the various documents for prestige housing and none were in the urban area. We needed to ensure there was good quality housing throughout the city.
- The Vawser Lodge/Peterborough District Hospital (PDH) site would be a good site for executive housing. *We would be actively promoting development on parts of that site with developers. We were having ongoing discussions with developers around other sites. However there was an issue with viability for developers and if they believed it was not viable to build executive homes they would not build them.*
- What was the Council doing to encourage self building? *Self build was quite risky as there were issues around financing and mortgages etc. Self build could be required as part of a large scheme but we could not allocate specific areas just for self build.*
- Could the number of bedrooms be a possible way of monitoring prestige homes? *The number of bedrooms was generally an easier way to monitor and could be done through the planning application.*

ACTION AGREED

That the Committee receives on a quarterly basis, outside of the committee meetings, details of the number of Council Tax Band G and H properties registered and the number of five bedroom houses which have gone through the planning process.

8. Progress on the Development of the City Centre Area Action Plan

The report provided an update on the progress made towards the City Centre Area Action Plan (CCAAP).

The CCAAP formed part of the Local Development Framework, sitting alongside and complementing the Core Strategy. Like the Core Strategy, the CCAAP would cover the period up to 2026, but whereas the Core Strategy provided an overall vision for the development of the city as a whole, the CCAAP was focused on the city centre. It would identify opportunity areas within the city centre and provided a vision and policy for their subsequent development or regeneration. As a statutory planning document, it would be subject to similar consultation processes and ultimately public examination by a planning inspector on behalf of the Secretary of State prior to being presented to Council for adoption.

Questions and observations were raised around the following areas:

- The boundary of the city centre proposed in the CCAAP was not as expected and some members felt that some areas should not be included. Why was the boundary set as it was? *The Council had not been in a position to fit this work in with the development of the Core Strategy and Site Allocations documents and it was accepted that it was not an ideal approach. The boundary had been decided by looking at the growth area and seeing what would be a suitable boundary. Synergies were looked at including the former PDH site and links to the station.*
- Including the PDH site was sensible but the Railworld site was not as you could not access it without leaving the city centre. Was it possible to alter the boundary? *The boundary was now fixed as part of the Core Strategy. The Strategy was about having flexibility around the development of the city centre and controlling what happened on those sites, many of which were brownfield sites.*

ACTION AGREED

To note the progress and approach being taken with the City Centre Area Action Plan.

9. Forward Plan of Key Decisions

The latest version of the Forward Plan, showing details of the key decisions that the Leader of the Council believed the Cabinet or individual Cabinet Members would be making over the next four months, was received.

ACTION AGREED

To note the latest version of the Forward Plan.

10. Date of Next Meeting

Wednesday 23 March 2011 at 7pm

CHAIRMAN
7.00 - 8.47 pm