

<b>COUNCIL</b>	<b>AGENDA ITEM No. 12</b>
<b>7 DECEMBER 2011</b>	<b>PUBLIC REPORT</b>

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

**1. DECISIONS FROM CABINET MEETING HELD 7 NOVEMBER 2011**

**SINGLE EQUALITY SCHEME**

Cabinet received a report following the implementation of the Equality Act 2010, setting out how the council would meet its statutory obligations and included an action plan setting out the timetable for doing so.

Cabinet considered the report **RESOLVED** to:

1. Request the Single Equality Scheme be submitted to the next meeting of Cabinet for approval following the inclusion of updated statistical data.

**PETERBOROUGH HOUSING STRATEGY 2011-2015 (INCORPORATING THE PETERBOROUGH STRATEGIC TENANCY POLICY) (DRAFT VERSION FOR CONSULTATION)**

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

Approve the Peterborough Housing Strategy 2011-15 (incorporating the Peterborough Strategic Tenancy Policy) for the purposes of public consultation.

Cabinet further **RESOLVED** to:

1. Include information in the document on where renewable energy planning policy information would be available from as recommended by Sustainable Growth Scrutiny Committee; and
2. Amend the wording of the final paragraph of the 'Ensuring a varied housing offer that supports mixed communities' section in Objective Four on page 25 of the document and Policy HS34, as recommended by Sustainable Growth Scrutiny Committee, to read as follows:

“Furthermore, to promote social cohesion Council encourages an integrated approach to affordable housing provision on new development rather than social segregation. This involves the Council working with developers and housing association partners to create a mix of affordable housing dwellings and private dwellings throughout the development in an attempt to minimise social exclusion and encourage mixed communities.

**Policy HS34**

In its role as housing enabler, the Council will work with developers and housing associations to ensure affordable housing provision is effectively integrated into new development.

## 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 14 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

#### **Award of contract for the Extension and Refurbishment of the John Mansfield Centre - OCT11/CMDN/114**

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;

The tender price for the works expired on 22 October 2011. Were approval not secured by this date a further tender exercise would have been needed to take place thus building in further significant delay to the project; further delay would also have resulted in future tender prices increase subjecting the City Council to additional project costs and potentially putting the project in jeopardy should revised tender prices be in excess of the budget available; and further delay would also have exposed the City Council to a claim for loss of earning from the Innova Development Trust which was due to take on the John Mansfield Centre on a 99 year lease.

### Urgency

#### **Award of contract: Drugs and Alcohol Misuse Services for Children and Young People - OCT11/CMDN/115**

The Chairman of Sustainable Growth Scrutiny Committee was advised of the intention to invoke the Urgency procedure in respect of this decision which:

(i) waived the need to be included on the Forward Plan;

The value of the contract was not forecast to exceed £500,000 as the efficiencies resulting from the merger of the two services should have enabled bidders to come in under £500,000. The transition to the new provider had a TUPE implication which required a lead in time of at least 30 days and if officers waited until November for the decision, which was the earliest time it could be taken if we were to include it into the next Forward Plan, then the Supplier would not have sufficient time to mobilise effectively for the contract start date of 1 January 2012 and the council would not have the services in place for the start of January resulting in a disruption in services which would put young people and children with misuse problems at risk.

#### 4. CABINET MEMBER DECISIONS

CABINET MEMBER AND DATE OF DECISION	REFERENCE	DECISION TAKEN
Councillor Hiller 4 October 2011	OCT11/CMDN/108	<p><b>Street Lighting Efficiency Programme 2011/12 - Award of Contract</b></p> <p>The Cabinet Member for Housing, Neighbourhoods &amp; Planning approved the contract award for the Street Lighting Efficiency Programme to BAM Nuttall Limited for the sum of £452,365.35.</p>
Councillor Hiller 5 October 2011	OCT11/CMDN/109	<p><b>Peterborough City Council's Response to the Draft National Planning Policy Framework (NPPF)</b></p> <p>The Cabinet Member approved Peterborough City Council's response to the draft National Planning Policy Framework for the purpose of submission to the Department of Communities and Local Government by the 17<sup>th</sup> October 2011 deadline.</p>
Councillor Holdich 6 October 2011	OCT11/CMDN/111	<p><b>Appointment of Authority Governor - Nenegate Primary School</b></p> <p>The Cabinet Member appointed Mrs Margaret Short who had been nominated by the local authority.</p>
Councillor Walsh 12 October 2011	OCT11/CMDN/112	<p><b>Contract Award - Adult Drug Treatment Services</b></p> <p>The Cabinet Member approved the award of the contract for the delivery of Adult Drug Treatment Services within Peterborough to Crime Reduction Initiatives (CRI) for £6,937,718. The contract included the following services, tendered in four Lots:</p> <ul style="list-style-type: none"> <li>• Open Access;</li> <li>• Criminal Justice;</li> <li>• Specialist Prescribing; and</li> <li>• Recovery &amp; Reintegration.</li> </ul> <p>The contract would run for the period 1<sup>st</sup> January 2012 to 31<sup>st</sup> March 2015, subject to funding being available for each year, with the option to extend for a further twelve months to 31<sup>st</sup> March 2016.</p>
Councillor Seaton 13 October 2011	OCT11/CMDN/113	<p><b>Award of grants to not-for-profit organisations 2011 through to 2011-2012</b></p> <p>The Cabinet member for Resources to authorised the award of the following grants:</p> <p><b>Voluntary Sector Organisations: 1<sup>st</sup> October 2011 to 31<sup>st</sup> March 2012</b></p>

		<ul style="list-style-type: none"> <li>• Age Concern (Advice and Information) £9,925</li> <li>• Age Concern (Befriending) £23,550</li> <li>• Age Concern (Premises) £7,000</li> <li>• DIAL Peterborough £16,325</li> <li>• GladstoneConnect £11,135</li> <li>• PCVS Volunteer Centre £10,000</li> <li>• PeterboroughMediation £9,760</li> <li>• Peterborough Racial Equality Council £19,810</li> <li>• Peterborough Women's Aid £32,380</li> <li>• Peterborough Women's Centre £9,000</li> <li>• Peterborough Workspace £35,000</li> <li>• Victim Support Cambridgeshire £4,425</li> <li>• WRVS £11,140</li> <li>• Peterborough Women's Aid - (Advocacy Service) Up to £15,874</li> </ul> <p><b>Tenants and Residents Associations</b></p> <ul style="list-style-type: none"> <li>• Approval for the Head of Neighbourhoods to award grants to registered tenants and residents associations up to a maximum combined budget of £5,000</li> </ul> <p><b>Riverside Pavilion Limited</b></p> <ul style="list-style-type: none"> <li>• Grant for 2011/12 £20,000</li> </ul> <p><b>Focus Centre, Dogsthorpe</b></p> <ul style="list-style-type: none"> <li>• Grant for 2011/12 £30,000</li> </ul> <p><b>Cohesion Board Projects</b></p> <ul style="list-style-type: none"> <li>• Peterborough Racial Equality Council <ul style="list-style-type: none"> <li>○ (Educational working group) £1,000</li> <li>○ Hate Crime Task and Finish Group £3,000</li> <li>○ (Tension Monitoring Group) £2,000</li> </ul> </li> <li>• East of England Faith Council £5,000</li> <li>• Faith and Cohesion Network £4,000</li> <li>• Race Equality Network £5,000</li> <li>• Disability Forum £2,000</li> <li>• Cohesion Grants (£500 max per group) £18,000</li> <li>• One off specific grants relating activities £4,000</li> <li>• Start up grants for Community Groups £1,000</li> </ul>
Councillor Walsh  13 October 2011	OCT11/CMDN/114	<p><b>Award of contract for the Extension and Refurbishment of the John Mansfield Centre</b></p> <p>The Cabinet Member for Community Cohesion and Safety authorised the award of the contract to Burmor Construction Limited, for the extension and refurbishment of John Mansfield Centre Peterborough, for the sum of £957,227.27.</p>
Councillor Scott  14 October 2011	OCT11/CMDN/115	<p><b>Award of contract: Drugs and Alcohol Misuse Services for Children and Young People</b></p> <p>The Cabinet Member for Children's Services authorised</p>

		the award of a 3 year and 3 month contract with an optional 1 year extension to Drinksense for the provision of Drugs and Alcohol Misuse Services for Children and Young People from 1 January 2012 until 30 March 2015 for the sum of £526,464 which included capital and operational costs necessary to run the services.
Councillor Holdich  19 October 2011	OCT11/CMDN/116	<p><b>Longthorpe Primary School Modernisation</b></p> <p>The Cabinet Member authorised the award of the contract for the modernisation works at Longthorpe Primary School to include provision of six replacement classrooms with associated facilities, roofing to the existing courtyard, new offices, meeting room, staff room, extended services base and reception area to E.N. Suiter and Sons Ltd for the sum of £1,498,565.00.</p>
Councillor Seaton  17 October 2011	OCT11/CMDN/117	<p><b>Discretionary Rate Relief from Business Rates for Charities, Similar Organisations Not Established or Conducted for Profit (renewals)</b></p> <p>The Cabinet Member:</p> <ol style="list-style-type: none"> <li>1) Approved the award of Discretionary Rate Relief for charities and similar organisations shown on the schedule at Appendix A to 31 March 2013; and</li> <li>2) Rejected the applications for awards of Discretionary Rate Relief for charities and similar organisation as shown on the schedule at Appendix B.</li> </ol>
Councillor Lee and Councillor Seaton  20 October 2011	OCT11/CMDN/119	<p><b>Manor Drive Managed Service - Outcome of Final Tender Evaluation and Identification of Preferred Bidder -</b></p> <p>The Cabinet Member:</p> <ol style="list-style-type: none"> <li>(1) Noted the evaluation methodology used for the purpose of evaluating the final bidders' tenders which was pre-determined and issued to bidders as part of the invitation;</li> <li>(2) Noted the scores and rankings following evaluation of the final tenders and the reasons for the scores and rankings as set out in Exempt Annexes 1, 2 and 3;</li> <li>(3) Identified the name of the preferred bidder for Manor Drive Managed Service which is Serco Limited as having submitted the most economically advantageous tender to the Council;</li> <li>(4) Agreed that the broad range of service elements (including their component parts) to be included in the scope of the partnership at the commencement were:- <ul style="list-style-type: none"> <li>- Shared Transactional Services;</li> <li>- Business Support;</li> <li>- Customer Services (but not Bereavement and Registrars Services);</li> </ul> </li> </ol>

		<ul style="list-style-type: none"> <li>- Financial Systems Support;</li> <li>- Operational Procurement;</li> <li>- Business Transformation and Strategic Improvement;</li> <li>- Strategic Property;</li> </ul> <p>(5) Granted a 10 year partnership term subject to the ability to extend it for 2 further periods each of 5 years;</p> <p>(6) Endorsed that a Strategic Partnership Board would oversee the partnership providing such strategic direction for the delivery, development and growth and resolving any escalated issues or other matters which require high level input or direction as part of the governance arrangements;</p> <p>(7) Agreed the following would be the Council's representatives on the Strategic Partnership Board:-</p> <ul style="list-style-type: none"> <li>- Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning (who will Chair the meetings of the Board at least for the first year);</li> <li>- Cabinet Member for Resources; and</li> <li>- Executive Director – Strategic Resources.</li> </ul> <p>(8) Noted the timescales that applied for commencement of the partnership referred to in Annex 4;</p> <p>(9) Agreed that on expiry of the call-in period relating to this decision, Serco Limited be formally identified and appointed as the preferred bidder for the partnership on suitable conditions to include the award of the partnership contract subject to:-</p> <ul style="list-style-type: none"> <li>- expiry of the Alcatel standstill period;</li> <li>- formal consultation with transferring employees and their Trade Union representatives under the Transfer of Undertakings (Protection of Employment) Regulations 2006;</li> <li>- satisfactory resolution of any outstanding matters and completion of the suite of legal documents applying to the partnership (including Admitted Body Agreement in respect of transferring employees protection under the Local Government Pension Scheme) in readiness for contract commencement;</li> </ul> <p>(10) Authorised the Executive Director – Strategic Resources/Section 151 Officer in conjunction with the Chief Executive and/or the Solicitor to the Council/Monitoring Officer to determine any high level strategic or other issues that may require resolution and authorised any action necessary to be taken on any such matters to enable the suite of legal documents to be completed; and</p> <p>(11) Authorised the Executive Director – Strategic Resources/S151 Officer or the Solicitor to the Council/Monitoring Officer to sign a certificate under Section 3 of the Local Government (Contracts) Act 1997 to confirm the Council had the relevant legal powers to enter into the partnership.</p>
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<p>Councillor Holdich</p> <p>9 November 2011</p>	<p>NOV11/CMDN/123</p>	<p><b>Appointment of Authority Governor - Welland Primary School</b></p> <p>The Cabinet Member appointed Mr Kevin Bell who had been nominated by the local authority.</p>
<p>Councillor Holdich and Councillor Seaton</p> <p>11 November 2011</p>	<p>NOV11/CMDN/124</p>	<p><b>Award of Contract for the New Build of Nene Park Academy (formerly Orton Longueville School)</b></p> <p>The Cabinet Members in consultation with the Executive Director - Children's Services; Executive Director – Resources and Solicitor to the Council:</p> <ol style="list-style-type: none"> <li>1. Authorised the build of a new Nene Park Academy up to the value of the budget sum of £14.4 million;</li> <li>2. Authorised off-site highways works required in accordance with planning conditions up to a total value of £250k. The off site highway costs will be included in the final contract price agreed with Kier;</li> <li>3. Authorised funding for the provision of Information and Communications Technology (ICT) at £800 per pupil and a total cost based on 1100 pupils of £880k;</li> <li>4. Authorised the re-phasing of the capital budget for secondary schools, including bringing forward the associated revenue costs of £70k, £687k, £942K, £62k and (£28k) in 2011/12, 2012/13, 2013/14, 2014/15 and 2015/16 respectively, as outlined in this document;</li> <li>5. Approved the variation to the design and build lump sum option contract with Kier Regional Limited (trading as Kier Eastern) to include the new build of Nene Park Academy; and</li> <li>6. Authorised entering into a Memorandum of Understanding with the contractor Kier in order to record and agree as to the reimbursement of costs incurred in the event that the project does not achieve financial and commercial close and does not go ahead. The cost is £1.004 million.</li> </ol>
<p>Councillor Holdich and Councillor Seaton</p> <p>11 November 2011</p>	<p>NOV11/CMDN/125</p>	<p><b>Stanground College - award of contract</b></p> <p>The Cabinet Members in consultation with the Executive Director - Children's Services; Executive Director – Resources and Solicitor to the Council:</p> <ol style="list-style-type: none"> <li>1. Authorised the build of a new Stanground College up to the value of the budget sum of £22.4m;</li> </ol>

		<ol style="list-style-type: none"> <li>2. Authorised off-site highways works required in accordance with planning conditions up to a total value of £250k. The off site highway costs will be included in the final contract price agreed with Kier;</li> <li>3. Authorised funding for the provision of Information and Communications Technology (ICT) at £800 per pupil and a total cost based on 1770 pupils of £1.416m;</li> <li>4. Authorised the re-phasing of the capital budget for secondary schools, including bringing forward the associated revenue costs of £70k, £687k, £942K £62k and (£28k) in 2011/12, 2012/13, 2013/14, 2014/15 and 2015/16 respectively, as outlined in this document;</li> <li>5. Approved the variation to the design and build lump sum option contract with Kier Regional Limited (trading as Kier Eastern) to include the new build of Stanground College; and</li> <li>6. Authorised entering into a Memorandum of Understanding with the contractor Kier, in order to record and agree as to the reimbursement of costs in the event that the project does not achieve financial and commercial close and does not go ahead. This cost was £1.372m.</li> </ol>
<p>Councillor Seaton</p> <p>18 November 2011</p>	<p>NOV11/CMDN/126</p>	<p><b>Award of Grant to INNOVA Development Trust</b></p> <p>The Cabinet Member for Resources authorised the award of a grant to INNOVA Development Trust to carry out the management and running of the John Mansfield Centre for the period November 2011 through to March 2015 as below:</p> <ul style="list-style-type: none"> <li>• 2011/2012 – Not to exceed £45,000;</li> <li>• 2012/2013 – Not to exceed £90,000;</li> <li>• 2013/2014 – Not to exceed £90,000; and</li> <li>• 2014/2015 – Not to exceed £90,000.</li> </ul>