

PETERBOROUGH CITY COUNCIL

MINUTES OF COUNCIL MEETING HELD 12 OCTOBER 2011

The Mayor – Councillor Paul Thacker MBE

Present:

Councillors: Allen, Arculus, Ash, Benton, Burton, Casey, Cereste, M Dalton, S Dalton, D Day, S Day, Dobbs, Eley, Fitzgerald, Fletcher, JA Fox, JR Fox, Goldspink, Goodwin, Harper, Harrington, Hiller, Holdich, Jamil, Khan, Kreling, Lamb, Lane, Martin, Miners, Murphy, Nadeem, Nash, Nawaz, North, Over, Peach, Rush, Saltmarsh, Sanders, Sandford, Scott, Seaton, Serluca, Shabbir, Shaheed, Sharp, Shearman, Simons, Stokes, Swift, Thacker, Todd, Walsh and Winslade.

1. Apologies for Absence

Apologies were received from Councillors Fower and Lee.

2. Declarations of Interest

Councillor Murphy declared a personal interest in item 6(ii) on the agenda as he was involved in work with Gladstone Connect.

Councillor Khan declared a personal interest in item 6(ii) on the agenda as he was involved in work with Gladstone Connect.

Councillor Sandford declared a personal interest in the fifth motion in item 7(ii) as he was on the Board of Peterborough Environment City Trust.

3. Minutes of the meetings held on 13 July 2011

The minutes of the meetings held on 13 July 2011 were agreed and signed by the Mayor as an accurate record.

4. Communications Time

4(i) Mayor's Announcements

Members noted the report outlining the Mayor's engagements for the period 1 July 2011 to 30 September 2011.

The Mayor made a further announcement requesting that Members ensure that the points of order for the meeting as contained in the rules of procedure were used correctly.

The Mayor allowed Councillor Walsh to address Council who appealed to Members for fundraising support for the new War Memorial adding that certificates were to be presented following donations.

4(ii) Leader's Announcements

The Leader announced that the number of people in Peterborough claiming Job Seekers Allowance had fallen. He hoped that this trend would continue and increases in jobs and employment figures would continue to rise.

Councillor Sharp added his agreement and support to the Leader's statement.

Councillor Khan commented that he had hoped to see more young people receiving work experience and training in council offices.

Councillor Sandford commented that he supported all actions to reduce unemployment in the city but was disappointed to see council services privatised and then redundancies made in those companies.

The Leader responded stating that trainees were in place in council offices shadowing Members and officers and Members could be involved further in this if they wished. However, further work experience opportunities would be encouraged and especially for Children in Care.

4(iii) Chief Executive's Announcements

There were no announcements from the Chief Executive.

5. Community Involvement Time

5(i) Questions with Notice by Members of the public

There were no questions raised.

5(ii) Questions with notice by Members of the Council relating to ward matters to Cabinet Members and to Committee Chairmen

Questions relating to Ward matters were taken as read in respect of the following:

- Future of care homes and sites in Dogsthorpe Ward;
- Allotment maintenance and management for tenants in East Ward; and
- Consultation activities for use of land and Section 106 monies in Walton Ward.

A summary of all questions and answers raised within agenda items 5(iii) are attached at **Appendix A**.

5(iii) Questions with Notice by Members of the Council to representatives of the Police and Fire Authorities

Questions to the representative of the Police Authority were taken as read in respect of the following:

- Cost implications of the appointment of a Police Commissioner and any service cuts.

Questions to the representative of the Fire Authority were taken as read in respect of the following:

- Retention of Regional Control Centres and cuts to services.

A summary of all questions and answers raised within agenda items 5(iii) are attached at **Appendix A**.

5(iv) Petitions submitted by Members or Residents

Councillor Nadeem submitted a petition from local residents requesting an access road at the rear of properties in Gladstone Street.

Councillor Martin submitted a petition from local residents requesting a play area to be built in the Oldbrook/Mewburn area of North Bretton.

Councillor Sandford submitted a petition opposing the removal of trees in Bridge Street.

Councillor Khan submitted a petition from local residents requesting traffic calming measures be installed in Bourges Boulevard (old).

6. Executive Business Time

6(i) Questions with Notice to the Leader and Members of the Executive

Questions to the Leader and Members of the Executive were taken as read in respect of the following:

- The resignation of the Executive Director of Children's Services;
- Traveller Liaison Officer;
- Cancellation of the fireworks Fiesta;
- Action to tackle air rifle use;
- Ofsted report and the actions to address the rating received;
- Scrutiny process and the value of the function

Questions unable to be dealt with at the meeting due to time constraints were in respect of the following:

- Outsourcing council services;
- Protection of children at risk;
- Installation of Solar Panels and the tariff received.

A summary of all questions and answers raised within agenda items 6(i) are attached at **Appendix B**.

6(ii) Questions without Notice on the Record of Executive Decisions

Members received and noted a report summarising:

- Decisions from the Cabinet Meeting held on 26 September 2011;
- Use of the Council's call-in mechanism, which had not been invoked since the last meeting;
- Special Urgency and Waiver of Call-in provision, which had not been invoked since the previous meeting; and
- Cabinet Member Decisions taken during the period 11 July 2011 to 23 September 2011.

Questions were asked about the following:

Appointment of Authority Governor – Marshfields School

Councillor Miners requested whether the Cabinet Member for Education, Skills and University was aware that the appointee had now resigned. Councillor Holdich advised Council that he was not yet aware of this.

Adult Drug Treatment Plan

Councillor Shabbir requested whether local providers would be contracted to provide the services involved in the Plan. Councillor Walsh advised Council that a written response would be provided to Councillor Shabbir.

Contract Termination – Transitions Service for Children's Services

Councillor Jamil queried whether Children's Services retained the capacity to take on the additional work in light of the recent Ofsted report. Councillor Scott advised Council that she would ensure this was still the case and would respond in writing. Councillor Lane requested that the response be shared with all Councillors.

7. Council Business Time

7(i) Committee Recommendations

a) Designated Public Place Orders

Councillor Todd moved recommendations from the Strong and Supportive Scrutiny Committee that requested Council adopts the Designated Public Place Order (DPPO) extending the existing city centre Designated Public Places Order into the New England area of the city. This extension had been requested by the local Neighbourhood Policing Team Inspector and the Neighbourhood Manager for the area as well as a local resident. The DPPO would mean that to consume alcohol in public when asked to stop by a police officer would become an offence.

The proposed area was an extension to the existing designated area in the city centre and was bounded by the following roads: St Pauls Road, Fulbridge Road, A47 Soke Parkway and Bourges Boulevard. Maps were provided showing the existing DPPO and the proposed extension.

This was seconded by Councillor Sue Day.

During debate issues raised included the need to have a strategic approach to the issue as the DPPO areas simply moved the problem of drinking alcohol in public to other non-DPPO areas of the city; and Police and Council officers must be made aware of the areas and properly enforce the Orders to ensure they were effective.

A vote was taken (unanimous) and it was **RESOLVED** to:

Adopt the Designated Public Place Order as set out in the report.

7(ii) Notices of Motion

1. Councillor Murphy moved the following motion:

That this Council:

1. Shares the concerns of many including the local MP that the cost of the Private Finance Initiative for Peterborough Hospital is having a detrimental impact on the health and wellbeing of local residents particularly pensioners as the resources available to provide health services locally are reduced to pay for this PFI;
2. Recognises that the impact on local jobs, services, primary health care and adult social care are of particular concern and have been raised locally by councillors, practitioners, residents and trades unionists;
3. Recognises that the percentage returns expected on PFI are well in excess of the base rate which has been at a record low for several years and we support those who have campaigned for the government to review the terms of this PFI; and
4. Calls upon the government to seek renegotiation of these excessive payment rates in order that public funds can be better used to provide hospital, primary care and adult health services and protect jobs here in Peterborough.

This motion was seconded by Councillor Khan.

Councillor Fitzgerald moved an amendment to the motion to leave out words and insert others in paragraph 4 as below:

That this Council:

1. Shares the concerns of many including the local MP that the cost of the Private Finance Initiative for Peterborough Hospital is having a detrimental impact on the health and wellbeing of local residents particularly pensioners as the resources available to provide health services locally are reduced to pay for this PFI;
2. Recognises that the impact on local jobs, services, primary health care and adult social care are of particular concern and have been raised locally by councillors, practitioners, residents and trades unionists;
3. Recognises that the percentage returns expected on PFI are well in excess of the base rate which has been at a record low for several years and we support those who have campaigned for the government to review the terms of this PFI; and
4. ~~Calls upon~~ **Continues to call on** the Government to seek renegotiation of these excessive payment rates in order that public funds can be better used to provide hospital, primary care and adult health services and protect jobs here in Peterborough.

This amendment was seconded by Councillor Elsey.

There was no further debate and Councillor Murphy accepted the amendment.

Council **AGREED** to the amendment.

Following a brief debate a vote was taken and the substantive motion was **CARRIED**: 49 in favour, 0 against, 3 abstentions.

2. Councillor Murphy moved the following motion:

That this Council:

1. Notes that the current growth strategy is to build thousand of new homes noting the high number of privately rented dwellings that exist in some areas of Peterborough and the relatively high rent allowances paid for some of these dwellings;
2. Believes that more affordable homes are desirable and that the government is rightly concerned about the high level of costs of the current housing benefit framework;
3. Believes that an increase in affordable homes built by councils, co operatives and housing associations can contribute to a reduction in the overall cost of rent allowances (housing benefit) to the exchequer and the taxpayer; and
4. Calls on the government to consider Peterborough as a pilot for the implementation of a fair rents policy and provide for legislation enabling fair rents to be set within the area whereby supply and demand are considered to be equal in order to reduce the overall cost of rent to residents and the taxpayer.

This motion was seconded by Councillor Jamil.

The Solicitor to the Council advised Members that many people would be affected by this motion with regards to owning or renting property. No Councillor would have a prejudicial interest in this motion because it was not so significant as to prejudice judgments in relation to the public interest.

Councillor Elsey moved an amendment to the motion to leave out the words in paragraph 4 so that the motion would read as below:

That this Council:

1. Notes that the current growth strategy is to build thousands of new homes noting the high number of privately rented dwellings that exist in some areas of Peterborough and the relatively high rent allowances paid for some of these dwellings;

2. Believes that more affordable homes are desirable and that the government is rightly concerned about the high level of costs of the current housing benefit framework; and
3. Believes that an increase in affordable homes built by councils, co operatives and housing associations can contribute to a reduction in the overall cost of rent allowances (housing benefit) to the exchequer and the taxpayer.

This amendment was seconded by Councillor Goodwin.

In response to a query from a Member, the Solicitor to the Council confirmed that the proposed amendment would not negate the motion as it was still committing Council to an opinion on the matter and was therefore acceptable.

Following a brief debate a vote was taken on the amendment to the motion and it was **CARRIED**: 34 in favour, 9 against, 3 abstentions.

Council debated the substantive motion and raised issues including many new houses had been built in Peterborough; clarification was needed on what 'affordable' meant; many homes sold off to Registered Social Landlords; and an increasing population needed more homes.

A vote was taken and the substantive motion was **CARRIED**: 39 in favour, 0 against, 8 abstentions.

3. Councillor Khan moved the following motion:

That this Council:

1. Notes the problems of obstruction and damage caused by inappropriate parking on pavements and verges as this not only causes damage that is expensive to put right but may obstruct pedestrians and the disabled;
2. Believes that the problems of inconsiderate parking should be mitigated by more vigorous action by the authorities and the council;
3. Should take action to improve the situation and reduce the level of obstruction and damage caused to pavements and verges; and
4. Commits to providing additional parking spaces where appropriate and taking enforcement action against offenders particularly where there is obstruction to pavements and cycle routes as a priority.

This motion was seconded by Councillor Shearman.

Councillor Peach moved an amendment to the motion to insert words in paragraphs 3 and 4 and insert words to create a new paragraph 5 as below:

That this Council:

1. Notes the problems of obstruction and damage caused by inappropriate parking on pavements and verges as this not only causes damage that is expensive to put right but may obstruct pedestrians and the disabled;
2. Believes that the problems of inconsiderate parking should be mitigated by more vigorous action by the authorities and the council;
3. Should take **appropriate** action to improve the situation and reduce the level of obstruction and damage caused to pavements and verges;

4. Commits to **consider where possible** providing additional parking spaces where appropriate and taking enforcement action against offenders particularly where there is obstruction to pavements and cycle routes as a priority, and
5. Understands that this is a city wide problem and notes that officers are to bring a report to the next round of Neighbourhood Committees on this subject.

This amendment was seconded by Councillor Walsh.

Following a brief debate a vote was taken on the amendment to the motion and it was **CARRIED** unanimously.

Councillor Ash moved an amendment to leave out words and insert others into paragraph 3 and to insert additional wording to the substantive motion, paragraphs 5-7, as below:

That this Council:

1. Notes the problems of obstruction and damage caused by inappropriate parking on pavements and verges as this not only causes damage that is expensive to put right but may obstruct pedestrians and the disabled;
2. Believes that the problems of inconsiderate parking should be mitigated by more vigorous action by the authorities and the council;
3. **Resolves** to take ~~appropriate~~ action to improve the situation and reduce the level of obstruction and damage caused to pavements and verges;
4. Commits to consider where possible providing additional parking spaces where appropriate and taking enforcement action against offenders particularly where there is obstruction to pavements and cycle routes as a priority;
5. Notes that a scheme was implemented in Dogsthorpe and resolves to reduce inconsiderate parking city wide, based on the experience gained and lessons learned from the Dogsthorpe scheme;
6. Recognises that it needs to work with residents and neighbourhood groups to implement similar schemes across the city successfully;
7. Notes that the many parking courts built on older developments, especially in the 1970s and 80s by the development corporation, do not meet current standards set for new build and fall short of spaces now set per dwelling and in many areas lack natural surveillance; and
8. Understands that this is a city wide problem and notes that officers are to bring a report to the next round of Neighbourhood Committees on this subject.

This was seconded by Councillor Miners.

There was a five minute adjournment to allow Councillor Ash's amendment to be circulated to Members.

Following a brief debate, including a suggestion to revise the procedure for submitting motions and amendments to the meeting, the amendment was **CARRIED** unanimously.

There was no further debate and the substantive motion above was **CARRIED** unanimously.

4. This motion from Councillor Murphy concerning Members' Allowances was not moved.
5. Councillor Sandford moved the following motion that included an amendment from Councillor Ash to paragraph 1 and also additional words to be inserted to paragraph 3 as below:

That this Council:

1. **Welcomes Notes** the Government's allocation of an additional £250 million of funds for waste collections and recycling but regrets that the funding is only available to councils who agree to have weekly collections of residual waste;
2. Notes that Peterborough City Council has one of the highest percentage recycling rates for domestic waste, that the Council's Waste 2020 strategy commits us to achieving a recycling rate of 65% and that failure to achieve this target is likely to be detrimental to the Council's finances by way of increased liability to landfill tax; and
3. Requests that the Cabinet do not agree to any changes in bin collection regimes without first carrying out a full assessment of the financial and environmental consequences of such a change and that this should be done in consultation with the Environment Capital Scrutiny Committee **and Peterborough Environment City Trust**.

This motion was seconded by Councillor Samantha Dalton.

There was no debate and the motion was **CARRIED** unanimously.

6. Councillor Sandford moved the following motion:

That this Council:

1. Welcomes the Coalition Government's commitment to energy conservation through the Green Deal which is to be introduced in 2012 and will give every household in the country the opportunity to improve the energy efficiency of their home through a package of insulation measures with no up front cost for the resident;
2. Requests the Cabinet and senior council officers to engage positively with the Department for Energy and Climate Change on implementation of the Green Deal to ensure that residents in Peterborough gain maximum benefit from it at the earliest possible time;
3. Welcomes the Coalition Government's commitment to generating at least 15% of the UK's energy from renewable sources by 2020 and in particular incentives available for individual householders to install small scale renewables such as solar PV, wind and biomass, through feed in tariffs and the Renewable Heat Incentive; and
4. Requests that the Cabinet and senior council officers work constructively with the government, social landlords, private developers and others to bring about a rapid and sustained increase in renewable energy generation in Peterborough, subject to the usual planning processes, in order to further the city's aspiration to become the Environment Capital of the UK.

This motion was seconded by Councillor Samantha Dalton.

Councillor Ash moved an amendment to the motion to leave out words and insert others into paragraphs 1 and 3 as below:

That this Council:

1. **Welcomes Notes** the Coalition Government's commitment to energy conservation through the Green Deal which is to be introduced in 2012 and will give every household in the country the opportunity to improve the energy efficiency of their home through a package of insulation measures with no up front cost for the resident;
2. Requests the Cabinet and senior council officers to engage positively with the Department for Energy and Climate Change on implementation of the Green Deal to ensure that residents in Peterborough gain maximum benefit from it at the earliest possible time;

3. Welcomes **Notes** the Coalition Government's commitment to generating at least 15% of the UK's energy from renewable sources by 2020 and in particular incentives available for individual householders to install small scale renewables such as solar PV, wind and biomass, through feed in tariffs and the Renewable Heat Incentive; and
4. Requests that the cabinet and senior council officers work constructively with the Government, social landlords, private developers and others to bring about a rapid and sustained increase in renewable energy generation in Peterborough, subject to the usual planning processes, in order to further the city's aspiration to become the Environment Capital of the UK.

This amendment was seconded by Councillor Miners.

Following a brief debate the amendment was **DEFEATED**: 4 for, 45 against, 2 abstentions.

There was no further debate and the original motion from Councillor Sandford was **CARRIED** unanimously.

7(iii) Reports and Recommendations

a) Housing Strategy – Amendment to Eligibility Policy for the Local Authority Mortgage Scheme

Councillor Seaton moved a report seeking Council approval for an update to the local eligibility policy for the Local Authority Mortgage Scheme, to be incorporated into the Peterborough Housing Strategy. An amendment was now required as it was not possible to restrict the scheme to Peterborough residents only, as previously agreed, because to do so would contravene requirements from the Financial Services Authority, specifically the regulatory requirement of Treating Customers Fairly. Council was advised that other local authorities that had adopted the criterion into their schemes now had to amend them. This was seconded by Councillor Cereste.

During debate a comment was raised that Peterborough taxpayers would be providing the financial backing for mortgage applications from people outside the city area, including from abroad, and the risk to taxpayers from falling house prices still remained. Councillor Cereste advised Council that officers would work with local bank branches to see the scheme implemented as widely as possible across Peterborough.

A vote was taken (41 for, 0 against, 8 abstentions) and it was **RESOLVED** to:

1. Approve the amendment to the local eligibility policy for the Local Authority Mortgage Scheme; and
2. Delegate authority to the Executive Director Strategic Resources, in consultation with the Cabinet Member for Resources, to amend the local eligibility policy if future lenders have additional requirements that the Council will need to be compliant with.

b) Consolidation of Council Assets

This report was withdrawn and not moved.

c) Recruitment of Coroner

Councillor Seaton moved the recommendation to delegate the appointment of HM Coroner for Peterborough to an appointment panel, following the recruitment process set out in the report.

The Coroner for Peterborough, Mr Gordon Ryall, had expressed a wish to retire with effect from 31 March 2012, after more than 40 years of service, firstly as Deputy Coroner from June 1971

and as Coroner for the Peterborough area from April 1975. Peterborough City Council was obliged to appoint a Coroner to replace Mr Ryall.

The intended process to recruit HM Coroner for Peterborough was:

- Shortlisting process from application forms;
- Interview day – this will consist of:
 - 45 minute preparation on an unseen topic;
 - 15 minute presentation;
 - 45 minute technical interview; and
 - 30-40 minute non-technical interview.

Although Peterborough City Council appointed the Coroner, the successful applicant would not be a council officer, but would be an independent judicial office holder and therefore the Employment Committee did not have the authority to make the appointment.

This was seconded by Councillor Scott.

During debate it was requested that Mr Ryall be considered to receive the Freedom of the City, especially in recognition of the work he had done for the Muslim community in the city.

It was **AGREED** to carry the recommendations in the report to:

Delegate the appointment of HM Coroner for Peterborough to an appointment panel, following the recruitment process set out in the report.

Meeting closed at 10.05 p.m.

MAYOR

FULL COUNCIL 12 OCTOBER 2011

QUESTIONS AND ANSWERS

Questions were received under the following categories:

<u>AGENDA ITEM 5 - COMMUNITY INVOLVEMENT TIME</u>	
5 (i) <u>Questions with notice by members of the public</u>	
	None received.
5 (ii) <u>Questions with notice by Members relating to ward matters To the Cabinet Members and to Committee Chairmen</u>	
1.	<p>Councillor Miners asked Councillor Fitzgerald, the Cabinet Member for Adult Social Care:</p> <p>Noting the sad demise of the much loved Peverels Residential Care Home in Dogsthorpe and the proposal to close the only remaining Residential Care Home left in the community, namely Welland House - could the local community be informed of the current situation in regards to the following:</p> <p>What is the current position relating to the future use/asset disposal of the Peverels Building and site and is it still considered necessary to close/bulldoze Welland House and relocate it somewhere else in the city?</p> <p>Councillor Fitzgerald, the Cabinet Member for Adult Social Care responded:</p> <p>Following the closure of Peverels in July this year, the property was immediately offered to all Heads of Service and subsequently declared surplus when no internal requirements were identified.</p> <p>The property is included in the 2011/12 Capital Receipt Programme.</p> <p>The site could be suitable for a future healthcare or residential care use and the Growth Team is liaising closely with Adult Social Care on this issue, taking account of future service user needs.</p> <p>The site has also been identified as being particularly suitable for the provision of much needed affordable housing.</p> <p>Discussions are taking place with Registered Providers reflecting the general ambit of the Collaboration Agreement approved by Cabinet in August 2011. Should discussions with Registered Providers fail to result in a disposal, on terms that represent value for money, the property will be openly marketed in order to achieve a capital receipt on or before 31 March 2012.</p> <p>At the current time, therefore, the future use of the site is un-decided. Peterborough City Council is approaching the disposal with the intention that any re-development and/or future use of the site should, as far as possible, be complementary to the existing supported housing in Pine Tree Close provided by Cross Keys Homes.</p> <p>Turning now to the overall strategy for accommodation for older people in the city, Peterborough has been very successful in the development of extra-care housing, and</p>

	<p>residents tell us this is the kind of accommodation they prefer if they are unable to be supported to live independently in their own home. There is also a need in Peterborough for specialist care for people with dementia or a need for nursing.</p> <p>Both remaining City Council owned residential care homes (Welland House and Greenwood House) are in buildings which do not offer the standard of accommodation now expected nor be able to support future generations of older people.</p> <p>We are reviewing options for re-providing these services in the future, which will be in the best interests of local people. In due course, proposals will come forward in relation to these homes.</p>
2.	<p>Councillor Goldspink asked Councillor Goodwin, the Cabinet Advisor to the Leader:</p> <p>What does the agreement with Enterprise Peterborough say about the time it should take to clear up an allotment following the departure of a tenant, if the allotment is left in an unusable condition, as has happened in my Ward on an occasion recently?</p> <p>Councillor Goodwin, the Cabinet Advisor to the Leader responded:</p> <p>There is no specific time constraint referred to within the contract between Enterprise Peterborough and the Council however the following is specified 'When necessary, the partner will dig over or prepare allotments for transfer when they are considered to be unfit for transfer'.</p> <p>Maintenance of unoccupied or un-used plots is not linked to a plot being vacated but based on its condition following routine inspection, with an explicit commitment to carry out "routine maintenance on any un-let plot in order to maintain an organised and orderly appearance". This work is normally undertaken within two weeks of an inspection highlighting the need, or a specific concern being raised by another plot holder.</p> <p>May I remind Members that Enterprise Peterborough are more than happy to deal with any questions of this nature if you contact them on the dedicated email address which is members@enterprisepeterborough.co.uk.</p> <p>If you would care to supply details of the plot in question following tonight's meeting I will ensure that Enterprise Peterborough follow up on the case in question and respond to your concerns accordingly.</p> <p>The following supplementary questions was asked:</p> <p>Can you confirm that if it is known who the former tenants are, the Council will pursue them for the costs of any clear up?</p> <p>Councillor Lee, Cabinet Member for Culture, Recreation and Strategic Commissioning responded outside the meeting:</p> <p>In partnership with Enterprise Peterborough, the Council does pursue, where possible, incidents of waste and other accumulation left on allotment plots, either by tenant or adjacent plot holders. The onus will of course be on the Council and its partners to prove the origin of any waste accumulation or fly tipping, as is the case in any enforcement issue.</p> <p>Conditions contained within tenancy agreements allow termination of said agreement is the conditions (including antisocial behaviour and failing to maintain a plot in an acceptable condition) are breached.</p> <p>When the tenancy agreements are next reviewed it is intended that further provision be</p>

	<p>included covering the condition of plots and the management of waste on the site, specifically including household and similar wastes being brought onto site. The aim of any such changes is to further strengthen the Council's ability to enforce against anti social or nuisance behaviour, beyond the provisions it has historically included within its tenancy agreement.</p>
3.	<p>Councillor Sandford asked Councillor Hiller, the Cabinet Member for Housing, Neighbourhoods and Planning:</p> <p>In my ward a housing development is proposed for former allotment land at Itter Park and a sum of money has been allocated under a section 106 agreement for improvements in and around the Park. Local residents and a sports club operating in the park have approached me to find out what this money will be spent on and what consultation will take place. On asking planning officers about this I was told that an officer at the Enterprise Peterborough company will be consulted privately and he alone will recommend how best to spend the money for the benefit of local people without consulting local residents, Friends of Itter Park or Ward Councillors.</p> <p>Also in my ward there is a major new retail development on the Brotherhoods Retail Park. Here a much larger sum of money has been allocated under Section 106 for highways improvements to deal with expected increased volumes of traffic on Lincoln Road. Again local residents have concerns and suggestions but there has been no public consultation and indeed officers have told me it is possible that most of the money may not be spent in Walton at all but could go to another part of the city.</p> <p>Given that it is council policy for neighbourhood committees and ward councillors to be consulted about spending of section 106 funds, why does Enterprise Peterborough and planning and highways officers appear not to be implementing this policy and would the cabinet member agree to an urgent meeting with me to discuss how we can ensure that local people in Walton are properly consulted about how these much needed section 106 funds should be spent?</p> <p>Councillor Hiller, the Cabinet Member for Housing, Neighbourhoods and Planning responded:</p> <p>Unfortunately there remains some confusion about the purpose of section 106 agreements under the planning legislation. I need to stress that this is not a source of free money that can be spent on whatever we like.</p> <p>It is important to understand that money secured through section 106 agreements can only be used to mitigate the direct impacts of the development proposed and that there must be both evidence of what those impacts will be and detailed proposals for how they will be overcome. If there is no evidence of need then financial contributions cannot be required through the planning process.</p> <p>The evidence base must be robust. For example, x number of houses will generate the need for y school places, and will generate an increase in traffic at a local junction necessitating a financial contribution of z towards improvement. In other words, a formula based approach that must be capable of withstanding external scrutiny and challenge through planning appeals and the courts.</p> <p>There must also be a clear audit trail in place to evidence how money has been spent, linking it back to the impact of the development. Otherwise the Council runs the risk of having to pay the money back to the developer.</p> <p>The Council's adopted Planning Obligations Implementation Scheme (POIS), our local development tariff, is underpinned by our Integrated Development Programme (IDP). This sets out in detail the strategic infrastructure that is required to support the growth of the city across a range of headings including transport, education, community,</p>

environment and emergency services. Many of these infrastructure projects have been approved by Members, for example through the Local Transport Plan and MTFs. 65% of POIS must be spent on strategic infrastructure.

The emerging Community Action Plans, to be approved through our Neighbourhood Committees, will set out in detailed action plans how the 35% of POIS allocated to neighbourhood level infrastructure will be spent locally. These will form the evidence base required to satisfy our legal requirements.

I hope that Councillor Sandford will see that his proposal to consult local residents after money has been secured from a particular development would be untenable and indeed contrary to the purpose of section 106, exposing the Council to significant risk. To secure the money in the first instance the Council must already have in place evidence of strategic and community infrastructure needs and how these will be met.

The following supplementary question was asked:

The 35% received from POIS is to be allocated according to an area's Community Action Plan. How will this be spent if there is no Community Action Plan? Many planning applications have been approved but there is no process to allocate funds through the Neighbourhood Committees.

Councillor Hiller responded:

Neighbourhood Committees will have a direct say in how the 35% of POIS money is spent even without Community Action Plans.

5 (iii) Questions with notice by Members to Council representatives of the Police and Fire Authorities

1. **Councillor Murphy asked Councillor Khan, the Council's representative of the Police Authority:**

Cambridgeshire Police Authority is seeking to make massive cuts this year, including the closing of Bridge Street Police Station. Does the representative believe it is wrong to be spending money creating an elected police commissioner whilst at the same time reducing the number of frontline police officers, and can he assure me these cuts will not impact on neighbourhood policing and lead to an increase in crime?

Councillor Khan, the Council's representative of the Police Authority responded:

Savings of £3m towards the £4.7m gap for 2012/13 have already been made. This is the result of the Constabulary's Operation ReDesign restructuring programme which has changed the model of policing allowing a reduction in the number of police staff and decrease the number of police officers in supervisory ranks to the same level as other forces. The reduction will be possible as acting and temporarily promoted officers will return to their substantive ranks. This has been done with the sole intention of protecting the front line.

Bridge Street Police Station has not closed and is still an operational base. Councillors will be aware that the enquiry office function is shortly due to move to a shared facility at Bayard Place. Even before austerity measures and cost savings came to the fore, it was recognised that Bridge Street Police station is no longer fit for purpose in the modern policing world. We firmly believe that collaboration, with bodies such as Peterborough City Council, is the only way to achieve the savings now required as well as provide an equally effective service.

Operation ReDesign and collaboration with other police and local authorities, are the two ways in which we are closing the budget gap for future years, with the primary aim of

	<p>protecting local frontline policing and our current good performance, improving resilience and services. Operation ReDesign changes have preserved the total number of constables at 1011 – no reduction.</p> <p>The Police Reform and Social Responsibility Act replaces police authorities with elected Police and Crime Commissioners (PCC) and Police and Crime Panels. The passing of the bill through Parliament succeeded in September – PCC elections will take place in November 2012. Our job now in many ways is the same as it has always been – to ensure that local policing is as efficient, effective and resilient as possible. However now it is in preparation for the hand over to the new PCC in November 2012 and doing this in a way which doesn't divert resources from the front line.</p>
2.	<p>Councillor Jamil asked Councillor Goodwin, the Council's representative of the Fire Authority:</p> <p>Does the representative agree that the Fire Authority should have listened to the Fire Brigade Union concerning the folly and expense of opening Regional Control Centres, rather than embark on a programme of cuts in order to fund these centres?</p> <p>Councillor Goodwin, the Council's representative of the Fire Authority responded:</p> <p>These two issues are completely unrelated. The key driver for the initiation of the Authority's Service Redesign programme, is in direct response to the Government's Comprehensive Spending Review (CSR) which has reduced the level of central government funding for Fire & Rescue Services by 25%, and is unrelated to any costs associated with the Government's abolition of the proposed Regional Control Centres.</p>

AGENDA ITEM 6 - EXECUTIVE BUSINESS TIME

6 (i) Questions with Notice to the Leader and Members of the Executive

1.	<p>Councillor Shearman asked Councillor Scott, the Cabinet Member for Children's Services:</p> <p>Would the Cabinet member agree with me that John Richards, the recently departed Executive Director of Children's Services, enhanced his reputation as a person of high integrity by taking responsibility for the appalling judgements made by the OFSTED team over the Council's arrangements for safeguarding our most vulnerable children and young people?</p> <p>Councillor Scott, the Cabinet Member for Children's Services responded:</p> <p>I would like to remind members of the statement that was made when John Richards resigned which I fully support:</p> <p>"As a result of the findings of the Ofsted inspection into the safeguarding of children published on 6th September 2011, John Richards, Director of Children's Services has decided to resign from his role with immediate effect. John is completely supportive of the sector-led improvement programme which has been designed to bring about significant and sustained improvement in children's safeguarding. He accepts that this approach and new leadership of the services is now required. John was responsible for a wide range of services, the majority of which are run successfully. However, he accepts that the first point of contact for people in the safeguarding service (referral and assessment) is one of the most important areas within his remit and, given the findings of Ofsted, he believes that as Director he needs to take accountability for this." This is a statement that I support.</p> <p>The following supplementary question was asked:</p> <p>Since you assumed the role of Cabinet Member for Children's Services, we have been inspected on 4 occasions by Ofsted. In all 4 inspections, Ofsted either identified significant weaknesses or deemed our arrangements for safeguarding children as being inadequate. Since everyone here recognises that you, like Mr Richards, is a person of high integrity, can you explain why you have not followed his example and also resigned?</p> <p>Councillor Scott responded:</p> <p>It would have been easy to resign and I did consider my position. I took into account the report and comments from the Inspector about me and what was said to me privately. The most important thing was to ensure the continuity of the service at that time. It has been recognised that because I remained in place, and retained the confidence of colleagues, I was able to act speedily to take up the offers of help from around the country which could have been more difficult if there had been a change of Cabinet Member too. If at any stage during the recovery process I decide that Children's Services would be better without me I would resign but, that is not now.</p>
2.	<p>Councillor Miners asked Councillor Hiller, the Cabinet Member for Housing, Neighbourhoods and Planning:</p> <p>Noting the Council is currently "consulting" on its Traveller Management, Transit Sites and debating the issues surrounding 'Emergency Stopping Areas' and has been forced</p>

to undertake quite substantial remedial measures to deny further returns of illegal Traveller Encampments, isn't it now essential the Traveller Liaison Officer fully returns to employment with the Council's Enforcement Team and be transferred back from Enterprise Peterborough at the earliest opportunity?

Councillor Hiller, the Cabinet Member for Housing, Neighbourhoods and Planning responded:

The role of the traveller liaison officer within Enterprise Peterborough involves both the management of permanent traveller's sites, as well as dealing with unauthorised encampments. The role specifically involves the building of a relationship with the travelling community, in all its forms, and as such does not include many of the functions of the enforcement officers within the Operations department. This role also involves organising visits from healthcare, social services, education and other professionals in the interests of ensuring the welfare of the individuals involved.

The enforcement officers who work within the operations team role is one of investigating, gathering evidence and related tasks for the issues involving environmental related crimes.

The response to unauthorised encampments has evolved recently and will continue to do so. The enforcement team are providing support through monitoring of environmental crime and anti social behaviour incidents near to unauthorised encampments allowing the traveller liaison role to remain independent from strict enforcement duties. This working relationship continues to develop as the needs of the service change and this is not reliant on which organisation an individual works for as all parties involved are working closely towards the same aims.

The following supplementary question was asked:

Would a transfer give more accountability to the role and ensure greater coordination of enforcement activities?

Councillor Hiller responded:

I would welcome further discussion on this with Councillor Miners.

3. **Councillor Fox asked Councillor Walsh, the Cabinet Member for Community Cohesion and Safety:**

The Firework Fiesta was cancelled due to various reasons, one being as a result of advice from the Peterborough Safety Advisory Group regarding road safety. Can the Cabinet Member give councillors some more information about this group such as its remit, its leading members, its relationship with the council and what powers it has to permit or prevent popular events in the city?

Councillor Walsh, the Cabinet Member for Community Cohesion and Safety responded:

The Safety Advisory Group is in place to ensure that all large scale events are run safely and securely and within current legislation and guidance. As the group's title states, it is advisory and not statutory. The group's core membership consist of relevant representatives from the three emergency services, various PCC departments depending on the nature of the event (highways, regulatory services, waste management etc) and site owner/controller (if not PCC land). The group is chaired by the Resilience Services Manager, Stuart Hamilton. The group will work with event organisers to make suggestions and give advice to help them manage an event safely and securely as well as advising the site owners on the suitability of any event on their land. Although not a statutory group, it is standard practice for all local authorities to have these arrangements

	<p>in place.</p> <p>The following supplementary question was asked:</p> <p>Can major decisions about key events in the city be discussed with Councillors so they don't have to find out in the local press?</p> <p>Councillor Walsh responded:</p> <p>Improvements could be made to communicating information in the future.</p>
4.	<p>The question from Councillor Goldspink relating to CCTV in the city centre was withdrawn following receipt of information prior to the meeting.</p>
5.	<p>Councillor Miners asked Councillor Walsh, the Cabinet Member for Community Cohesion and Safety:</p> <p>Noting the recent incidents of pets, particularly cats, being shot (sometimes killed) throughout the city by air pellet pistols/rifles, isn't it about time these sort of freely available imitation firearms are banned from public sale and is there any possibility PCC, in partnership with all the Registered Social Landlords and Private Landlords can work to ban their possession and use in residential areas of the city, leading perhaps to an enforceable special Local Byelaw to achieve this?</p> <p>Councillor Walsh, the Cabinet Member for Community Cohesion and Safety responded:</p> <p>The use of any form of firearm to cause harm in our city is a serious issue and must be handled as such. The incidents Councillor Miners refers to are despicable acts.</p> <p>Under Part V of the Anti Social Behaviour Act 2003 the possession of an airgun or imitation weapon in public is an offence. In addition Section 26 of the Violent Crime Reduction Act states that imitation firearms must be more than 50% transparent, with bright colours and have restricted dimensions (to be precise - maximum height 38 mm and maximum length 70 mm).</p> <p>The issue therefore is one of enforcement as appropriate legislation is already in place. As a result of the intelligence provided by the councillor, I will ask that council and police officers work together to tackle the issue through the enforcement of existing legislation and the use of our anti-social behaviour tools. I will also ask that this process be supported by ongoing test purchases in shops where firearms or imitation firearms are sold.</p> <p>I have secured the support of the Police Authority who has confirmed that it will work with partners wherever possible to ensure that crimes such as this are effectively dealt with by the police and other agencies.</p>
6.	<p>Councillor Saltmarsh asked Councillor Scott, the Cabinet Member for Children's Services:</p> <p>Everyone in the city involved with children will be extremely concerned about the recent Ofsted inspection and our inadequate rating. Can you please reassure members that all up to date information is now available to Cabinet and that effective measures are now in place to address the areas of concern highlighted by the inspectors?</p> <p>Councillor Scott, the Cabinet Member for Children's Services responded:</p> <p>I share the concern over the recent Ofsted inspection and the implications for safeguarding in Peterborough. Councillor Saltmarsh will be aware that the Council</p>

responded rapidly to the findings of the Ofsted report. We are using support from other local authorities to consider both the Ofsted findings and the way in which all services play a part in safeguarding children and young people. I have been truly impressed by the way other councils have been prepared to lend their support to help us.

There are actions that we have taken in the short term to address immediate issues and concerns including recruiting additional staff to address capacity problems. However, Councillor Saltmarsh will be aware that the Ofsted report recognises that some of the actions we need to take are over the longer term. We need to take immediate measures to reduce risk to children and young people. However, sustainable improvement isn't going to be delivered by a sticking plaster approach, it will take time and a lot of hard work but we have to ensure that our response to the inspection is sustainable and that we reduce risk to children over the long term.

We have an experienced and well respected Director leading the improvement team who are finishing their diagnostic work now to ensure that our short, medium and long-term actions are robust. Up to date information is available in the form of performance indicators and quality assurance work which the Department undertakes on a regular basis and I discuss this information and the progress being made with the Director at the very least on a weekly basis.

I would also like to acknowledge the tremendous support I have received from individuals and organisations in the city. Their understanding of the challenges faced in child protection coupled with their offers of support will also add strength to our recovery journey.

The following supplementary question was asked:

Why were scrutiny members not told of the findings of the Ofsted report and instead had to find out from the local newspaper?

Councillor Scott responded:

The information was shared with Group Leaders.

7. Councillor Goldspink asked Councillor Seaton, the Cabinet Member for Resources:

What is the point of having a scrutiny system where Members spend many hours poring through detail and asking questions if officers simply ignore the recommendations made, as they did the recommendation made by the Strong and Supportive Communities Scrutiny Committee meeting on 19 January 2011, which recommended "That following consideration by the Committee of the Citizen's Power Programme it is recommended to the Project Sponsor, Adrian Chapman that the Citizens Power Programme, which is a joint venture between the Royal Society of Arts, Peterborough City Council and the Arts Council, be immediately disbanded."

Councillor Seaton, the Cabinet Member for Resources responded:

Officers have not ignored the recommendation made. With the full agreement and support of the Scrutiny Committee an extensive review of the entire Citizen Power Program has taken place followed by detailed and challenging debate and discussion at Scrutiny Committee itself. This process led to a series of recommendations being made by officers to the committee and a number of significant changes being made to the program, including project strands being terminated that were shown to be less effective than others. The Scrutiny Committee has further agreed to the formation of a scrutiny task and finish group to continue to oversee the delivery of the program. This process has been an excellent example of how the scrutiny process should work.

	<p>The following supplementary questions was asked:</p> <p>Can you confirm that there is no intention to extend the program past the original 2 year investment using council funds?</p> <p>Councillor Seaton responded outside the meeting:</p> <p>There are no plans to extend the program beyond the original two year investment using council funds. We are working with the RSA on funding bids which may or may not be successful, and these may determine what happens at the end of the original period, but this will not include any investment from the City Council.</p>
8.	<p>Councillor Murphy submitted the following question to Councillor Cereste, the Leader and Cabinet Member for Growth, Strategic Planning, Economic Development and Business Engagement:</p> <p>Following the announcement by Enterprise that it will be cutting jobs in Peterborough, and the news that Vivacity is to reduce enhanced payments made to their staff for working unsocial hours, does he regret outsourcing these services and will he consider placing a moratorium on other outsourcing proposals which have the potential to put a further 300 Council jobs in jeopardy?</p> <p>Councillor Cereste, the Leader and Cabinet Member for Growth, Strategic Planning, Economic Development and Business Engagement sent the following response:</p> <p>There was a sound rationale for the Council entering into the respective partnerships with Enterprise Peterborough and with Vivacity, and yes I do believe the right decisions were made in terms of continuing to improve local services, and offering value for money to local taxpayers. Staffing is a large part of the costs involved in providing these services and like everyone else, Enterprise Peterborough and Vivacity need to keep these costs under review.</p> <p>As far as Manor Drive is concerned, significant savings have already been made internally by the Council to streamline staff and processes and to generate income. But, there is only so much the Council can do by itself. I believe the optimum way forward for Manor Drive is to engage a suitable partner who will grow and develop the services (rather than reduce them), bring inward investment in terms of employing and developing local staff, and services and whose presence in the City will encourage other businesses to relocate here. I believe all of this will provide a more secure future for the Manor Drive staff.</p>
9.	<p>Councillor Murphy submitted the following question to Councillor Scott, the Cabinet Member for Children’s Services:</p> <p>In view of the fact a child known to social services was allegedly murdered in Peterborough earlier this year, would the Cabinet member confirm whether he was on the 'at risk' register and whether she believes children in Peterborough are receiving the level of protection they deserve from the Council?</p> <p>Councillor Scott, the Cabinet Member for Children’s Services sent the following response:</p> <p>This particular case is the subject of a criminal trial, and is therefore sub judice, which prevents me from giving you any further details about it at this stage.</p> <p>As to whether children in Peterborough are receiving an appropriate level of protection, I have already dealt with that in my answer to an earlier question from Councillor Saltmarsh, setting out the Council’s response to Ofsted findings.</p>

10.	<p>Councillor Shearman submitted the following question to Councillor Samantha Dalton the Cabinet Member for Environment Capital:</p> <p>Would the Cabinet member confirm whether the savings which will accrue to the Council when the solar panels are installed at the Freeman's site will be based on the higher feed-in tariff, or did she fail to ensure the Council met the August deadline?</p> <p>Councillor Samantha Dalton, the Cabinet Member for Environment Capital sent the following response:</p> <p>Cabinet at its meeting on 13th June authorised the Executive Director – Strategic Resources to award the contract for design, supply, installation and maintenance of Solar Photovoltaic (PV) panels on the roof of the former Freemans building at Ivatt Way, Westwood, Peterborough, PE3 7PA.</p> <p>This contract as a result of its value required a European procurement exercise to be undertaken. This was completed on 6th July – a total of 48 days.</p> <p>During the contract negotiations it was established that the layout of the roof would necessitate bespoke structures to be designed and built to mount the solar panels.</p> <p>The rules on feed in tariffs at this time enabled the work to be built out in phased stages that would enable the scheme to be ‘banked’ at the higher tariffs so long as a minimum of 50kw were commissioned and accredited by 29th July 2011.</p> <p>The remainder of the 1.5mw scheme was programmed to be built out by 31st march 2012. The work to the end of July was completed as planned.</p> <p>It was therefore unfortunate that on the 27th July 2011 DECC announced a further review of feed in tariffs which specifically aimed to close the regulation that was in existence that we were building out the project under. This referred to a loophole in the regulations that allowed schemes to be built out, a year and a day after the 29th July 2011. It should be noted that there were a number of solar developers looking to exploit this loophole and the council, at 1.5MW was within the lower band of capacity. However, since we were over 1MW, OFGEM requested an audit of the scheme. We are currently providing OFGEM with further evidence to confirm our commissioning date of 29th July 2011.</p> <p>During the period of the consultation we continued to build out an additional 150kW , thus giving a total of 200kW. This has enabled us to ‘bank’ as much as possible on the assumption that any response to the consultation was not successful.</p> <p>The council responded to the consultation directly with the support of the local government association – we were the only council funded scheme to be caught by the change. In addition the leader personally wrote to the Minister Greg Barker.</p> <p>Regrettably when the government announced its decision, they did not grant the scheme an exemption.</p> <p>The scheme however will still be one of the largest roof mounted schemes in the east of England and we are not aware of any other local authority scheme of this size. The latest build out phase of 150kw has utilised the latest thin film technology for solar panels. This is the largest in the UK.</p> <p>In spite of this setback, that could not have been foreseen, we are committed to the ongoing rollout of solar panels across Peterborough but each scheme will need to be limited to a maximum size of 50kw on roofs.</p> <p>I hope in the next month to be able to announce the range of properties that the next</p>
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	<p>phase will cover – in total I hope that it will be almost up to 2MW. In the mean time I can also confirm that the scheme of 50Kw is operating on the regional pool and that the early meter readings show that the panels are performing at a level in excess of that set out in the contract. In addition we shall be shortly building out a 50kw scheme on the town hall roof.</p>
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