



Oversight and Governance

Chief Executive's Department
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CITY COUNCIL

Monday 21 November 2022
2.00 pm
Council House, Plymouth

Members:

Lord Mayor, Chair

Deputy Lord Mayor, Vice Chair

Councillors Allen, Mrs Aspinall, Mrs Beer, Bingley, Mrs Bowyer, Briars-Delve, Mrs Bridgeman, Burden, Carlyle, Churchill, Coker, Collins, Dr Cree, Cresswell, Darcy, Deacon, Drear, Evans OBE, Finn, Goslin, Harrison, Haydon, Hendy, Holloway, Hulme, Kelly, Laing, Loveridge, Lowry, Lugger, Dr Mahony, McDonald, Murphy, Nicholson, Partridge, Patel, Mrs Pengelly, Poyser, Reilly, Rennie, Riley, Salmon, Shayer, Singh, Smith, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy, Vincent, Wakeham, Ms Watkin and Wheeler.

Members are invited to attend the above meeting to consider the items of business overleaf.

For further information on attending Council meetings and how to engage in the democratic process please follow this link - [Get Involved](#)

Tracey Lee

Chief Executive

City Council

Agenda

1. Apologies

To receive apologies for absence submitted by councillors.

2. Minutes

(Pages 1 - 32)

To approve and sign the minutes of the Ordinary and Extraordinary meetings held on 20 June 2022 and 30 September 2022 as a correct record.

3. Declarations of Interest

4. Political Proportionality and Appointments to Committees: (Pages 33 - 50)

5. Questions by the Public

To receive questions from and provide answers to the public in relation to matters which are about something the council is responsible for or something that directly affects people in the city, in accordance with Part B, paragraph 11 of the Constitution.

Questions, of no longer than 50 words, can be submitted to the Democratic Support Unit, Plymouth City Council, Ballard House, West Hoe Road, Plymouth, PL1 3BJ, or email to democraticsupport@plymouth.gov.uk. Any questions must be received at least five complete working days before the meeting.

6. Announcements

(a) To receive announcements from the Lord Mayor, Chief Executive, Service Director for Finance or Head of Legal Services;

(b) To receive announcements from the Leader, Cabinet Members or Committee Chairs.

7. Month 6 Financial Monitoring Report

(Pages 51 - 64)

8. Climate Emergency Planning Statement

(Pages 65 - 136)

9. Local Government Pensions Scheme Discretions Policy (to follow)

10. Treasury Management outturn report 2021/22

(Pages 137 - 152)

11. Electoral Cycle Public Consultation **(Pages 153 - 158)**

12. Approval of Councillor Absence (to follow)

This item is to follow and due to uncertainty in relation to some member's ability to attend the council meeting due to personal circumstances.

13. Changes to the Constitution **(Pages 159 - 172)**

14. Motions on notice

To consider motions from councillors in accordance with Part B, paragraph 14 of the Constitution.

15. Urgent Key Decisions to be reported **(Pages 173 - 202)**

16. Questions by Councillors

Questions to the Leader, Cabinet Members and Committee Chairs covering aspects for their areas of responsibility or concern by councillors in accordance with Part B, paragraph 12 of the constitution.

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City Council

Monday 20 June 2022

PRESENT:

Lord Mayor, in the Chair.

Deputy Lord Mayor, Vice Chair.

Councillors Allen, Mrs Beer, Bingley, Mrs Bowyer, Briars-Delve, Burden, Carlyle, Churchill, Coker, Collins, Dr Cree, Cresswell, Darcy, Deacon, Drear, Evans OBE, Finn, Goslin, Harrison, Hendy, Holloway, Hulme, Laing, Loveridge, Dr Mahony, Nicholson, Partridge, Patel, Mrs Pengelly, Poyser, Reilly, Rennie, Riley, Salmon, Shayer, Singh, R Smith, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy, Wakeham, Ms Watkin and Wheeler.

Apologies for absence: Councillors Mrs Aspinall, Mrs Bridgeman, Haydon, Kelly, Lowry, Luggar, McDonald, Murphy and Vincent

The meeting started at 1.45 pm and finished at 2.00 pm.

Note: The full discussion can be viewed on the webcast of the City Council meeting at www.plymouth.gov.uk. At a future meeting, the Council will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

10. **Declarations of Interest**

There were no declarations of interest made by councillors in accordance with the code of conduct.

11. **Appointment of Honorary Aldermen**

Councillor Bingley (Leader of the Council) introduced the nomination of Mr. Ian Bowyer, Mr. David James and Mr. Glenn Jordan as Honorary Aldermen. The motion was seconded by Councillor Evans OBE (Leader of the opposition).

Council agreed that, in pursuance of its powers under Section 249(1) of the Local Government Act 1972, the Council confers on Mr. Ian Bowyer, Mr. David James and Mr. Glenn Jordan the title of Honorary Alderman in recognition of their eminent services to the Council of the said City during the period when they were a Member of the Council.

The Lord Mayor On behalf of Council offered her congratulations to former Councillors Ian Bowyer, David James and Glenn Jordan.

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City Council

Monday 20 June 2022

PRESENT:

Lord Mayor, in the Chair.

Deputy Lord Mayor, Vice Chair.

Councillors Allen, Mrs Beer, Bingley, Mrs Bowyer, Briars-Delve, Mrs Bridgeman, Burden, Carlyle, Churchill, Coker, Collins, Dr. Cree, Cresswell, Darcy, Deacon, Drean, Evans OBE, Finn, Goslin, Harrison, Hendy, Holloway, Hulme, Laing, Loveridge, Dr Mahony, Nicholson, Partridge, Patel, Mrs Pengelly, Poyser, Reilly, Rennie, Riley, Salmon, Shayer, Singh, R Smith, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy, Wakeham, Ms Watkin and Wheeler.

Apologies for absence: Councillors Mrs Aspinall, Haydon, Kelly, Lowry, Lugger, McDonald, Murphy and Vincent

The meeting started at 2.00 pm and finished at 6.00 pm.

Note: The full discussion can be viewed on the webcast of the City Council meeting at www.plymouth.gov.uk. At a future meeting, the Council will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

1. **Minutes**

The Council agreed that the minutes of the extraordinary meeting held on 21 March 2022, the ordinary meeting of the 21 March 2022 and the Annual General Meeting of the 20 May 2022 are confirmed as a correct record.

2. **Declarations of Interest**

The following declarations of interest were made by councillors in accordance with the code of conduct in respect of items under consideration at the meeting -

Name	Minute Number	Reason	Interest
Cllr Harrison	4 – Questions by the Public	Spouse holds a taxi license.	Private
Cllr Nicholson	3 – Appointments to Committees, Outside Bodies etc	Employee of Babcock International PLC	Pecuniary
Councillor Stevens	7.c Motion on Notice	Employers named in the motion on notice on Standards in Public Life.	Personal
Councillor Darcy	7.c Motion on Notice	Employers named in the motion on notice on Standards in Public	Personal

		Life.	
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3. **Appointments to Committees, Outside Bodies etc**

The Lord Mayor put forward a motion which had been seconded by Councillor Penberthy to accept appointments to Committees and Outside Bodies as set out in the order paper.

Council **agreed** to appoint Councillors Beer and Loveridge to the Erle Trust Fund.

Council **agreed** to appoint Councillors Patel, Coker, Wheeler and Tuohy to the North Yard Community Trust.

The Lord Mayor requested the Monitoring Officer to look into the process for selecting nominees to the North Yard Community Trust to ensure declarations of interest had been open.

Councillor Evans OBE sought advice to consider part of the proposal separately to the remainder of the recommendation.

The Lord Mayor confirmed that the Council would note the appointment to Committee's and move to two votes for the Erle Trust Fund and North Yard Community Trust respectively.

Councillor Mrs Beer raised a point of order to seek clarification on the vote for the Erle Trust Fund as its term of reference stated it had to be two Plympton Erle Councillors must sit on the trust.

Councillor Evans OBE sought clarification following Councillor Mrs Beer's comments that the proposition was in order. Ross Jago (Head of Governance, Performance and Risk) confirmed the proposition was in order.

Lord Mayor proposed a vote on the Erle Trust Fund, seconded by Councillor Penberthy.

For (46)

Councillors Allen, Mrs Beer, Bingley, Bowyer, Briars-Delve, Burden, Carlyle, Churchill, Coker, Collins, Dr Cree, Cresswell, Darcy, Deacon, Drean, Evans OBE, Finn, Goslin, Harrison, Hendy, Holloway, Hulme, Laing, Loveridge, Dr Mahony, Nicholson, Partridge, Patel, Penberthy, Mrs Pengelly, Poyser, Reilly, Rennie, Riley, Salmon, Shayer, Singh, Smith, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy, Wakeham, Ms Watkin and Wheeler.

Against (0)

Abstain (1)

Lord Mayor.

Not Present/Did Not Vote (2)

Councillors Bridgeman, Wheeler.

Lord Mayor proposed a vote on the membership to the North Yard Community Trust, seconded by Councillor Penberthy.

Councillor Tudor Evans OBE questioned if the nomination process to this committee was flawed based on the Nolan Principal's as the nomination was made based on the recommendation of someone who has a conflict of interest as a member of the trust, whose organisation is a beneficiary of the trust. Oppose the process by which the persons who made the nominations have been allowed to be part of the process of nomination by those who could be a beneficiary of the nominated person's actions.

Councillor Patel responded by explaining that his organisation had benefitted from the North Yard Community Trust in the past, but applied to, and has no intention of doing so in the future, since he became a Councillor.

The Lord Mayor proposed that this issue was looked at in more depth by the Monitoring Officer to ensure that the process of appointment to committees was open and transparent.

Tracey Lee (Chief Executive) explained that the Monitoring Officer always considered matters when bringing a proposal to Council and stated that Councillor Evans OBE had made contact with the Monitoring Officer on the matter and she would reply to the whole council giving her advice on the issue.

Lord Mayor proposed a vote on the membership to the North Yard Community Trust, seconded by Councillor Penberthy.

For (24)

Councillors Bingley, Burden, Carlyle, Churchill, Collins, Darcy, Deacon, Drean, Finn, Harrison, Loveridge, Partridge, Patel, Pengelly, Dr Mahony, Riley, Salmon, Shayer, Smith, Stoneman, Tofan, Wakeham, Ms Watkin, Wheeler.

Against (3)

Councillors Mrs Beer, Hulme, Singh.

Abstain (20)

Lord Mayor, Councillors Allen, Bowyer, Briars-Delve, Coker, Dr Cree, Cresswell, Evans OBE, Goslin, Hendy, Holloway, Laing, Penberthy, Poyser, Reilly, Rennie, Stevens, Tippetts, Tuffin, Tuohy.

Absent/Did Not Vote (2)

Councillors Bridgeman, Nicholson.

4. Questions by the Public

There were eight questions submitted by members of the public.

The following question was submitted by Mr D Bamping –	
Question: Does Plymouth City Council have a published policy for putting people on Specific Point of Contact (SPoC) with the Council? If not; then can the council confirm that it is not able to put anyone on	Answer: The Council does not have a published Single Point of Contact policy, and I am advised that there is no legal requirement for the

a SPoC as it would be unlawful without a written policy?	Council to have such a policy. Each case of potentially excessive, malicious or vexatious communication with Councillors and/or officers is considered in the light of guidance from the Local Government and Social Care Ombudsman on managing unreasonable complaint behaviour. The Council has, however, undertaken to review and implement a Single Point of Contact policy in due course.
The following question was submitted by Mr C R Wildman -	
<p>Question: Regarding the Taxi Policy. Consultation was the only input allowed, and ignored. Licensing Office Report appeared to be unread, simply accepted. Trades and Travelling Public need proper input to decision makers before adoption. Consultation was broadly against. Democracy? It was a pointless paper exercise. Can PCC reconsider the Policy?</p>	<p>Answer: There was pre-consultation with the PLTA and members of the taxi trade and a number of private hire operators. This was followed by a 12-week consultation and the feedback questionnaire was made available online to encourage more people to respond. A total of 338 responses were received, which is much higher than the last Taxi Policy Consultation, which resulted in 95 responses. The consultation responses were reviewed and the Policy updated accordingly. The consultation responses and considerations are included in the City Council report dated 21 March 2022. The Policy and consultation was also reviewed by Members at the Scrutiny Committee on 15 March 2022.</p>
The following question was submitted by Mr R Hamilton -	
<p>Question: Trade Representatives and Licensees should be able to speak to, and answer questions from, Councillors at Committee. Regarding taking Taxi payment by Card, common issues are no signal, incompatible phone, insufficient funds, card declined, PIN Number not known and bank system inoperative. Will PCC Reconsider</p>	<p>Answer: It is at the discretion of the Chair of any committee to invite members of the public or other representative to speak at committee on any particular agenda item. A scrutiny review of the implementation of the Taxi Policy is planned and the Chair of that</p>

the mandatory requirement?	session would make appropriate invitations to witnesses. Officers have spoken to a number of taxi and private hire drivers who have no issues with taking card payments. A large number of vehicles already have card payment readers fitted to their vehicles and have had these in place for a number of years. This not only assists passengers to ensure they can get home safely but is also safer for the drivers as they do not have to carry large amounts of cash. Any costs associated with the card readers can be claimed as a business expense. We have been advised that some card readers provide better coverage than others, so it is important to research the products that are available to ensure the best coverage is obtained.
The following question was submitted by Mr S Smale -	
<p>Question: The taxi policy is driving people out of the trades. Anybody who carries on trading will license from other Councils (see York). Policy is ridiculous, overpriced, unworkable, removes income from trade. 42 years in, I'll be switching. Do PCC wish to cease delivering Taxi and Private Hire licensing?</p>	<p>Answer: : I am sorry that you feel that the Policy is ridiculous. The matter of 'overpriced' would be something which is dealt with by the Fees review which occurs each year and is set by the Taxi Licensing Committee. The fee for each licence must cover the costs of administration and enforcement and the fees have not been increased for the last two years.</p> <p>Whilst we appreciate that there will be some loss of income to some drivers from work such as funerals, weddings and advertising, Members considered that introducing a livery would provide a number of positive benefits. Other Councils have found that it increases trade as liveried vehicles are easily recognised by the customer, gave improved customer confidence and</p>

	led to other vehicle proprietors getting their livery earlier than required.
The following question was submitted by Mr B Rogers -	
Question: What evidence is there to suggest that the colour of a wheelchair accessible taxi, as stipulated in the adopted taxi policy (white and green), encourages women to be safer, given that private hire vehicles in the City can be any colour, size and shape stipulating the words 'taxi' or 'cab'?	<p>Answer: As detailed in the City Council Taxi licensing Report heard at Full council on 21 March, the white and green design is bright and easily identifiable and it is hoped this would improve customer safety especially in the evening and night-time economy.</p> <p>When our last unmet need survey was undertaken 63% of respondents said they would prefer to see the hackney carriage fleet have a livery and 65% of respondents said they felt a livery would help to improve public safety using hackney carriages.</p> <p>The livery will therefore enhance public safety and security as customers can be confident that the taxi is properly licensed and meets the necessary safety standards especially vulnerable clients transported at night.</p>
The following question was submitted by Mrs C Beaumont -	
Question: 243 Taxi and Private Hire Drivers have left the two trades since 2020; how many drivers do we have to lose for the Taxi and Private Hire Policy 2022 to be scrapped?	<p>Answer: The loss of taxi and private hire drivers is unfortunately a national problem. The Taxi Policy 2022 has encouraged drivers to return to the trade by including a three-year return period without having to complete the Knowledge of Plymouth Test.</p> <p>The limit on the numbers of Hackney Carriages has been removed to allow free entry to the market and it is hoped this may also reduce the rental costs of vehicles.</p> <p>The majority of changes included in the Policy have been to ensure we meet the requirements of the Department for Transport</p>

	<p>Statutory Guidance.</p> <p>All councils will be reviewing their Emissions Policies to ensure they strive towards the Government's Climate and Emergency Action Plan.</p> <p>We have listened to the feedback from the consultation and vehicle proprietors have eight years until they are required to meet the Ultra-low emissions standards.</p>
The following question was submitted by Mr M Leaves -	
<p>Question: Licensees earn additional income through advertising, funerals and weddings. PCC livery policy is depriving Licensees of this income and discriminating against wheelchair using disabled persons contrary to PCC Equality and Diversity Policy. A Growth and Infrastructure Committee is planned, will Licensee Representatives be granted full attending participation?</p>	<p>Answer: We understand that this will have an impact on this type of income, however after careful consideration the livery was introduced for the positive benefits it will achieve.</p> <p>The white and green design is bright and easily identifiable and it is hoped this would improve customer safety especially in the evening and night-time economy. A liveried fleet assists members of the public to identify a hackney carriage that can be flagged anywhere and they know that they have a proper cab and not someone posing as a cab driver. The Council's CCTV department have also advised that at night, a clear defined taxi colour such as the white and green proposed, will help with identification, and will support clearer CCTV images.</p> <p>The livery will therefore enhance public safety and security as customers can be confident that the taxi is properly licensed and meets the necessary safety standards especially vulnerable clients transported at night.</p> <p>It professionalises the service and other councils have found that it increases trade as the newly liveried taxis were easily recognised by the customer, improved customer</p>

	<p>confidence and led to other vehicle proprietors getting their livery earlier than required.</p> <p>We have a 100% wheelchair accessible Hackney Carriage fleet to ensure we do not discriminate against disabled persons. The Taxi Policy will be reviewed by scrutiny post implementation; members of the trade will be invited to take part in that session when it is scheduled.</p>
The following question was submitted by Mrs Wildman -	
<p>Question: The argument that Livery aids CCTV identification is farcical. To identify Private Hire Vehicles it may be needed, but Taxis are easy to differentiate. Can the requirement for on Licenced Hackney Carriages be re-evaluated?</p>	<p>Answer: The white and green design is bright and easily identifiable and it is hoped this would improve customer safety especially in the evening and night-time economy. A liveried fleet assists members of the public to identify a hackney carriage that can be flagged anywhere and they know that they have a proper cab and not someone posing as a cab driver. The Council's CCTV department have also advised that at night, a clear defined taxi colour such as the white and green proposed, will help with identification, and will support clearer CCTV images.</p> <p>The livery will therefore enhance public safety and security as customers can be confident that the taxi is properly licensed and meets the necessary safety standards especially vulnerable clients transported at night. It professionalises the service and other councils have found that it increases trade as they were easily recognised by the customer, improved customer confidence and led to other vehicle proprietors getting their livery earlier than required.</p>

5. **Announcements**

The Lord Mayor made the following announcements to Members –

- (a) she took this opportunity to thank everyone who took part in Lord Mayor's Day and the Gala Dinner;
- (b) it was an honour to light the beacon on the citadel wall as part of the Platinum Jubilee celebrations, and attending a variety of different events across the city meeting with approximately 2,500 people over 4 days;
- (c) there have been a number of commemorative events for Falkland Veterans, which have all been very well received;
- (d) she took this opportunity to congratulate Alison Botham for her 30 years in Children's Social Care and thanked her for her work with Plymouth City Council, and wished her well in her retirement;
- (e) she welcomed Sharon Muldoon who has joined the Council as the Director of Children's Services;
- (f) the honours list has been announced as part of the Platinum Jubilee including Jane Jones MBE, Alexis Bowater OBE, Charlotte Murray BEM and Lieutenant Commander Carol Rashleigh BEM. The Lord Mayor congratulated all.

Councillor Bingley (Leader of the Council) made the following announcements to Council –

- (g) asked that there is a new online hub with signposting to support for the rising cost of living which can be found at www.plymouth.gov.uk/costofliving The services listed will be promoted on Council social media pages;
- (h) the statutory designated tax dates for Plymouth's Freeport are to go before Parliament shortly;
- (i) asked for a port strategy for Plymouth's coastline to be put in place by the end of 2022 to create the opportunity for more joined up working in applying for funding and creating jobs in Plymouth's ocean economy;
- (j) congratulated Professor Paul Fieldsend-Danks and his team on Plymouth College of Art being awarded University status. Bringing Plymouth to now have a total of 3 universities;
- (k) acknowledged that planning has been passed for NHS Devon and Plymouth City Council to develop a health and wellbeing centre in the West End;
- (l) congratulated St Matthews Primary School, Knowle Primary School and Lipson Co-operative Academy for comments made about their schools by

Ofsted in recent visits, and Plymouth's adult education service has improved from 'requires improvement' to 'good'. Plans will soon be published by Cabinet to improve Ofsted performances;

Councillor Shayer (Deputy Leader and Cabinet Member for Finance and Economy) made the following announcements to Council –

- (m) the Mayflower Autonomous Ship arrived in North America on 5 June 2022. Councillor Shayer paid tribute to Brett Phaneuf, his team, IBM and others involved for the success of the project which was a technological first;
- (n) Plymouth was to hold a conference on 21 June 2022 hosted by the Inclusive Growth Group of Plymouth Growth Board – Inclusive 2040, which will explore the current and emerging pressures on key sectors within the city and use existing data to look at where radical approaches are needed to move towards a more inclusive city for 2040;
- (o) two ministerial visits had been hosted in the previous two weeks, firstly the Secretary of State for International Trade, Anne-Marie Trevelyan and the Minister of Employment, Mims Davies;
- (p) Plymouth City Council has put in place a series of Freeport support contracts to help firms after the difficulties they have faced through the COVID19 pandemic and has given entrepreneurs the support they need to set up new businesses or to re-launch.

Councillor Drean (Cabinet Member for Transport) made the following announcement to Council –

- (q) progress has been made on the EV charging programme, and a successful levelling up bid will mean that by December 2024 there will be 715 EV charger sites in Plymouth;

Councillor Wakeham (Cabinet Member for Environment & Street Scene) made the following announcements to Council –

- (r) thanked the staff in Environment & Street Scene for the hard work they have been doing. A consultants report from January 2022 states that "we have been impressed with the look and feel of the city, which has been clean and tidy, with a real sense of being cared for. The Council is already getting the basics right in many areas that are challenging and should feel self-confident about its delivery";
- (s) The cleansing team are particularly busy at this time of year as it is growing season and there are also many events taking place in Plymouth to prepare for and tidy up for afterwards. 60 students and other volunteers supported the clean-up following the Jubilee Weekend events;
- (t) there is an increase in weeds, due in part to climate change, and there are limited options for removal as well as the Council and the main contractor

experiencing staff shortages. Several measures are being undertaken to try and improve the situation;

- (u) 2022 is the second summer of the revised grass cutting schedule and whilst there is some resistance to this programme, a number of positive messages have been received from residents too;

Councillor Stoneman (Cabinet Member for Climate Change) made the following announcements to Council –

- (v) paid tribute to Councillor Bridgeman and Councillor Dann for their work on the climate change action plans;
- (w) the climate ambassador scheme was launched in October 2021 and the recruitment program to deliver the 2022 commitment to launch the program across the city will be published on Plymouth City Council's website shortly. In addition Climate advisors, drawn from a wide range of sectors and partners will help drive strategic climate interventions;
- (x) he has authorised the immediate publication of the external Exeter University report on Plymouth's progress with climate emission reductions, which shows that good progress has been made but more is needed to achieve zero emissions by 2030;

Councillor Patel (Cabinet Member for Customer Services, Culture, Leisure & Sport) made the following announcement to Council –

- (y) Sail GP was a successful event with an expected increase in income generated from the event and in a partnership between Sail GP and Peck, four community groups are going to be provided with solar panels, and the Sail GP legacy program is working to provide sailing opportunities and qualifications for young people.

Councillor Dr Mahony (Cabinet Member for Health and Adult Social Care and Planning) made the following announcements to Council –

- (z) a report on the William and Patricia Venton short-term care centre and another on the workforce recruitment and retention fund will be emailed out to all Councillors due to limited time on announcements;
- (aa) paid tribute to the 5000 care staff in Plymouth who have worked tirelessly throughout the COVID19 pandemic and continue to do so moving forward.

6. Capital and Revenue Outturn Report 2021 - 22

Councillor Shayer (Deputy Leader and Cabinet Member for Finance and Economy) introduced the report. This was seconded by Councillor Bingley.

Following a discussion with contributions from Councillors Evans OBE and Nicholson, the Council agreed to –

- (1) note the Provisional Revenue Outturn position for the year to 31 March 2022 and
- (2) note the Provisional Capital Outturn position for that year including the Capital Financing Requirement of £75.275m

For (47)

Councillors Allen, Mrs Beer, Bingley, Mrs Bowyer, Briars-Delve, Burden, Carlyle, Churchill, Collins, Coker, Dr Cree, Cresswell, Darcy, Deacon, Drean, Evans OBE, Finn, Goslin, Harrison, Hendy, Holloway, Hulme, Laing, Mrs Loveridge, Dr Mahony, Nicholson, Partridge, Patel, Penberthy, Mrs Pengelly, Poyser, Reilly, Rennie, Riley, Salmon, Shayer, Singh, Smith, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy, Wakeham, Ms Watkin, Wheeler.

Against (0)

Abstain (1)
Lord Mayor

Absent/Did Not Vote (1)
Councillors Bridgeman.

7. Motions on notice**(i) Ambulance Response Times**

Councillor Jemima Laing introduced the motion on notice on Ambulance response times. This was seconded by Councillor Dylan Tippetts.

Following a discussion with contributions from Councillors Coker, Collins, Finn, Mrs Loveridge, Dr Mahony, Mrs Pengelly the council agreed:

- The Chair of the Health & Adult Social Care Overview and Scrutiny Committee ensures that the performance of South Western Ambulance Service NHS Foundation Trust (SWASFT) is included in any upcoming scrutiny review of health services within Plymouth.
- The Chair of the Health & Adult Social Care Overview and Scrutiny Committee writes immediately to the city's three MPs and the Secretary of State for Health and Social Care to inform them of the seriousness of the situation.
- Members formally acknowledge the dedication of the staff of SWASFT whose professionalism will have saved countless lives over the years. This motion is not intended as a criticism of these selfless

people who work day and night to care for the residents of Plymouth.

For (46)

Councillors Allen, Mrs Beer, Bingley, Mrs Bowyer, Briars-Delve, Burden, Carlyle, Churchill, Collins, Coker, Dr Cree, Cresswell, Darcy, Deacon, Drear, Evans OBE, Finn, Goslin, Harrison, Hendy, Holloway, Hulme, Laing, Mrs Loveridge, Dr Mahony, Nicholson, Partridge, Patel, Penberthy, Mrs Pengelly, Poyser, Reilly, Rennie, Riley, Salmon, Shayer, Singh, Smith, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy, Wakeham, Ms Watkin, Wheeler.

Against (0)

Abstain (1)

Lord Mayor.

Absent/Did Not Vote (2)

Councillor Bridgeman, Nicholson.

(ii) Changes to the Planning System

Councillor Bill Stevens introduced the motion on notice on changes to the planning system. This was seconded by Councillor Tina Tuohy.

Following a discussion with contributions from Councillors Allen, Darcy, Evans OBE, Goslin, Nicholson, Smith, Stoneman the motion was not carried.

For (19)

Councillors Allen, Briars-Delve, Coker, Dr Cree, Cresswell, Evans OBE, Goslin, Hendy, Holloway, Laing, Penberthy, Poyser, Reilly, Rennie, Stevens, Tippetts, Tuffin, Tuohy, Wheeler

Against (27)

Councillors Bingley, Mrs Bowyer, Mrs Bridgeman, Burden, Carlyle, Churchill, Collins, Darcy, Deacon, Drear, Finn, Harrison, Hulme, Mrs Loveridge, Dr Mahony, Nicholson, Partridge, Patel, Mrs Pengelly, Riley, Salmon, Shayer, Smith, Stoneman, Tofan, Wakeham, Ms Watkin.

Abstain (3)

Lord Mayor, Councillors Mrs Beer, Singh.

(iii) Standards in Public Life

Councillor Sally Cresswell introduced the motion on notice on standards in public life. This was seconded by Councillor Tudor Evans OBE.

Following a discussion with contributions from Councillors Bingley and Stoneman the motion was not carried.

For (19)

Councillors Allen, Briars-Delve, Coker, Dr Cree, Cresswell, Evans OBE, Goslin, Hendy, Holloway, Laing, Penberthy, Poyser, Reilly, Rennie, Stevens, Tippetts, Tuffin, Tuohy, Wheeler.

Against (25)

Councillors Bingley, Burden, Carlyle, Churchill, Collins, Darcy, Deacon, Drear, Finn, Harrison, Hulme, Mrs Loveridge, Dr Mahony, Nicholson, Partridge, Patel, Mrs Pengelly, Riley, Salmon, Shayer, Smith, Stoneman, Tofan, Wakeham, Ms Watkin

Abstain (3)

Lord Mayor, Councillors Bridgeman, Singh.

Absent/Did Not Vote (2)

Councillors, Mrs Beer, Mrs Bowyer.

8. Urgent Decisions

Council agreed to note the report.

9. Questions by Councillors

	From	To	Subject
1	Cllr Nigel Churchill	Cllr Jonathan Drear	Electric Vehicle Charging Points for Maritime Industry: had the Council considered this?
			Response: Two EV water taxis were currently running in the city and the pontoons had charging points on them; this was something the Council was hoping to install more of in the future.
2	Cllr Dylan Tippetts	Cllr Jonathan Drear	Compton Roads: would the Cabinet Member and relevant officers consider going on a site visit with Cllr Tippetts to Compton, specifically Hartley Avenue, to assess the road surface and consider options for repair?
			Response: The Cabinet Member confirmed he was happy to attend a site visit and discuss available options for repair if necessary.
3	Cllr Chaz Singh	Cllr Richard Bingley	Licensed Drivers: what plans were in place if more licensed drivers made a decision to move out of the city for work?
			Response: A lot of consultation had taken place regarding the taxi service and licensed drivers in the city. It was suggested that concerns were directed towards Councillor Riley as his scrutiny panel 'Growth and Infrastructure' were scheduled to consider taxi licensing as part of a select review.
4	Cllr Ian Tuffin	Cllr Bill Wakeham	Sea swimming: did the Cabinet Member agree that those wishing to swim in the sea were as safe as possible?

			Supplementary question: would the Cabinet Member back Luke Pollard MP's campaign to have the waters around Devils Point and Firestone Bay designated as official bathing water subject to regular testing for water quality?
			Response: The Cabinet Member agreed that those wishing to swim in the sea should be as safe as possible and confirmed that he would support anyone who wanted to improve the quality of the local waters.
5	Cllr Sarah Allen	Cllr Bill Wakeham	Weeds and overgrown grass: what had gone wrong with this years' programme of maintenance?
			Response: Staffing and resourcing issues were affecting this department however road sweeper vehicles were to be converted to allow weeds to be cut when out maintaining roads.
6	Cllr Patrick Nicholson	Cllr Pat Patel	Letters to residents: Several residents in Plympton had received a letter from the Council threatening to remove their ability to pay their council tax or housing benefit by direct debit – would the Cabinet Member seek to review standard letters to ensure they treated customers with respect?
			Response: The Cabinet Member confirmed he would instruct a review of standard letters to be undertaken.
7	Cllr Mark Deacon	Cllr Pat Patel	20,000 people attended SailGP 2021 with a global audience of millions, would the administration seek to bring this back for the City in 2023?
			Response: Once economic data had been received for SailGP 2022 the Council would then decide whether to progress and bid for 2023.
8	Cllr Neil Hendy	Cllr Richard Bingley	There had been reports of taxis leaving the city centre and refusing to undertake multiple jobs for females in one complete journey. Drivers would complete one job before returning to the city centre to start the next job. Drivers had complained about the cost of fuel.
			Response: The quality of taxi provision in the City had been acknowledged to be well behind compared to other cities, despite a number of hardworking drivers in the City. The Violence Against Women and Girls (VAWG) commission had been looking at the public transport system within the city and the review would include taxi provision. There would be a violent crime audit specifically looking at protection and safeguarding, Cllr Bingley would be meeting with the Chairs of the Taxi Licensing and Licensing committees to seek way that progress could be made through the licensing process. Cllr Bingley requested Cllr Hendy to provide more detail in the case he had highlighted so he could follow this up.

9	Cllr Mark Coker	Cllr Johnathan Drean	The signage of white and yellow lines had become problematic. What was the identified reason behind this and why had it taken 18 months in an accident black spot to get double yellow lines replaced?
			<p>Response: Cllr Drean had been progressing the quality of white and yellow lines in the City since the end of 2021. A second crew would be trained by South West Highways who would catch up on the work. Cllr Drean noted the problems with North Cross roundabout and Manadon roundabout. Cllr Drean would be happy to look into the issues being raised by Cllr Coker should the area had been under a Traffic Regulation Order.</p> <p>Supplement – Cllr Coker had reported various incidents and had been responded to advising that it had been on a list but had not been supplied with a date in which it would be dealt with. Cllr Coker had been unable to inform residents fully.</p> <p>Response: Councillor Drean would take this forward and advised Councillors that any report submitted would be responded to within 28 days.</p>
10	Cllr Evans OBE	Cllr Wakeham	Trees within the Ham ward had been in close proximity of residents windows. North Prospect had few street lights and trees had been overhanging over existing street lights which had left many parts of North Prospect in darkness. When would this be sorted?
			<p>Response: Trees had been inspected on a regular basis and defects would be noted. Cllr Wakeham would respond to Cllr Evans OBE.</p> <p>Supplement: Cllr Evans OBE highlighted two trees causing significant damage to a roof on one of the buildings at Riverside Business Park, could this be dealt with as a matter of urgency.</p> <p>Response: Cllr Wakeham would meet with Cllr Evans OBE to look into the issues raised.</p>
11	Cllr Loveridge	Cllr Wakeham	Would grass cutting be treated as a priority around children's play areas and cut more frequently?
			Response: This would be under constant review during the season and would be reviewed further at the end of the season.
12	Cllr Laing	Cllr Bingley	How had the Leader been reassuring himself that Cllr Collins and Cllr Burden had been serving residents in their respective ward properly, considering living outside of the Council boundaries. How would the Leader decide that positions are no longer tenable?
			Response: Cllr Burden and Collins had been pro-active for their respective wards. Cllr Bingley re-affirmed that he had been confident that Cllrs Burden

			<p>and Collins had been doing good jobs as Councillors; attending meetings, undertaking casework and Cllr Bingley informed Council he had been comfortable with the situation.</p> <p>Supplement: Would Cllr Bingley be happy should another Councillor win an election and subsequently move out of the city boundaries.</p> <p>Response: Cllr Bingley would not speculate on the medium and long term.</p>
13	Cllr Hulme	Cllr Drean	<p>There had been on-going problems with pavement parking in the Ham ward. Had there been any movement on legislation?</p> <p>Response: Cllr Drean shared Cllr Hulme's frustration and had been requesting the Council's teams to progress action against those parking on pavements. Cllr Drean had discussed a steer from Johnny Mercer MP for additional legislation. The Council team had been out in the community and issuing tickets to those that had been parking on pavements.</p> <p>Supplement: Cllr Hulme had been reporting cars parking on pavements but residents would contact back to advise nothing had been done.</p> <p>Response: If cars had been parked across yellow lines, the team would be able to issue tickets. The team had been instructed to deal with this issue and Cllr Drean had been attempting to bring down powers and legislation from London. Once Cllr Drean receives timelines he would share with Cllr Hulme.</p>
14	Cllr wheeler	Cllr Drean	<p>Since Plymouth City Council's Bus Service Improvement bid had been unsuccessful, how had plans been progressing for the provision for bus services from next October?</p> <p>Response: Council teams had been progressing this and had been in contact with operators locally to see how things could be progressed. Cllr Drean had been in contact with Johnny Mercer MP for services in the north of the city and to make representation to the Department for Transport.</p> <p>Supplement: Is there still a prospect of funding and if so, is the bid plan being progressed.</p> <p>Response: Cllr Drean would check with the Council team but is assured that all avenues had been attempted to improve bus services and conversations had taken place with Johnny Mercer MP for additional funding.</p>
15	Cllr Singh	Cllr Bingley	<p>Whether the process for public consultation for the road signs being reinstated at 'Jack Leslie Square' would be started?</p> <p>Response: The Council called for a motion for public consultation on the matter. This now sits with the Courts and Cllr Bingley had been unable to comment further.</p>
16	Cllr	Cllr Drean	On new housing estates tarmac had not and

	Collins		would not be laid thick enough to enact a repair as it wouldn't meet the 40mm policy to repair potholes, what work had been done to address this?
	Response: Plymouth would be doing some trials for roads that wouldn't meet the intervention level, once completed a review would take place as to whether this would be taken forward.		
	Cllr Tuffin	Cllr Shayer	Should the Council maintain public facilities and the Corporate estate to keep people safe and prevent future costs being incurred?
	Response: The Council's responsibility would be to maintain corporate property.		
17	Supplement: For two years Councillors had been told that the sea wall at Firestone Bay would be repaired, when would the Council be undertaking the urgent work that had been promised		
	Response: Cllr Shayer would enquire as to when the work would be undertaken and push forward a programme for repairs as quickly as possible		
	Cllr Mrs Bridgeman	Cllr Bingley	Can the Leader give an assurance that he would be treating Commitment 54 with the highest priority?
18	Response: Cllr Bingley re-affirmed the administration's commitment to acquire the leasehold interests of Plymouth Airport from Sutton Harbour Holdings with the objective of making the airport operational. Quality transport links had been required by the city and there had been serious engagement from sizeable companies to have an airport and aviation services. This is a core priority but there had and continued to be a commercial and legal process under this.		
	Cllr Rennie	Cllr Bingley	Would a CCTV system be setup within the Sutton and Mount Gould Ward due to the increase of anti-social behaviour in the area? Would the relevant cabinet member arrange a meeting to discuss the issue with all ward members?
19	Response: Keeping the city and neighbourhoods safe had been and continued to be a core priority for the administration. It had been acknowledged that the city required up to date and quality CCTV which would be co-ordinated with partners and other agencies across the city within legal parameters.		
	Councillor Bingley would meet with all ward councillors from Sutton and Mount Gould to discuss the increasing anti-social behaviour in the area.		
20	Cllr Poyser	Cllr Wakeham	Could Councillors and residents feedback on

			suggestions regarding grass cutting schedules and other areas left for nature. Could residents become involved in managing those wildling areas.
	<p>Response: The Council would be reviewing grass cutting schedules and how the re-wilding had been progressing over the season. The Council would like to see as much wilding as possible and appropriate signage needed to be placed for those designated areas. The city of Plymouth needed to be educated as much as possible on the effects of biodiversity. Wilding had never been so important due to the loss of land from the construction of new houses in the area.</p> <p>Supplement: How do residents and Councillors constructively feedback at the end of the season would be welcome.</p> <p>Response: Cllr Wakeham would listen to Cllr Poyser feedback when the review of the season took place.</p>		
	Cllr Coker	Cllr Wakeham	There had been an increase in the amount of vegetation coming out of the drains and gully's, what had the Cabinet Member for Environment and Street Scene and the Cabinet Member for Transport been doing to address this productively?
21	<p>Response: Cllr Drean and Cllr Wakeham had been working together closely and had met out in the communities to gain more understanding of the concerns and the Council would be doing its best to combat this.</p> <p>Supplement: When would residents see action, Cllr Coker advised that he would be unable to report every drain in his area.</p> <p>Response: Cllr Wakeham had a meeting arranged for the coming week and would be discussing the issues of drains at this meeting and would be doing whatever he could to fight this problem.</p>		
	Cllr Singh	Cllr Bingley	Would the Drake ward be receiving covert CCTV to aid a zero tolerance policy on fly tipping?
22	<p>Response: The Leader re-affirmed his desire for a modern web based CCTV system that would cross communicate with business, Local Authority and the Police within privacy regulations. The Leader also re-affirmed the Councils favour for enforcement processes.</p> <p>The Leader recommended a need to have a cross party taskforce that worked closely with the Police force that would target crime and enforcement and would create an implementation plan in conjunction with the VAWG commission implementation plan.</p>		
23	Cllr Tuffin	Cllr Bingley	Residents had been complaining about noisy exhausts, would the Leader represent Council

			to Devon and Cornwall Police to look into this problem and prosecute where necessary. Would the Leader support Luke Pollard MP and Cllr Penberthy's campaign to sight and install a noise camera.
			Response: Cllr Bingley would conduct investigations around this technology.

Please note that questions, answers, supplementary questions and supplementary answers have been summarised.

City Council

Friday 30 September 2022

PRESENT:

Lord Mayor, in the Chair.

Councillor Pauline Murphy, Vice Chair.

Councillors Allen, Mrs Aspinall, Bingley, Mrs Bowyer, Briars-Delve, Mrs Bridgeman, Carlyle, Churchill, Coker, Cree, Cresswell, Deacon, Drear, Evans OBE, Goslin, Harrison, Hendy, Holloway, Hulme, Kelly, Laing, Lugg, Dr Mahony, McDonald, Nicholson, Patel, Mrs Pengelly, Poyser, Rennie, Salmon, Shayer, Singh, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy, Wakeham, Ms Watkin and Wheeler.

Apologies for absence: Councillors Mrs Beer, Burden, Collins, Darcy, Finn, Haydon, Loveridge, Lowry, Partridge, Penberthy, Reilly, Riley, Smith and Vincent.

The meeting started at 1.00 pm and finished at 1.58 pm.

Note: The full discussion can be viewed on the webcast of the City Council meeting at www.plymouth.gov.uk. At a future meeting, the Council will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

10. **Declarations of Interest**

There were no declarations of interest.

11. **Appointment of Interim Section 151 Officer (Head of Finance)**

The Appointment of David Northey (Head of Integrated Finance) as the Interim Section 151 Officer (Service Director for Finance) was proposed by The Leader and after contributions from Councillor Tudor Evans OBE (Shadow Leader) and Councillor Mark Shayer (Cabinet Member for Finance and Economy), the Council agreed to –

1. Confirm David Northey as the Council's Section 151 Officer with effect 3 October 2022 at midnight. The reason for this appointment is to meet statutory obligation under Section 151 of the Local Government Act 1972. The Local Government and Housing Act 1989 also requires that the post holder is a member of one of the CCAB accountancy bodies;
2. Thank Brendan Arnold, the outgoing Section 151 officer, for his contribution to the Council.

12. **Questions by Councillors**

	From	To	Subject
I	Councillor Sally Cresswell	Councillor Charlotte	Concern over the loss of 3 senior members of staff in Education and

		Carlyle	Children and Young People's Services, all of which are due to leave this term, and the speed at which the posts will be filled.
	<p>Response: No concern at present as the department is in the incredibly capable hands of Sharon Muldoon, and news of their replacements will be made in the coming months.</p> <p>Supplementary: With people being less likely to move for jobs, especially in the current economic climate, is there not concern about finding suitable replacements? Are there any packages that will be put together to try and overcome this issue?</p> <p>Response: The department is in good hands with Sharon Muldoon's leadership, and she is well connected. Packages are being looked into, but Plymouth, and the South-West, holds its own in terms of offer.</p>		
2	Councillor Mark Coker	Councillor Jonathan Drean	With the onset of Winter, and delays in Highways replacing broken and damaged street lighting, what plans are in place to make sure works take place on schedule? Are there any plans to cut street lighting?
	<p>Response: There are no plans to cut street lighting. Alternative measures are being looked at. Councillor Drean also advised that a report is imminent, which he would be willing to share.</p> <p>Sup: Why have some residents being waiting 4 months for a street light to be replaced?</p> <p>Response: Councillor Drean advised that there have been contractual failures, which are being looked into, as well as delays in getting parts from manufacturers. There are approximately 30 in the city out of 30,000 awaiting work, but he was happy to look into a specific location.</p>		
3	Councillor Eddie Rennie	The Leader	There have been several occasions over the summer where travellers have set up unauthorised encampments across the city, including in the Sutton and Mount Gould Ward. Can the Leader reassure that the Council and its partners are doing everything to ensure sites are managed?
	<p>Response: The Council has been clear that it must move swiftly to remove illegal encampments when ASB and environmental damage can be evidenced. Councillor Bingley explained they would be happy to look into specific examples with more detail.</p> <p>Supplementary: An issue with securing sites would be financial implications. Would funding be available to secure sites?</p>		

	Response: The Leader explained that some activity in this area may need to be paused due to the current financial position of the Council, but specific situations can be looked into.		
4	Councillor Tudor Evans OBE	The Leader	How many Council meetings did The Leader attend in 5 week absence from the city over the summer? Sup: How many meetings have had to be cancelled and meetings with potential invested?
	<p>Response: The Leader informed Councillor Evans OBE that he had not been absent from the city for 5 weeks.</p> <p>Supplementary: Councillor Evans OBE then asked how many meetings had to be cancelled in the 5 week period because The Leader could not attend?</p> <p>Response: The Leader explained that he did not know of any meetings that had been cancelled as his leave was pre-arranged.</p>		
5	Councillor Sarah Allen	Councillor Jonathan Drean	What plans are to make the city centre ready for Christmas with lights and to help small local businesses?
	Response: The strategic planning and infrastructure team have been liaising with businesses and the City Centre Company, and the lights will be going up as normal. Work is being done with contractors working to make a better experience prior to Christmas, although some may need to continue after, but it will be made safe during the Christmas period. Councillor Drean he was happy to provide more details on Christmas lighting in the future.		
6	Councillor Mary Aspinall	The Leader	At the Health and Wellbeing Board, held on 29 September 2022, a report on the cost of living task force was presented and included some innovative ideas, but few people know about it. Could reassurance be given that it will be shared between members so everyone knows about it?
	<p>Response: Yes and The Leader added that members of the public could access information online at www.plymouthonlinedirectory.com/costoflivingsupport and asked Members to promote the page.</p> <p>Supplementary: Councillor Aspinall asked for further reassurance that the findings of the taskforce would feed into the data from the Child Poverty Working Group, as there was some suggestion that child poverty in Plymouth was falling but that trend could change in the coming months.</p>		

	Response: The Leader explained that his administration were committed in this unprecedented financial crisis to put the right interventions in to mitigate these issues.		
7	Councillor Jemima Laing	The Leader	Councillor Laing noted that Councillor Collins and Councillor Burden, who lived in Gloucestershire, were not in attendance and asked how The Leader had been satisfied that they had been properly serving their communities, and what it would take to determine their roles untenable?
	<p>Response: The Leader responded by saying that levels of casework and participation in meetings internally and externally is considered, and the situation is not unprecedented.</p> <p>Supplementary: Councillor Laing asked what advice, as Leader, he would give to Councillors Burden and Collins with regards to remaining in their roles.</p> <p>Response: Conversations have taken place, but will remain private, as in any organisation. It is for elected individuals to decide how to perform their duties.</p>		
8	Councillor Stephen Hulme	Councillor Jonathan Drean	Councillor Hume explained that there were ongoing issues with pavement parking with cars being totally on the pavement in Ham Ward and asked if there was any movement on Council powers to tackle the issue.
	Response: Councillor Drean explained that other Councillors had also been in touch with regards to this issue. He added that he was not aware of any legislation having been passed yet, but would check with the team and update Councillor Hulme.		
9	Councillor Dylan Tippetts	Councillor Pat Patel	Councillor Tippetts reported that there had been an increase of muggings of young women in the Mutley area since the return of university students and asked why was a plan not enacted to prevent this?
	<p>Response: Councillor Patel explained that before Fresher's week, the board met to discuss measures to be put in place, right up to Halloween, which included additional buses and a Police presence in the City Centre. Councillor Patel added that he was not aware of an increase in incidents.</p> <p>Supplementary: Councillor Tippetts explained it seemed that everyone in his class knew someone who had been mugged since the beginning of term and asked if Councillor Patel and other Cabinet Members would be willing to hold an open forum to listen to the experiences of university students.</p>		

	Response: Councillor Patel highlighted the importance of reporting incidents to the Police and explained that the University has a process in place for reporting incidents and causes of concern to the Council.		
10	Councillor Nick Kelly	The Leader	Councillor Kelly explained that whilst he was delighted that Plymouth had successfully bid for an Enterprise Zone, connectivity remains an issue with the airport being closed and asked if The Leader would be prepared to bring a full report to the next City Council meeting?
	<p>Response: The Leader agreed to provide a report and explained that it is the intention of his administration to acquire the land and have it used for aviation purposes.</p> <p>Supplementary: Councillor Kelly asked The Leader to confirm what the value of the airport was on Plymouth City Council's assets.</p> <p>Response: The Leader declined to answer as that information was privileged due to an ongoing legal process.</p>		
11	Councillor Bill Stevens	Councillor Pat Patel	Councillor Stevens asked when it would be announced that Devonport Library would be open for more than the current 2 days a week.
	<p>Response: Councillor Stevens explained that the Council did not have resources to keep it open more than the current 2 days, but if volunteers could be found, this could change.</p> <p>Supplementary: Councillor Stevens asked when Councillor Patel would find resource to keep Devonport Library open for longer to provide a deprived area of Plymouth with better access to books, computers and heat.</p> <p>Response: Councillor Patel explained that the financial crisis is affecting organisations such as the Council and there are not enough resources to keep all libraries open all of the time. He added that Livewell are looking into warm venues that can be provided, and more would be announced on this when it was known.</p>		
12	Councillor George Wheeler	The Leader	Councillor Wheeler asked The Leader how he felt with regards to the government's current position on the financial crisis and its current policies potential effects on the people of Plymouth and on Plymouth City Council.
	Response: The Leader explained that Councillors are part of their communities and they too feel the effects of inflation and explained some of the policies put in place to help people and reiterated the		

	importance of directing residents to the online cost of living hub for support.		
13	Councillor Mark Coker	Councillor Bill Wakeham	Councillor Coker asked what was being done to tackle the issue of overflowing public bins.
	<p>Response: Councillor Wakeham explained that a new waste vehicle has been ordered. There were maintenance issues with vehicles repetitively breaking, so a new vehicle was ordered and is on its way.</p> <p>Supplementary: Councillor Coker asked why Councillors were receiving casework responses explaining that 'everything would be back to normal' by September, if the new machinery has not arrived?</p> <p>Response: Councillor Wakeham explained that it had been due to arrive in September but due to delays related to the COVID19 pandemic, it would now be October. Councillor Wakeham offered to contact Councillor Coker with an update as soon as there was more information.</p>		
14	Councillor Tudor Evans OBE	The Leader	<p>Councillor Evans OBE asked if The Leader supported the government's recent announcement of tax cuts for people earning over £150,000 a year?</p> <p>Sup: OBR offered to produce a report for the</p> <p>Do you support the tax cut for the richest in this country?</p> <p>Individual who is Chancellor. Cannot tell if the right or wrong thing has been done until years after.</p>
	<p>Response: The Leader explained that it was hard to pass judgement on the decision of a new Chancellor so early in their tenure.</p> <p>Supplementary: Councillor Evans OBE asked if The Leader supported the Chancellor's tax cut for the richest 625,000 people in the country with a 1% tax cut for the remainder.</p> <p>Response: The Leader explained he would delay judgement on the decision as it was a national question and it would be likely that it would not be deemed right or wrong until years after the economic crisis.</p>		
15	Councillor Chip Tofan	Councillor Bill Wakeham	Councillor Tofan explained that there had been issues in previous months in Crownhill village and thanked team for

			their support. He added. However, that the current solutions did not seem sustainable and asked in Councillor Wakeham would be happy to meet to find a sustainable resolution for the problem on site?	
Response: Councillor Wakeham agreed to meet Councillor Tofan on site at a mutually agreeable time.				
16	Councillor Eddie Rennie	Councillor James Stoneman	Councillor Rennie asked when the lanes in and around St Jude's would be cleared of weeds as he had not received a reply to his email to Councillor Stoneman?	I have chased this up and will keep on it and keep you updated with progress.
Response: Councillor Stoneman apologised for not updating Councillor Rennie but explained that he had been chasing this issue and would do so again and update Councillor Rennie and Ward Councillors.				
17	Councillor Bill Stevens	Councillor Pat Patel	Councillor Stevens asked Councillor Patel to confirm if there were any discussions taking place to remove the telephone element from the Council's Contact Centre.	
Response: Councillor Patel explained that the Council is looking to move to a more digital service, but full details were not available to him yet, but confirmed there were no plans to cut telephone services altogether.				
Supplementary: Councillor Stevens asked Councillor Patel to confirm that there would be consultation with Councillors across the Chamber to ensure Councillors would be fully informed and so views could be taken into account in any plans.				
Response: Councillor Patel explained that a consultation on the issue had already taken place for Councillors and residents.				
18	Councillor Nick Kelly	Councillor Mark Shayer	Councillor Kelly explained that in February 2022, a number of Councillors voted against a budget which proposed the lowest Council Tax increase in 6 years and an alternative budget was put forward. Councillor Kelly asked if an update could be provided on whether the savings were being achieved, if they were realistic and if there were further implications on Council services because of it.	

	Response: Councillor Shayer explained that the global economic crisis had caused changes to be made to the budgets and revenues within the Council and that significant efforts were being made to make savings to close the overspend gap.
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Please note that questions, answers, supplementary questions and supplementary answers have been summarised.

City Council

Friday 30 September 2022

PRESENT:

Councillor Dann, in the Chair.

Councillor Murphy, Vice Chair.

Councillors Allen, Mrs Aspinall, Bingley, Mrs Bowyer, Briars-Delve, Carlyle, Churchill, Coker, Cree, Cresswell, Deacon, Drear, Evans OBE, Goslin, Harrison, Hendy, Holloway, Hulme, Kelly, Laing, Lugger, Dr Mahony, McDonald, Nicholson, Patel, Mrs Pengelly, Poyser, Reilly, Rennie, Salmon, Shayer, Singh, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy, Wakeham, Ms Watkin and Wheeler.

Apologies for absence: Councillors Mrs Beer, Mrs Bridgeman, Burden, Collins, Darcy, Finn, Haydon, Loveridge, Lowry, Partridge, Penberthy, Riley, Smith and Vincent.

The meeting started at 2.00 pm and finished at 2.56 pm.

Note: The full discussion can be viewed on the webcast of the City Council meeting at www.plymouth.gov.uk. At a future meeting, the Council will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

13. **Declarations of Interest**

No declarations of interest were made.

14. **Death of Her Majesty the Queen - Motion**

The Lord Mayor introduced the motion and after contributions from Councillors Kelly, Singh, Tuohy, Evans OBE, Coker, Cresswell, Stevens, Stoneman, Tippetts, Mahony and Bingley.

The Council:

- 1) Gave thanks for the exceptional 70 years of service of the late Queen Elizabeth II;
- 2) Offered its deep condolences, and those of the people of Plymouth, to His Majesty the King and the Royal Family on the death of the late Queen Elizabeth II;
- 3) Expressed to His Majesty the King their loyalty and conviction that His Majesty would strive to continue the resolute commitment to the happiness and prosperity of His subjects now and in the years to come.

City Council



Date of meeting: 21 November 2022
Title of Report: **Political Proportionality**
Lead Strategic Director: Giles Perritt (Assistant Chief Executive)
Author: Ross Jago, Head of Governance Performance and Risk
Contact Email: Ross.jago@plymouth.gov.uk
Your Reference: AC.22/23(1)
Key Decision: No
Confidentiality: Part I - Official

Purpose of Report

The purpose of this report is to advise Council of changes to the political proportionality of the Council and membership of committees.

Recommendations and Reasons

That Council approves the changes to committee membership set out at Appendix A of this report following changes in the political proportionality of the Council.

Reason: To maintain clarity of the Council's committee structure and membership

Alternative options considered and rejected

None. The Council is required to conduct proportionality reviews under Section 15 of the Local Government and Housing Act 1989.

Relevance to the Corporate Plan and/or the Plymouth Plan

Clarity on appointments to committees ensures that key projects and activities can be progressed in line with the Corporate and Plymouth Plans.

Implications for the Medium Term Financial Plan and Resource Implications:

None arising directly from this report.

Financial Implications:

None arising directly from this report.

Carbon Footprint (Environmental) Implications:

None arising directly from this report.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

None arising directly from this report.

Appendices

*Add rows as required to box below

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A								
B								

Background papers:

*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

Sign off:

Fin		Leg	LS/37 934/A C/18/ 1/22	Mon Off	LS/37 934/A C/18/ 1/22	HR		Asset s		Strat Proc	
Originating Senior Leadership Team member: Giles Perritt (Assistant Chief Executive)											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 14/01/2021											

POLITICAL PROPORTIONALITY



I. LEGISLATIVE REQUIREMENTS OF PROPORTIONALITY

- I.1. Section 15 (5) of the Local Government and Housing Act 1989 imposes a duty on Councils to review the representation of different political groups on bodies to which the Council makes appointments. The Act requires that the review should be held at the Annual General Meeting or as soon as practicable after that meeting or when the membership of the Council changes.
- I.2. The Act provides four principles concerning political representation that must be observed when conducting a review. These are:
 - a) that not all the seats on committees are allocated to the same political group;
 - b) that the majority of the seats on each committee are allocated to a particular political group if the number of persons belonging to that group are a majority of the authority's membership;
 - c) subject to (a) and (b), that the number of seats on committees which are allocated to each group bears the same proportion to the total of all the seats on committees of the council as is borne by the number of members of that group to the membership of the authority, and
 - d) Subject to (a) to (c) above, that the number of seats on each committee which are allocated to each political group bears the same proportion to the number of all the seats on that committee as is borne by the number of members of that group to the membership of the authority.
- I.3. The legislation provides that the Council may make alternative arrangements to the 'proportionality' principles only by a unanimous vote, with no member voting against.
- I.4. The Committees and Panels to which the provisions of Section 15 of the Act apply, and the recommended allocation of seats on each, applying the principles of the Act as closely as is reasonably practicable, are shown in Section 2 below. The recommended allocation of seats reflects the four proportionality principles so far as reasonably practicable.

2. OVERALL PROPORTIONALITY 2022/2023 (October) - NUMBER OF SEATS ON COUNCIL

Group	October 2022
Conservative	28 (49.1%)
Labour	24 (42.1%)
Green	2 (3.51%)
Independent Alliance	3 (5.25%)

* There are 57 members on Plymouth City Council. The Local Government and Housing Act 1989, which sets out how seats should be allocated to members on a Council, describes the distribution of seats between the political Groups into which the Council has divided itself. There is no seat entitlement to members who are not in a Group. The definition of what constitutes a group on a Council is covered in The Local Government (Committees and Political Groups) Regulations 1990 and can be found in the following link <https://www.legislation.gov.uk/ukssi/1990/1553/part/III/made>

A single representative does not constitute a Group which is defined as a number of persons bound together by common interests. As such, a single Member is not entitled to any Committee seats. This is consistent with practice previously employed by the Council in similar circumstances.

2.1. The application of the legislative principles is set out below:

Local Government Act 1989 – Principles	Is this principle met?
a. that not all the seats on committees are allocated to the same political group	Principle Met
b. that the majority of the seats on each committee are allocated to a particular political group if the number of persons belonging to that group are a majority of the authority's membership;	Not applicable as there is no majority group.
c. subject to (a) and (b), that the number of seats on committees which are allocated to each group bears the same proportion to the total of all the seats on committees of the council as is borne by the number of members of that group to the membership of the authority;	Principle met
d. Subject to (a) to (c) above, that the number of seats on each committee which are allocated to each political group bears the same proportion to the number of all the seats on that committee as is borne by the number of members of that group to the membership of the authority.	Principle met

Conservative 28 / Labour 24 / Green 2 / Independent Alliance 3 Greens are entitled to five seats on committees - suggestion for how that is distributed in this table. There remains 14 seats to be allocated.									Total Seats	Allocated Seats	Vacant Seats
Councillors	28	49.12%	24	42.11%	2	3.51%	3	5.26%			
Seat Allocation as % membership	65	65.33	56	56.00	5	4.67	7	7.00			
Planning Committee	6	6.39	5	5.47	1	0.46	1	0.68	13	13	0
Taxi Licensing Committee	4	3.44	3	2.95	0	0.25	0	0.37	7	7	0
Licensing Committee	6	6.39	6	5.47	0	0.46	1	0.68	13	13	0
Chief Officer Appointments Panel	4	3.44	3	2.95	0	0.25	0	0.37	7	7	0
Chief Officer Disciplinary Panel	4	3.44	3	2.95	0	0.25	0	0.37	7	7	0
Chief Officer Appeals Panel	3	3.44	4	2.95	0	0.25	0	0.37	7	7	0
Audit and Governance Committee	3	2.46	2	2.11	0	0.18	0	0.26	5	5	0
Tamar Bridge and Torpoint Ferry JC	2	2.46	2	2.11	0	0.18	1	0.26	5	5	0
Devon and Somerset Fire Authority	2	1.96	2	1.68	0	0.14	0	0.21	4	4	0
Growth and Infrastructure Scrutiny	6	6.39	5	5.47	1	0.46	1	0.68	13	13	0
Performance Scrutiny	6	6.39	5	5.47	1	0.46	1	0.68	13	13	0
Children's Scrutiny	6	6.39	5	5.47	1	0.46	1	0.68	13	13	0
Health & Adult Care Scrutiny	6	6.39	5	5.47	1	0.46	1	0.68	13	13	0
Standards Advisory Board	3	2.95	3	2.53	0	0.21	0	0.32	6	6	0
Lord Mayors Selection Committee	4	3.44	3	2.95	0	0.25	0	0.37	7	7	0
Seats allocated	65	0	56	0	5	0	7	0	133	133	0

Regulatory Committees

Planning Committee	
13 councillors (proportional)	
Six Conservative Councillors, Five Labour Councillors, One Green Councillor, One Independent Alliance Councillor.	
Councillor Ian Darcy	Chair
Councillor Kathy Watkin	Vice Chair
Councillor Philip Partridge	
Councillor Patrick Nicholson	
Councillor James Stoneman	
Councillor Rebecca Smith	
Councillor Sarah Allen	
Councillor Zoe Reilly	
Councillor Bill Stevens	
Councillor Ian Tuffin	
Councillor Tina Tuohy	
Councillor Ian Poyser	
Councillor Nick Kelly	
Substitutes	
Councillor Vivien Pengelly	
Councillor Andrea Loveridge	
Councillor Lee Finn	
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed planning training	

Taxi Licensing Committee	
Seven councillors (proportional)	
Four Conservative Councillors, Three Labour Councillor	
Councillor Nigel Churchill	Chair
Councillor Chip Tofan	Vice Chair
Councillor Phil Partridge	
Councillor Sally Haydon	
Councillor Eddie Rennie	
Councillor Ian Tuffin	
Conservative Vacancy	
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed training	
Substitutes	
Councillor Andy Lugger	
Councillor Dan Collins	

Licensing Committee	
Thirteen councillors (proportional)	
Six Conservative Councillors, Six Labour Councillors, One Independent Alliance Councillor	
Councillor Phil Partridge	Chair
Councillor David Salmon	Vice Chair
Councillor Nigel Churchill	
Councillor Stephen Hulme	
Councillor James Stoneman	
Councillor Vivien Pengelly	
Councillor Sarah Allen	
Councillor Dr Charlotte Cree	
Councillor Ian Tuffin	
Councillor Sue McDonald	
Councillor Eddie Rennie	
Councillor Dylan Tippetts	
Councillor Chaz Singh	
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed planning training	
Substitutes	
Councillor Pat Patel	
Councillor Dr John Mahony	

Audit and Governance Committee	
Five councillors (proportional)	
Three Conservative Councillors, two Labour Councillors	
Councillor Andy Lugger	Chair
Councillor Mark Lowry	Vice Chair (Labour)
Councillor Chip Tofan	
Councillor Tudor Evans OBE	
Conservative Vacancy	
Any councillor may act as a substitute member if they have undergone the Council's prescribed training	
Substitutes	
Councillor Philip Partridge	
Councillor Lee Finn	
Councillor Jemima Laing	

Scrutiny Committees

Performance, Finance and Customer Focus Overview and Scrutiny Committee	
Thirteen councillors (proportional)	
Six Conservative Councillors, Five Labour Councillors, One Green Councillor, One Independent Alliance Councillor.	
Councillor Chris Penberthy	Chair
Councillor Lee Finn	Vice Chair
Councillor Dan Collins	
Councillor Stephen Hulme	
Councillor Chip Tofan	
Councillor Nigel Churchill	
Councillor Phillip Partridge	
Councillor Sally Haydon	
Councillor Mark Lowry	
Councillor Bill Stevens	
Councillor Brian Vincent	
Councillor George Wheeler	
Councillor Independent Alliance	
With the exception of Cabinet Members, any councillor may act as a substitute member	

Health and Adult Social Care Overview and Scrutiny Committee	
Thirteen councillors (proportional)	
Six Conservative Councillors, Five Labour Councillors, One Green Councillor, One Independent Alliance Councillor.	
Councillor Mary Aspinall	Chair
Councillor Mark Deacon	Vice Chair
Councillor Natalie Harrison	
Councillor Phillip Partridge	
Councillor Patrick Nicholson	
Councillor Vivien Pengelly	
Councillor Lee Finn	
Councillor Pauline Murphy	
Councillor Zoe Reilly	
Councillor Ian Tuffin	
Councillor Sue McDonald	
Councillor George Wheeler	
Councillor Independent Alliance	
With the exception of Cabinet Members, any councillor may act as a substitute member	

Education and Children's Social Care Overview and Scrutiny Committee	
Thirteen councillors (proportional)	
Six Conservative Councillors, Five Labour Councillors, One Green Councillor, One Independent Alliance Councillor.	
Councillor Jemima Laing	Chair
Councillor Vivien Pengelly	Vice Chair
Councillor Andrea Loveridge	
Councillor Mark Deacon	
Councillor Phillip Partridge	
Councillor Chip Tofan	
Councillor Natalie Harrison	
Councillor Sarah Allen	
Councillor Tom Briars-Delve	
Councillor Sally Cresswell	
Councillor Dr Charlotte Cree	
Councillor Ian Poyser	
Councillor Mrs Terri Beer	
With the exception of Cabinet Members, any councillor may act as a substitute member	

Growth and Infrastructure Overview and Scrutiny Committee	
Thirteen councillors (proportional)	
Six Conservative Councillors, Five Labour Councillors, One Green Councillor, One Independent Alliance Councillor.	
Councillor John Riley	Chair
Councillor Mark Coker	Vice Chair
Councillor David Salmon	
Councillor Chip Tofan	
Councillor Lee Finn	
Councillor Andy Lugger	
Councillor Phillip Partridge	
Councillor Neil Hendy	
Councillor Jeremy Goslin	
Councillor Charlotte Holloway	
Councillor Dylan Tippetts	
Councillor Ian Poyser	
Councillor Independent Alliance	
With the exception of Cabinet Members, any councillor may act as a substitute member	

Chief Officer Panels

Chief Officer Appointments Panel	
Seven councillors (proportional)	
Four Conservative Councillors, Three Labour Councillors	
Councillor Richard Bingley	Chair
	Vice Chair
Councillor Vivien Pengelly	
Councillor Andy Lugger	
Councillor Mary Aspinall	
Councillor Tudor Evans OBE	
Councillor Jemima Laing	
Conservative Vacancy	
Cabinet Members must not be in the majority on the panel	
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed personnel training	
Councillor Jonathan Drean	
Chief Officer Disciplinary Panel	
Seven councillors (proportional)	
Four Conservative Councillors, Three Labour Councillors	
Councillor Richard Bingley	Chair
Councillor Bill Wakeham	Vice Chair
Councillor John Riley	
Councillor Sally Haydon	
Councillor Mark Lowry	
Councillor Eddie Rennie	
Conservative Vacancy	
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed personnel training	
Chief Officer Appeals Panel	
Seven councillors (proportional)	
Three Conservative Councillors, Three Labour Councillors	
Councillor Dan Collins	Chair
Councillor Vivien Pengelly	Vice Chair
Councillor Patrick Nicholson	

Councillor Chris Penberthy
Councillor Pauline Murphy
Councillor Ian Tuffin
Labour Vacancy
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed personnel training.

Joint Committees / Authorities

Tamar Bridge and Torpoint Ferry Joint Committee	
Five councillors (proportional)	
Two Conservative Councillors, two Labour Councillors, one Independent Alliance Councillor	
Councillor Jonathan Drean	Chair
Councillor Pat Patel	
Councillor Neil Hendy	
Councillor Mark Coker	
Councillor Chaz Singh	

Devon and Somerset Fire and Rescue Authority
Four councillors (proportional)
Two Conservative Councillors, two Labour Councillors
Councillor Mark Shayer
Councillor Jonathan Drean
Councillor Labour Vacancy
Councillor Neil Hendy

Other Committees

Lord Mayor Selection Committee	
Seven councillors (proportional)	
Three Conservative Councillors, Three Labour Councillors, one Unallocated Vacancy	
Councillor Richard Bingley	Chair
Councillor Mark Shayer	Vice Chair
Councillor Rebecca Smith	
Councillor Mary Aspinall	
Councillor Tudor Evans OBE	
Councillor Pauline Murphy	
Conservative Vacancy	

Standards Advisory Group	
Six councillors (proportional)	
Three Conservative Councillors, three Labour Councillors	
Councillor John Mahony	Chair
Councillor Chip Tofan	Vice Chair
Councillor Rebecca Smith	
Councillor Eddie Rennie	
Councillor Sally Cresswell	
Councillor Neil Hendy	

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City Council

Date of meeting:	21 November 2022
Title of Report:	Month 6 Financial Monitoring Report
Lead Member:	Councillor Mark Shayer (Deputy Leader and Cabinet Member for Finance and Economy)
Lead Strategic Director:	David Northey, (Interim Service Director for Finance)
Author:	Stephen Coker Interim Finance Business Partner (CEO & C&CS)
Contact Email:	David.northey@plymouth.gov.uk
Your Reference:	
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

This report sets out the revenue monitoring position of the Council forecast to the end of the financial year 2022/23 at Period 6; the cash expenditure for the Capital Programme at Period 6; the Quarter 2 Capital Programme update; a report on the work of the Cabinet Working Group on Commercial Income and an update on revenue virements.

Recommendations and Reasons

That Council notes:

1. The forecast revenue monitoring position at Period 6 as set out in this report in the sum of £5.991m.

Reason: controlling the outturn within budget is essential to maintain financial control.

2. The expenditure for the Capital Programme at Period 6.

Reason: monitoring the expenditure against the Capital Programme is a key part of maintaining financial control and project delivery.

Alternative options considered and rejected

There are no alternative options – our Financial Regulations require us to produce regular monitoring of our finance resources.

Relevance to the Corporate Plan and/or the Plymouth Plan

The report is fundamentally linked to delivering the priorities within the Council's Corporate Plan. Allocating limited resources to key priorities will maximise the benefits to the residents of Plymouth.

Implications for the Medium Term Financial Plan and Resource Implications:

Robust and accurate financial monitoring underpins the Council's Medium Term Financial Plan (MTFP). The Council's MTFP is updated based on on-going monitoring information, both on a local and national context. Any adverse variations from the annual budget will place pressure on the MTFP going forward and require additional savings to be generated in future years.

Financial Risks:

Financial risks concerning period 6 reporting are discussed in the body of the report and relate to the attainment of a balanced budget position in financial year 2022/23.

Carbon Footprint (Environmental) Implications:

No impacts directly arising from this report.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

The reducing revenue and capital resources across the public sector has been identified as a key risk within our Strategic Risk register. The ability to deliver spending plans within budget is paramount to ensuring the Council can achieve its objectives

Appendices

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 1 of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	2022/23 Savings status							
B	Non Controllable expenditure							
C	Gross to Net Pressures							

Background papers:

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

Sign off:

Fin	DJN. 22.2 3.26 6	Leg	EJ/3 8851 /7.11 .22(5)	Mon Off	EJ/3 8851 /7.11 .22(5)	HR		Assets		Strat roc	
Originating Senior Leadership Team member: David Northey (Interim Service Director for Finance)											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 03/11/2022											
Cabinet Member approval: Deputy Leader and Cabinet member of Finance, after discussion with Cabinet colleagues											
Date approved: 03/11/2022											

SECTION A: EXECUTIVE SUMMARY**Table 1: End of year revenue forecast**

	Budget £m	Net Forecast Outturn £m	Variance £m
Total General Fund Budget	197.750	203.741	5.991

1. This report highlights a revised monitoring position at Month 6 (September 2022) of £5.991m over budget, which is a variance of +2.9% against the net budget. This is set out in Appendix C.
2. The previous Monitoring Report at Month 5 (August 2022) highlighted a net forecast overspend of £6.656m.
3. Like all households and local authorities across the country, the Council continues to experience considerable inflationary pressure in the economy generally and especially in respect of fuel and pay. The current position again includes c. £6m of non-controllable costs which could not have been foreseen at the time of Budget setting; £3.3m relates to energy price inflation.
4. The £3.3m energy price pressure is broken down below. Further update on the forecast will be made in month 7.
 - The Life Centre has additional costs of £0.575m.
 - Street Lighting costs have increased by £0.898m
 - The two crematoria have increased costs of £0.345m
 - Corporate estate & car parking £1.455m
5. Aside from energy, the ongoing impact of the pandemic remains evident in terms of demand pressures and other changes which have seen a persistent increase in volumes of domestic waste and reductions in parking revenues as employees generally maintain homeworking. In adult social care and following the dislocation of the pandemic the numbers of people presenting as homeless has become more costly. The Council is not able to influence such demand pressures in the short term.
6. The Council's Children, Young People and Families Directorate is currently facing additional gross costs of £4.4 million regarding specialist residential placements for vulnerable children and other demand pressures – part of a national trend.
7. Negotiations at national level for pay in Local Government in 2022/23 have reached agreement and we have now costed in the additional £2.9m increase on top of the 2% provision set aside in the Budget. This is a national issue.
8. For the reasons described the variance is considerably higher than would normally be expected at this point of the financial year and in response management have developed a financial recovery plan with the aim of eliminating the forecast overspend.
9. At Period 5 savings of £7.716m were applied; in order to achieve the Period 6 forecast, the following additional savings have been applied.
 - a. Additional car parking income £629k, reflecting increased usage and charges
 - b. Further savings within the Children's Directorate £289k
 - c. Further savings from the corporate account £906k

10. As shown in Appendix A, the planned in-year savings targets amount to £11.245m, of which £8.275m are reported as on track or scheduled for delivery. Officers will continue to pursue these savings to ensure full delivery by the end of the financial year.

SECTION B: Directorate Review**Table 2: End of year revenue forecast by Directorate**

Directorate	Budget £m	Forecast £m	Forecast Net Variance £m	Status
Executive Office	5.398	5.650	0.252	over
Customer and Corporate Services	45.664	47.475	1.811	over
Children's Directorate	61.110	63.327	2.217	over
People Directorate	94.443	94.545	0.102	over
Public Health	(0.297)	(0.547)	(0.250)	under
Place Directorate	26.170	28.312	2.142	over
Corporate Account & Council wide items	(34.738)	(35.021)	(0.283)	under
Total	197.750	203.741	5.991	over

Executive Office

11. The Executive Office is reporting a gross pressure of £0.383m which is no change on month 5. To date pressures include additional member allowances, plus savings target set for 2022/23 not on track due to service demand. Mitigations of £0.131m have been identified leading to a net variance of £0.252m.

Customer and Corporate Services Directorate (CCS)

12. The CCS Directorate is forecasting no change to the net over spend of £1.811m which is net of £1.093m of savings. The overspend is significantly driven by energy supply and unmet licence fee savings due to maintained levels of recruitment, other inflationary pressures and demand pressures on business support services and library income. To mitigate these pressures recruitment and all non-essential spend has been delayed or frozen.

Children's Directorate

13. At Period 6 the pressure increased by £0.578m due to placements and school transport. This gives a gross adverse variance of £4.421m. The principal variations are; £1.806m relating to new exceptionally high cost bespoke and residential placement above previous growth assumptions, legal costs, specialist assessments, pressures within EP&S relating to SEND Short Breaks and School Transport. There is also a level of savings which appears undeliverable at this juncture.
14. In response to this the directorate has identified mitigations of £2.204m leading to a net variance of £2.217m.

People Directorate

15. The People Directorate forecast remains unchanged with an overspend of £0.102m.
16. The Department has challenging in year savings of £2.937m and whilst actions and plans are in progress a further stocktake as to progress will be made.

Office of the Director of Public Health (ODPH)

17. Services within the Public Health office are reporting an under spend of £0.250m which has contributed to the Period 6 net position.

Place Directorate

18. The directorate is continuing to report a significant gross overspend of £3.860m. The net pressure is down on Period 5 by £0.630m due to a reduction in forecast costs and increased parking income . The overall pressure is due to a combination of factors including utility costs and expenditures due to the Pandemic.
19. There is £1.718m of savings to reduce this to a net variance of £2.148m.

Corporate Items & Council wide

20. The overall position shows a net underspend of £0.283m. Pressures have increased by £0.582m in Month 6 due to additional pressure for the 2022/23 pay award offset by the recently announced national insurance changes. The pressure is offset by underspends in the treasury and corporate areas and additional fees income.

Capital Finance Report Month 6 2022/23

The approved capital budget (representing forecast resources) is made up of two elements. One is the Capital Programme representing projects that have been approved and the other is future funding assumptions which are estimates of capital funding the Council is likely to receive in the future.

The five year capital budget 2022-2027, is currently forecasted at £585.951m (Month 5 £620.189m) as at 30 September 2022. Movement since 30 June 2022 is detailed in Table 1; the main change is due to lower funding assumptions in 2022/23.

Capital Programme movement

Table 1 The Capital budget consists of the following elements:

Description	£m
Approved Capital Programme as at 30 June 2022	354.589
New approvals July 2022 & August 2022	16.914
New approvals September	2.882
Virements & variations	(1.904)
Capital Programme as at 30 September 2022	372.481
Future Funding Assumptions	213.470
Total Revised Capital Budget for Approval (2022/23 -2026/27)	585.951

A targeted exercise reviewing the cashflow profile of projects solely funded from borrowing identified £32.7m of budgeted spend in 2022/23 being slipped to 2023/24.

This has delivered revenue savings through lower borrowing which formed part of £0.200m reported at Month 4.

A breakdown of the current approved capital budget by directorate and by funding is shown below in Table 2.

Table 2 Capital Programme by Directorate

Directorate	2022/23	2023/24	2024/25	2025/26	2026/27	Total
	£m	£m	£m	£m	£m	£m
People	9.010	7.644	3.668	0.132	-	20.453
Place - Economic Development	22.073	92.161	12.927	4.530	0.053	131.744
Place – Strategic Planning and Infrastructure	94.649	37.197	16.804	2.484	-	151.134
Place – Street Services	23.168	5.573	2.377	-	-	31.118
Customer & Corporate Services	7.852	6.424	0.582	-	-	14.858
Office for Director of Public Health	9.823	10.682	2.670	-	-	23.175
Total	166.575	159.679	39.027	7.147	0.053	372.481
Financed by:	2022/23	2023/24	2024/25	2025/26	2026/27	Total
	£m	£m	£m	£m	£m	£m
Capital Receipts	5.636	4.735	0.443	3.000	0.053	13.867
Grant funding	83.250	29.559	2.625	1.803	-	117.238
Corporate funded borrowing	34.065	44.397	18.621	2.259	-	99.342
Service dept. supported borrowing	31.714	78.951	11.950	0.026	-	122.641
Developer contributions	10.443	2.036	5.388	0.058	-	17.925
Other contributions	1.468	-	-	-	-	1.468
Total Financing	166.575	159.679	39.027	7.147	0.053	372.481

Capital Programme 2022/23 monitoring

As at the end of Month 6 the approved Capital Programme forecast for 2022/23 was £166.575m.

Table 3 below includes a breakdown by directorate of actual cash spend as at 30 September 2022 shown as a value and percentage against latest forecast, overall 19.34%. The comparable percentage for 2021 was 18.98%. Profiling of the capital programme will continue to review robustness of forecasts to spend as project officers assess the inflationary impact to schemes and challenges to meet grant funding conditions.

Table 3 2022/23 Programme including actual spend and % spent compared to latest forecast

Directorate	Latest Forecast 2022/23 £	Actual Spend 2022/23 as at 30 Sept 2022 £	Spend as a % of Latest Forecast %
People	9.010	2.752	30.55
Place – Economic Development	22.073	2.656	12.03
Place – Strategic Planning & Infrastructure	94.649	16.626	17.57
Place – Street Services	23.168	5.651	24.39
Customer & Corporate Services	7.852	0.840	10.69
Office for Director of Public Health	9.823	3.697	37.64
Total	166.575	32.223	19.34

The 2022/23 forecast has reduced by £32m with a further £5.532m actual spend processed in the quarter which has increased percentage spend from 13.44% to 19.34%.

Finance Officers will continue to challenge spending profiles as part of the budget setting. With further work planned to incorporate an assessment of inflationary impact to overall capital programme and project officer review planned project delivery across 2022 to 2027.

Work with Project Officers is ongoing to mitigate the risk with S106 funding underwritten by corporate borrowing. A total £2m has been identified in September with circa £3.2m remaining a risk in 2022/23, this has arisen with projects where there is a delay in the receipt of S106 in time to fund expenditure.

Change requests have been submitted to Department of Transport for Transforming Cities Funding Tranche 2 totalling £24m, this will be a funding risk if an extension into 2023/2024 is not agreed. Conditions previously required the grant to be spent by 31 March 2023. The TCF2 quarter 2 return has been submitted to the DfT, and approval of first tranche of change request, is anticipated following a review of this submission.

Appendix A 2022/23 Savings status (I) Summary

	Total	Achieved savings	On track for delivery	Working on for delivery	Planned, internal/external actions required to deliver
	£m	£m	£m	£m	£m
Children's	3.942	2.073	0.956	0.467	0.446
People	2.937	1.392	1.545	0.000	0.000
ODPH	0.037	0.037	0.000	0.000	0.000
Customer & Corporate	3.015	0.407	0.000	0.494	2.114
Place	0.964	0.175	0.308	0.071	0.410
Corporate Items	0.350	0.000	0.350	0.000	0.000
2022/23 Savings	11.245	4.047	3.196	1.097	2.970

Appendix A 2022/23 Savings status (2) Detail

Directorate / Plans	Target Savings	MTFS Savings	Achieved savings	Plans on track for delivery	Plans worked on for delivery	Planned, internal/external actions required to deliver
	£m	£m	£m	£m	£m	£m
Children's						
Placement Review	1.400	1.400	0.510	0.423	0.467	
AST	0.500	0.500	0.407	0.093		
Fostering	0.450	0.450	0.450	0.000	0.000	
Supporting Families	0.650	0.650	0.435	0.215		
Management Actions - CYPF	0.225	0.225		0.225		
Management Actions - EPS	0.717	0.717	0.271			0.446
Children - Savings	3.942	3.942	2.073	0.956	0.467	0.446
People						
Care Package Reviews	0.750	0.750		0.750		
Place Holder 1- reviews	0.430	0.430		0.430		
CES catalogue review	0.100	0.100	0.100			
Service Reviews	0.300	0.300		0.300		
Grant Maximisation	0.600	0.600	0.600			
Management Actions	0.100	0.100	0.100			
Advice / Information / Advocacy	0.050	0.050	0.050			
Social Inclusion	0.180	0.180	0.180			
Housing Services	0.250	0.250	0.250			
Alarms	0.112	0.112	0.112			
Leisure Management	0.065	0.065		0.065		
People – savings	2.937	2.937	1.392	1.545	0.000	0.000
ODPH						
Additional Income	0.037	0.037	0.037	0.000	0.000	
ODPH – savings	0.037	0.037	0.037	0.000	0.000	0.000

CCS and Chief Exec						
Efficiency	0.956	0.758				0.956
Soft FM Income	0.020	0.020	0.020			
Digital	0.025	0.025	0.025			
SLAs	0.040	0.040			0.040	
Fees and charges Review	0.016	0.016	0.016			
Coroner	0.070	0.030			0.070	
Public Conveniences	0.100	0.100			0.100	
ICT (c/fwd 21/22)	0.691	0.000	0.346		0.184	0.161
Hard FM (c/fwd 21/22)	0.550	0.000				0.550
IT Service (Unitary) Charge reduction	0.300	0.000				0.300
CEX	0.100	0.100			0.100	
CEX Review and Scrutiny Panels	0.147	0.147				0.147
Cust. & Corp. Services and CEX savings	3.015	1.236	0.407	0.000	0.494	2.114
Place						
ED - Trust Lease review	0.075	0.075	0.075			
ED - TIC 3 year plan to break even	0.013	0.013			0.013	
ED - Theatre Royal SLA	0.100	0.100	0.100			
ED – Mt Edgcumbe break even position	0.045	0.045		0.045		
SPI - Capitalisation (Environmental Planning)	0.050	0.050		0.050		
SPI - Capitalisation (Strategic Transport)	0.030	0.030		0.030		
SPI – Planning Fee increase (pre-app, S38)	0.058	0.058			0.058	
SPI – Bus Shelter Advertising	0.075	0.075				0.075
SPI - Concessionary fares	0.183	0.183		0.183		
Highways – Invest To Save	0.230	0.230				0.230
Highways – Street Lighting	0.105	0.105				0.105
Place savings	0.964	0.964	0.175	0.308	0.071	0.410
Corporate Items						
Change Reserve	0.350	0.350	0.350			
Corporate savings	0.350	0.350	0.350	0.000	0.000	0.000
Overall Total savings	11.245	9.466	2.655	3.043	2.577	2.970

Appendix B Non Controllable Expenditure

The table shows the level of non-controllable pressures within the Gross overspend as shown in Appendix D.

Non Controllable Budget Pressures	£m
Corporate Estate energy costs	2.243
2022/23 Pay award	2.592
Street Lighting energy costs	0.898
Off Street Parking energy costs	0.132
Streets Services – Fuel / other	0.641
Total	6.496

Appendix C Gross to Net Pressures Month 6

Directorate	Gross pressures Month 5 (Aug) £m	Add't Pressures Movement Month 6 (Sept) £m	Gross Pressures Month 6 £m	Month 5 Savings £m	Addt Month 6 Savings £m	Net Pressures £m
Executive Office	0.383	0.000	0.383	(0.131)	0.000	0.252
Customer and Corporate Services	2.904	0.000	2.904	(1.093)	0.000	1.811
Children's Directorate	3.843	0.578	4.421	(1.915)	(0.289)	2.217
People Directorate	1.382	0.000	1.382	(1.280)	0.000	0.102
Public Health	0.000	0.000	0.000	(0.250)	0.000	(0.250)
Place Directorate	3.860	0.000	3.860	(1.088)	(0.630)	2.142
Corporate Account & Council wide items	2.000	0.582	2.582	(1.959)	(0.906)	(0.283)
Total	14.372	1.160	15.532	(7.716)	(1.825)	5.991

City Council



Date of meeting:	21 November 2022
Title of Report:	Plymouth and South West Devon Climate Emergency Planning Statement
Lead Member:	Councillor Rebecca Smith (Cabinet Member for Homes & Communities) Councillor James Stoneman (Cabinet Member for Climate Change)
Lead Strategic Director:	Anthony Payne (Strategic Director for Place)
Author:	Joanna Lee
Contact Email:	Joanna.lee@plymouth.gov.uk
Your Reference:	JL090825
Key Decision:	Yes
Confidentiality:	Part I - Official

Purpose of Report

The report seeks the City Council's formal adoption of the Plymouth and South West Devon Climate Emergency Planning Statement.

The Plymouth and South West Devon Climate Emergency Planning Statement has been produced in collaboration with South Hams District Council and West Devon Borough Council. Since the adoption of the Plymouth and South West Devon Joint Local Plan in March 2019, each Council has declared a Climate Emergency. The Plymouth and South West Devon Climate Emergency Planning Statement responds to the need for urgent action and provides interim policy and guidance on the climate emergency in advance of a formal review of the Plymouth and South West Devon Joint Local Plan.

The Climate Emergency Planning Statement has the legal planning status of 'interim policy statement', which is a policy tool that enables a local planning authority to put in place an interim policy pending the next review of its local plan. Interim policy statements do not have the status of a statutory development plan, and therefore carry less weight in the decision making process than local plans. However, they can nonetheless be important material considerations in planning decision making.

Once adopted it will set new mitigation and adaption requirements for new development and will be a material consideration in decision making.

Recommendations and Reasons

It is recommended that City Council adopt the Plymouth and South West Devon Climate Emergency Planning Statement as an interim policy statement, pending completion of the next review of the Plymouth and South West Devon Joint Local Plan.

REASON: To allow give formal weight to the Plymouth and South West Devon Climate Emergency Planning Statement as a material consideration in decision making on all new planning applications.

Alternative options considered and rejected

Alternatives considered include waiting for the formal review of the Plymouth and South West Devon Joint Local Plan to introduce new requirements and going much further by introducing full Future Homes/Building Standard requirements. Both these options were rejected because they either do not recognise the significance of the issue and importance of ensuring new buildings are fit for the future, or they go too far which at this stage cannot be justified.

Relevance to the Corporate Plan and/or the Plymouth Plan

'A green, sustainable city that cares about the environment' and 'A Growing City' – The Plymouth and South West Devon Climate Emergency Planning Statement will play an important role in supporting a low carbon economy, responding to the challenge of climate change and making Plymouth more resilient to its impact.

Implications for the Medium Term Financial Plan and Resource Implications:

No new resource implications arise from this report

Financial Risks

No new financial risks arise from this report

Carbon Footprint (Environmental) Implications:

The Plymouth and South West Devon Climate Emergency Planning Statement introduces measures for new development to reduce the carbon footprint so adopting this should have a positive impact on the carbon emissions.

This will be achieved through the requirement for new development to meet the most up to date building regulations and to go further achieving 20% improvement through onsite renewables, no new gas boilers, space for battery storage, use of resilient and low carbon building materials, priority for reuse and retrofit, increased capacity in EV charging, active and sustainable travel, encouraging passive solar design, protecting the soil resource, enhancing tree cover and green spaces, managing surface water and delivering 10% biodiversity net gain.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

A Sustainability and Equalities Impact Assessment was undertaken to inform the preparation of the Plymouth and South West Devon Climate Emergency Planning Statement. It concluded that it does not have any direct negative impacts on different groups, it seeks to ensure that new development delivers positive benefits and responds appropriately to the Climate Emergency we are facing.

There are no other implications

Appendices

**Add rows as required to box below*

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Plymouth and South West Devon Climate Emergency Planning Statement – Adoption Briefing Note							
B	Plymouth and South West Devon Climate Emergency Planning Statement – Draft for Adoption							

Background papers:

**Add rows as required to box below*

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable)						
	<i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7
Climate Emergency Consultation Report							

Sign off:

Fin	djn.2 2.23. 101	Leg	LS/3 9108 /JP/2 4082 2.	Mon Off		HR		Asset s		Strat Proc	
Originating Senior Leadership Team member: Paul Barnard (Service Director for Strategic Planning and Infrastructure)											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 09/08/2022											

Cabinet Member approval:

Handwritten signature of J. R. Strenna in black ink.Handwritten signature of R. Smith in black ink.

Date approved: 23/08/2022

PLYMOUTH AND SOUTH WEST DEVON CLIMATE EMERGENCY PLANNING STATEMENT - ADOPTION

Briefing Note

1. Introduction

- 1.1. In March 2019 Plymouth City Council declared a climate emergency and committed to net zero by 2030. Consequently, urgent action is required to make sure new development appropriately mitigates for and adapts to climate change. This will help ensure new buildings do not need retrofitting as soon as they are built.
- 1.2. The Plymouth and South West Devon Climate Emergency Planning Statement is prepared as a response to the climate emergency. It puts in place interim policy and guidance pending the next review of the Plymouth and South West Devon Joint Local Plan (JLP). This allows us to go further than our adopted policies and guidance because of the urgent need to act now.

2. Background

- 2.1. The Plymouth and South West Devon Joint Local Plan (JLP) was adopted by Plymouth City Council, South Hams District Council and West Devon Borough Council in March 2019, before the climate emergency declarations. The Plymouth and South West Devon Supplementary Planning Document (SPD) amplifies adopted policy and was adopted in July 2020.
- 2.2. The JLP Partnership Board provides governance of the JLP and is made up of 2 cabinet members from Plymouth City Council, South Hams District Council and West Devon Borough Council. In December 2021 the Board agreed that urgent action was required to address the climate and biodiversity emergencies and that more should be done to go further than our current policies.
- 2.3. The JLP is not due for review until 2024 and must be undertaken according to regulations. This is a lengthy process and there are no options for quick updates and refreshes of local plans. However, use of an interim policy statement enables a local planning authority to proactively address an issue where there is a pressing need to take a different planning policy approach. This does not have the status of a statutory development plan would therefore carries less weight in the decision making process than local plans. However, it is an important material consideration in planning decision making.
- 2.4. The Board agreed that an interim policy statement should be prepared. A draft, entitled 'Plymouth and South West Devon Climate Emergency Planning Policy and Guidance' was presented to the Annual General Meeting in February 2022 and approved for a minimum 6 week consultation.

3. Consultation

- 3.1. Public consultation ran from 3 March 2022 to 5pm on 19 April 2022 in line with the agreed principles set out in the Statement of Community Involvement. It sought comments on the draft Plymouth and South West Devon Climate Emergency Planning Policy and Guidance document as well as the detailed mitigation and adaptation measures set out in a series of factsheets. Specific questions were asked seeking views and detailed information on a range of issues. A Sustainability and Equalities Impact Assessment was undertaken as part of the process and was also published.

- 3.2. Over 1,800 comments were received from 128 individuals and organisations and a Consultation Report has been prepared providing more detail and is provided as a background paper. These comments were taken into account in finalising the planning statement.
- 3.3. The JLP Partnership Board has been fully briefed on the measures included within the Plymouth and South West Devon Climate Emergency Planning Statement, together with the Consultation Report and Climate Emergency Compliance Form, and on 18 July 2022 agreed it should be progressed to the Full Council of each Authority.

4. Structure and content of the Plymouth and South West Devon Climate Emergency Planning Statement

- 4.1. The Plymouth and South West Devon Climate Emergency Planning Statement is attached at Appendix B and is intended to be used by all members of the community, as well as those directly involved in the development industry.
- 4.2. It has been divided into the following sections:
 1. Introduction
 2. Why is this planning statement need and what is its status
 3. How the planning statement relates to local planning policy and guidance
 4. What the planning statement does and how it works
 5. How the planning statement will be delivered
 - 6-10 Appendices
- 4.3. Appendix 2 and 3 set out the new mitigation and adaptation requirements as follows:

Appendix 2 Mitigation Measures:

- M1: Onsite renewable energy generation
- M2: Energy Storage
- M3: Low and zero carbon space and water heating systems
- M4: Resilient and low carbon building materials
- M5: Demolition and Rebuild
- M6: Electric Vehicle Charging points
- M7: Active and sustainable travel

Appendix 3 Adpatation Measures

- A1: Passive Solar Design
- A2: Protecting our soil resource
- A3: Protecting and enhancing tree cover
- A4: Protecting and enhancing gardens, green spaces and greenfield sites
- A5: Delivering sustainable drainage, surface water management and restricting urban creep
- A6: Delivering biodiversity net gain and habitat improvements

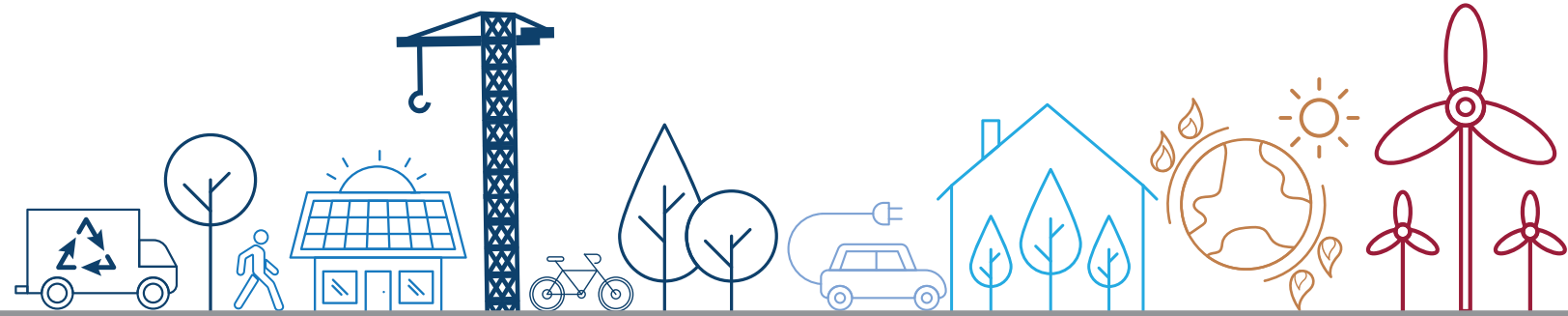
- 4.4. For ease of use, it has been primarily designed as an interactive web based tool which will direct people to the detailed mitigation measures required for residential and commercial development and the adaptation requirements for all development types.
- 4.5. It will be implemented using a Climate Emergency Compliance Form that all development proposals are required to complete in order for them to be validated. This will be added to the Local Validation Lists and can be delegated to the Cabinet Member for Homes and Communities.

5. Next steps

- 5.1. Following approval by Cabinet, the Plymouth and South West Devon Climate Emergency Planning Statement is now brought to City Council for adoption. Both South Hams District Council and West Devon Borough Council have already adopted this at their Full Council meetings on 22 September 2022 and 27 September 2022 respectively.
- 5.2. Once approved for adoption by Plymouth City Council, the Plymouth and South West Devon Climate Emergency Planning Statement will come into force and be a material consideration in the determination of all new planning applications submitted after 30 November 2022.
- 5.3. It will apply only to new planning applications submitted after 30 November 2022 and will not be retrospectively applied to any planning applications already in the system at that point. Changes are being made to the local validations list to require all applications to complete a Climate Emergency Compliance Form in order to be validated. This will be dealt with by way of an update to the Cabinet Member.
- 5.4. The interactive webtool will be made live on the website once this Climate Emergency Planning Statement has been adopted.

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CLIMATE EMERGENCY PLANNING POLICY & GUIDANCE



CONSULTATION REPORT JULY 2022



Climate Emergency Planning Statement – Consultation Report



Plymouth and South West Devon Joint Local Plan

Consultation on the draft Climate Emergency Planning Policy and Guidance document took place for 7 weeks between 3 March 2022 and 19 April 2022. Over 1,800 comments were made by 128 individuals and organisations (see Appendix 1) and a range of views were expressed.

The consultation proposed a number of new mitigation and adaptation measures and asked specific questions on each one. There has largely been general support for the positive approach being taken and many feel it should go further, however, there has also been objection expressed by developers and housebuilders. The comments can generally be categorised as follows

- The public overwhelmingly supported the intentions of the document, expressing support for the measures and in many cases want to go further, offering various suggestions about other things to be included
- Interest groups and other organisations generally support the proposals although suggest going further and provide more detailed comments in relation to their specific areas of interest
- Developers were concerned about reference to it as new policy which is untested, does not have the same status as the JLP and can only be made through a review. They objected to measures placing further burdens on them, going further than building regulations and raised concerns on the impact on viability and delivery. Some raised the issue of adequate resourcing to deal with additional compliance work.

These comments have been taken into account in finalising the Climate Emergency Planning Statement. In response to comments made the document has been streamlined to set out clearly the status of the document and when it will be applied. Some of the comments related directly to the Strategic Objective and the Mitigation Measures, set out below is a summary of the comments and how the document has been amended.

A high level summary of the comments received by question is included at Appendix 2. A copy of all the consultation responses is available in full here ([insert a link](#)).

Strategic objective
<p>What we proposed in consultation:</p> <p>CES01 Strategic Objective Delivering positive measures to address the climate emergency To deliver development that mitigates the impacts of climate change and adapts to its current and future effects through:</p> <ul style="list-style-type: none"> • Ensuring resilience by providing positive benefits that reduce carbon • Incorporating renewable energy • Increasing energy efficiency • Using sustainable local materials and minimising embodied energy • Moving away from natural gas and oil

Climate Emergency Planning Statement – Consultation Report



Plymouth and South West Devon Joint Local Plan

- Embracing electric vehicles and their charging infrastructure
- Increasing walking and cycling opportunities
- Reducing waste and increasing recycling
- Effective use of solar gain, solar cooling and shading
- Delivering biodiversity net gain and using nature based solutions
- Reducing flood risk, improving sustainable drainage and minimising impermeable surfaces

Summary of considerations:

A number of comments suggested that retrofit and reuse of existing buildings should be included as an explicit objective of the document.

Statutory consultees suggested that flood risk in its various types already exist as a result of our current weather patterns, and these are only going to get worse, we are not going to be able to 'reduce' flood risk, but should instead be seeking to better 'manage flood risk'.

The impacts of ongoing reliance on fossil fuels is not limited to space and water heating within buildings, but also from our existing patterns of movement using petrol and diesel vehicles.

Proposed amendments and justification:

The wording for some of the bullet points in the objective have been revised to provide clarity, including wording suggested in comments from the EA about managing flood risk

Reference to fossil fuels has been broadened to allow for consideration of fossil fuel impacts associated with all development.

Updated CESO1 to include more explicit intention to encourage retrofit and re-use of existing buildings

Updated CESO1 has been moved to section 4 of the CEPS document

Measure: M1 – Thermal Efficiency

What we proposed in consultation:

Fast-track a 27% thermal efficiency uplift for non-domestic dwellings ahead of building regulations

Asked if we should adopt a 'performance gap' policy

Summary of considerations:

The responses were split between many that suggested we go further now, and require all new development to reach passivhaus standard, and others that claimed any additional uplift would result in homes being unviable to build.

Climate Emergency Planning Statement – Consultation Report



Plymouth and South West Devon Joint Local Plan

In addition, at the time of drafting the original measure, it was unclear what would be happening to the Future Building Standards, and it was considered appropriate to include a thermal efficiency measure for non-domestic buildings that could be applied across the JLP area. However, in June 2022 the new Building Regulations Approved Documents were implemented, and that included a Part L 'volume 2' document that applies to non-domestic buildings.

The 2021 Part L Building Regulations requirements (implemented on 15 June 2022) also include a new reporting schedule for air tightness that will see all buildings tested for air tightness, rather than just a sample. This is a significant improvement, and will see developers accountable for ensuring that all buildings are constructed to the design specification.

Proposed amendments and justification:

Due to the 2021 Part L Building Regulations (implemented on 15 June 2022) introducing new thermal efficiency measures for non-domestic buildings, we will no longer be introducing a measure that seeks to achieve this, as to do so would simply be a repetition of Building Regulations.

Uplifts to 2021 Building Regulations (implemented on 15 June 2022) were the subject of government consultation and impact assessments, which show that the viability implications of these new measures are acceptable, and will not harm the deliverability of new development.

For the same reason, we will not be seeking to introduce a 'performance gap' policy at this time, as the new Building Regulations now require 100% of buildings undergo air tightness testing before they can be considered building regulations compliant.

M1 – Thermal Efficiency is no longer required due to uplifts in Building Regulations

Measure: M2 – Roof mounted solar PV

What we proposed in consultation:

For all residential development, we will apply the Future Homes Standard 2022 requirement of 40% of the building footplate to include solar pv panels integrated into the roof design.

For commercial and appropriate other development, we will require a minimum of 40% of the roof space to include solar pv panels integrated into the roof design.

Summary of considerations:

Considerable support was provided for ensuring that solar PV is delivered on new developments, and for extending the PV requirement to all buildings including non-domestic buildings.

Some responses suggested that there could be viability implications for developers if solar PV was a requirement on every new building.

Climate Emergency Planning Statement – Consultation Report



Plymouth and South West Devon Joint Local Plan

A handful of responses suggested that the visual impact of solar PV should restrict the installation of PV in certain locations, such as the South Devon AONB.

In addition, at the time of drafting the original measures, it was anticipated that the 2021 Part L Building Regulations changes would include a requirement for roof mounted PV. However, whilst there is a potential role for PV identified within the notional building in the 2021 building regulations, it is not an absolute requirement.

Proposed amendments and justification:

Having clarified that onsite energy generation was not a requirement of 2021 Part L, it is considered more effective to continue to apply existing adopted policy DEV32.4 which requires an equivalent 20% carbon saving to be delivered by onsite generation.

This is likely to be through roof mounted solar PV, however there may be circumstances where solar PV is not the preferable energy source, and as such we will be renaming this measure to 'Onsite renewable energy generation'.

This approach is compatible with measure 'M4' which promotes the use of heat pumps and other low carbon technology for space and water heating – in particular roof mounted PV and heat pumps work effectively in combination.

Any suggestion that low carbon technology is not appropriate in the AONB because of visual impact is too simplistic, and could potentially unfairly limit the ability of residents in the AONB from reducing their emissions and fuel bills. Discussions with AONB colleagues confirm that there is no presumption against either solar PV or heat pumps, although there will be more suitable products to be used in an AONB, such as matt finish PV panels that are built into a roof, rather than bolt on options.

M2 – Roof mounted Solar will go forward in the revised document as new measure **M1 - Onsite Renewable Energy Generation.**

Measure: M3 – Battery storage

What we proposed in consultation:

All development with solar pv should identify a suitable space to accommodate a battery.

Summary of considerations:

Support for this proposal, although many wanted to go further and introduce a requirement for battery storage because of benefits in reducing demand from the grid, and reducing energy bills for residents and businesses.

Some responses objected on the basis of additional cost for battery storage.

Proposed amendments and justification:

Climate Emergency Planning Statement – Consultation Report



Plymouth and South West Devon Joint Local Plan

No changes are proposed from the measure that was consulted upon. Future iterations of the policy may introduce a specific requirement for battery installation, although more research needs to be undertaken in terms of product delivery at scale, and viability considerations.

M3 - Battery Storage is now **M2 - Energy Storage**

Measure: M4 – Heat pumps

What we proposed in consultation:

All new buildings are required to be built with a heat pump (air source or ground source) to provide space and water heating. To facilitate this the three phase electricity supply should be fully enabled.

Summary of considerations:

The majority of comments in support of this measure recognised the harm of continuing to lock in dependence on fossil fuels, and saw heat pumps as a suitable alternative technology that can reduce emissions in the short term. In addition there were comments requesting more flexibility for alternative low carbon space and water heating, such as biofuel

Some concerns over the visual and amenity impact of heat pumps were based on assumptions that have now been largely designed out of modern heat pumps, which are not as noisy as early versions of the technology. Developers and designers have developed better levels of awareness in terms of locating heat pumps to not only maximise efficiency, but to also reduce the visual and amenity impact of the pumps.

Discussions with The Heat Pump Federation have provided a useful insight into the scale of production and the availability of installers and engineers to support the scaling up heat pump use. There is little evidence that the sector for both air and ground source heat pumps could not meet the modest additional demand created by the implementation of this measure.

Comments also suggested that there could be grid constraints that prevent the deployment of heat pumps at a strategic scale.

Proposed amendments and justification:

We are proposing to adopt the measure as consulted upon, but with some additional text to provide greater clarity, and to provide flexibility for other low and zero carbon technologies to be used for space and water heating.

It is recognised that heat pumps may not be the only heating system that can deliver low carbon space and water heating to buildings, and as such we will be renaming this measure reflect this.

We have worked in close consultation with Western Power Distribution to ensure that domestic supply will not be a barrier to low and zero carbon technology. WPD have a [corporate](#)

Climate Emergency Planning Statement – Consultation Report



Plymouth and South West Devon Joint Local Plan

[commitment to ensuring that three-phase supply](#) is delivered to new buildings as standard, and it is up to developers to ensure that all three phases are enabled within the building by using the appropriate circuit board and wiring internally.

M4 - Heat Pumps will go forward in the revised document as **M3 - Low and zero carbon space and water heating systems**

Measure: M5 – Passive solar heating and reducing the risk of overheating

What we proposed in consultation:

Where the window to floor area ratio exceeds 21% on any elevation, we will require specific protective measures such as:

Tinted glass

Extended overhanging eaves to create shade when the sun is at its highest point

External shutters or Brise Soleil

Summary of considerations:

Some responses question if the 21% threshold was a little simplistic, given each aspect of a building has a different relationship with the sun?

Some responses questioned if the LPAs had the resources for DM case officers to cross-reference ratios for every room in every building?

Additional considerations: new Building Regulations Approved Document Part O – Overheating, was brought into operation on 15 June 2022 and contains some specific thresholds for developers to meet in terms of glazing and orientation.

Proposed amendments and justification:

With the introduction of Building Regulations Approved Document Part O there is a clearer framework of compliance for developers to meet, and this somewhat supersedes the 21% that was consulted upon.

In discussion with building control colleagues, it is considered necessary to include a passive solar design measure as a planning measure. During consideration of a planning application the local planning authority has the ability to work proactively with applicants to request revisions to building design before a planning permission is granted. This flexibility is not inherent in the building control function, and if, once a building is being inspected, it is found to be non-compliant, the design will need to come back through the planning system to gain permission for a different design.

Building control colleagues have recommended that applicants provide a completed copy of the Part O compliance checklist as part of a planning application, so that officers can consider if any aspects of the design need to be changed to enable future compliance against Part O.

Climate Emergency Planning Statement – Consultation Report



Plymouth and South West Devon Joint Local Plan

In planning for appropriate and effective passive solar gain, developments will also reduce the risk of overheating, and as such this adaptation measure will be renamed as 'Passive solar design', which is a more accurate reflection of what we are seeking to achieve.

M5 - Passive solar heating and reducing the risk of overheating will go forward into the revised document but as an adaptation requirement as **A1 - Passive Solar Design**

Measure: M6 – Locally sourced materials

What we proposed in consultation:

We are therefore introducing a hierarchy of acceptability for natural roof slates:

- **Reclaimed UK or European slates where available with proof of origin from supplier**
- **New UK derived slates with proof of origin from supplier**
- **New European derived slates with proof of origin from supplier**
- **No other natural slate products will be considered acceptable**

Summary of considerations:

The majority of supportive comments requested that we include natural stone within the requirements of this measure, using a similar hierarchy of acceptance.

Clarification was requested for the circumstances whereby this measure would be applied. An unintentional by-product of this measure would be if developers who would normally have used natural slate from Brazil or China opt for manmade tiles instead.

There was general support for requiring a minimum warranty period also, to ensure that full life cycle impacts of selecting cheaper slates could be avoided.

Concern was raised over the additional cost of using natural materials from the UK and Europe, rather than further afield.

Proposed amendments and justification:

Whilst viability considerations need to be reflected in these measures, an urgent response to the climate emergency will require decisions to be informed by carbon emissions and environmental impact as well as economic reasons. The true 'cost' of a product requires consideration of more than simply the price paid.

It is important that the price paid for land to develop fully reflects the full costs of climate resilient development, and this is recognised by housebuilders in their annual reports. The local planning authorities are being clear and explicit about the standard of development that will be supported, so that the financial viability of these requirements can be understood by developers prior to securing options on, or buying land.

Sufficient support was provided to extend this requirement to natural stone also, and the same hierarchy of acceptance will be applied to natural stone, where it is required.

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A minimum warranty period of 50 years is introduced for new slates and stone to limit the life-cycle impacts of using less resilient materials.

M6 – Locally sourced materials will go forward into the revised document as **M4 – Resilient and low carbon building materials**

Measure: M7 – Principle of net gain

What we proposed in consultation:

Proposals for extensions should deliver a measurable net gain in energy performance across the whole building.

Any buildings that have not yet achieved a minimum EPC band C will be required to achieve a minimum one band uplift as part of the process to extend an existing dwelling or building.

Summary of considerations:

This was a well-supported measure in principle, not least because it is well understood that the majority of UK emissions attributed to buildings come from existing structures that would benefit from retrofit measures, although the use of Energy Performance Certificate (EPC) as a measure attracted less support.

Additional considerations: 2021 Part L Building Regulations introduces new and specific measures for extensions which significantly improve the operational efficiency of the new structures. In some instances, consequential improvements are required to the existing building as part of the improvements, including where glazing and door openings are increased beyond a certain threshold, or if a building with a specified threshold is extended.

In discussion with SAP assessors, it does appear that the limitations of the process to create an EPC could make it difficult to achieve this measure without requiring significant investment in new wall and roof insulation.

Current software that generates EPC is likely to generate an automatic one band uplift simply by installing a new, more efficient, gas boiler in many existing homes. Since this document includes a measure that seeks to limit the deployment of new fossil fuels reliant boilers, this measure could have significant unintended consequences, which act against the intention to phase out gas boilers.

Proposed amendments and justification:

Propose to remove this requirement due to the flaws in the EPC software that would lead to potentially unsuitable outcomes – such as the installation of new gas boilers which currently result in a single band EPC uplift.

In addition, the limitations of the software are likely to require significant additional investment into existing buildings before a one band uplift can be achieved for the worst performing buildings. Without grants or funding available to assist with the retrofit of poorly performing

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buildings the implementation of this requirement is likely to result in unequal outcomes and inconsistent benefits.

M7 Principle of net gain will not be included in the revised document due to the likelihood of unintended consequences and limitations in the EPC process

Measure: M8 – Demolitions and replacement buildings

What we proposed in consultation:

If an existing building is proposed to be demolished as part of a planning application, the developer will need to calculate and offset all the embodied energy within the structure, to be demolished (minus carbon saved through reuse and recycle) together with the embodied carbon of the new build. This is the net overall carbon cost of the new building and should be offset within 25 years of onsite operational use of the replacement building.

The target emissions rate (T) from the SAP is multiplied by the floor area to provide a baseline annual energy demand. The dwelling emissions rate (D) will provide an estimate of actual energy demand. The difference between the target emissions rate and the actual dwellings emission rate over the 25 years should be equal or more than the net amount of embodied carbon in the original structure.

$((Tx\text{floorspace}) \times 25) - ((Dx\text{floorspace}) \times 25) = \text{more than or equal to the net embodied carbon of original and new structure.}$

Summary of considerations:

Widespread support in principle for trying to reduce the loss of embodied carbon through demolition and rebuild proposals. Some misunderstanding of the use of the word 'offset' in terms of how carbon impacts of the overall project are going to be used.

Support for the creation of a mechanism to calculate an offset calculation, although there was a range of views regarding an appropriate offsetting period to be achieved through operational energy savings, with a large number of responses favouring a 10-year period within which the carbon cost of a project needs to be achieved through operational savings.

Additional considerations: Approved Building Regulations Document Part L uses a notional 'payback period' when considering proportional return on investment, which is set at 15 years.

A number of users suggested the Green Building Calculator, although this is another paid for online platform.

Proposed amendments and justification:

The requirement is proposed to remain largely unchanged, albeit some wording has been changed to improve clarity. Testing against 2013 territorial Emissions Rate (TER) has suggested that 25 years is a reasonable 'offset' period, and that it is effective in encouraging reuse of materials, and promoting a very high standard of operational efficiency in the replacement dwelling.

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Further work is required to continue testing against TER generated using 2021 Building Regulations Part L, and we are engaging with external partners and building regulations colleagues to assist with this testing process.

Suggestions to consider a 10 year 'offset' period is considered too onerous when considered against a 2021 Part L TER baseline. Similarly, a 50 year 'offset' period is considered to lack ambition or set a high enough threshold to deliver meaningful reductions in carbon.

An article 4 direction is being considered to bring demolition within planning control, and this is in the process of detailed scoping.

M8 – Demolitions and replacement buildings will go forward into the revised document as **M5 – Demolition and rebuild**

Measure: M9 – EV charging points

What we proposed in consultation:

All new charging points serving domestic dwellings need to have a minimum installed capacity of 7kw.

All new communal parking areas must have 50% of bays connected with 7kw charging points at the time of completion, and the remaining 50% must be serviced with appropriate infrastructure to enable installation of charging points later.

For new commercial development the charging points must have a minimum installed charging capacity of 22kw.

Summary of considerations:

There was broad support for EV charging aspirations as part of domestic development, in particular that 7kw is an appropriate charging capacity. There was less consensus on how to ensure charging points in public places and commercial parking areas met the demands of users.

Additional considerations: 2021 Building Regulations Approved Document Part S (implemented 15 June 2022) introduced new requirements for domestic and non-domestic development, in terms of the number of charging points and wiring per parking space. The Regulations only prescribe a minimum 7kw charging standard for all spaces, and do not differentiate between domestic and non-domestic development.

Proposed amendments and justification:

No new quantitative requirements for EV charging points will be introduced beyond Part S building regulations. Instead, we will be introducing minimum charging capacities for specific non-domestic development.

Using the quantitative requirements from Building Regulations Part S, development within Use Class Order B will need to install minimum 11kw chargers, and Class E uses will need to install a minimum of 22kw chargers.

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M9 – EV charging points will go forward into the revised document as **M6 – Electric Vehicle Charging Points**

Measure: M10 – Active and sustainable travel

What we proposed in consultation:

For major development an additional policy expectation will be to require an external charging point within or adjacent to the cycle storage area to provide support for cyclists who wish to use ebikes. All cycle storage and charging points will need to be clearly marked on site and floor plans.

In addition, residential developments of over 50 dwellings will need to include an assessment of onsite car club and ebike hire potential, as well as opportunities to contribute to existing active and sustainable travel projects within the local area. In Plymouth, an assessment of how the proposal can link with existing and planned mobility hubs will be required.

Summary of considerations:

General support was given for the aim to increase modal shift towards active and sustainable travel.

The challenges of achieving modal shift away from the car in rural areas was recognised, and so too was the damaging effects of putting new development in locations that relied upon the car. A lot of support for more buses and trains, and cheaper fares to incentivise sustainable travel, but this is beyond the scope of what this document, and planning in general, can facilitate.

Although there was cautious optimism about how EVs could reduce emissions in rural areas, it was also acknowledged that it may be many years before these benefits are fully seen in rural communities due to the cost of EVs and the limitations in charging infrastructure.

Proposed amendments and justification:

We have clarified what is required by each type of development, and highlighted the relevant parts of the JLP and SPD that should be referenced in an application.

We are amalgamating 'M11 – reducing reliance on the private car' into the sustainable and active travel measure, in order to maintain a positive and proactive approach to meeting the challenges of the climate emergency.

We have broadened one of the aims of the overall strategic objective to 'reduce reliance on fossil fuels' as this is just as relevant to personal travel as it is for heating systems and boilers.

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M10 – Active and Sustainable Travel goes forward into the revised document as **M7 – Active and Sustainable Travel**

Measure: M11 – Reducing reliance on the car

What we proposed in consultation:

Any development proposal that locks-in reliance upon the private car, and exclusively caters for car borne customers, such as drive through restaurants, cannot be considered to meet the most basic requirements of the JLP or NPPF, and does not represent a people or place based pattern of development and should be refused.

Summary of considerations:

There was broad support for the intention to reduce development that was reliant upon access by the car, although no clear consensus about the best way to achieve this.

A small number of representations suggested that both the NPPF and JLP already have policies that allow the LPAs to consider whether development would increase reliance upon the car alongside other planning considerations. It was also suggested that the working of this measure was inconsistent with the rest of the document as it was negatively phrased, and that such an approach is not generally accepted when drafting planning policy.

Proposed amendments and justification:

Although the LPAs are clear that the new measures are not planning policies in themselves, they are intended to be used to inform planning decisions, and as such, the negative wording does need to be considered.

One of the stated aims of this piece of work is to reduce reliance upon fossil fuels, both within new buildings and by reducing the wider spatial impacts of developing in locations that lock-in reliance upon the car. However, it is accepted that this could be done in a more positive and proactive manner, and as such we will focus upon the promotion of sustainable and active travel as the means to reduce fossil fuel dependent private transport.

We have broadened one of the aims of the overall strategic objective to ‘reduce reliance on fossil fuels’ as this is just as relevant to personal travel as it is for heating systems and boilers.

M11 – Reducing reliance on the car will not feature in the revised document, although elements of this measure are included within **M7 - Active and Sustainable Travel**, and also within **CESO1 - Strategic Objective**

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Adaptation

What we proposed in the consultation:

Greater emphasis on adaptation measures that are already robustly dealt with in the JLP and SPD, bringing them together and using a green space factor tool as an effective mechanism for addressing adaptation comprehensively.

Summary of considerations:

General support for adaptation measures, and a mixed response to the local green space factor. Some misunderstanding of what is already being applied and what is suggested, as 10% Biodiversity net gain and use of Biodiversity metric is already included in the policy and SPD.

Some support for new measures such as grey water use, water butts and net gain of trees.

Proposed amendments

There is considerable value in bringing together all the adaption policies and requirements into a single place. They are currently scattered throughout the JLP and SPD and identifying them collectively enables their contribution to be considered holistically. The climate emergency has afforded the multifunctional adaptation benefits more importance given their role in capturing carbon and providing more resilience to extreme weather events. The Climate Emergency Compliance Form will be used for all development to demonstrate exactly how these issues are addressed recognising their important role in addressing the climate emergency.

The green space factor is an effective tool for securing multifunctional adaptation benefits within developments. A Green Space Factor Tool will be developed separately and introduced with additional Biodiversity Net Gain and habitat banking guidance.

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Appendix 1: List of organisations

- Ash Futures
- Baker Estates
- C G Fry & Son Ltd
- Green Environment Topic Group, Dartmouth Neighbourhood Plan Steering Committee
- Climate Action Plymouth and Environment Plymouth
- Co Cars Ltd
- Cornwall Council
- Dartington Neighbourhood Plan Steering Group
- David Sheppard Architects
- Devon County Council
- Emery Planning
- Environment Agency
- Environment Plymouth
- Food Plymouth
- Forestry Commission
- Gladman
- Historic England
- Holbeton Parish Council.
- Kingsbridge Climate Action (KCA)
- Kingsbridge Town Council
- LiveWest Homes Limited
- MABRAKE
- Ministry of Defence
- National Farmers Union (NFU)
- Natural England
- Nudge Community Builders
- Okehampton Hamlets Parish Council
- Pennon Group and Stuart Partners Ltd
- Persimmon Homes
- Plymouth Citybus Ltd
- Public Health Devon
- Rattery Environment Group
- Rattery Parish Council.
- Sherford New Community Consortium
- Sourton Parish Council
- South Hams Climate Action Network Chair
- South Hams Tree Wardens Network
- Southwest EV Owners Group
- Stephen Guard Architects

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- Strategic Development Projects, Plymouth City Council
- Sustainable South Brent
- Tavistock Town Council
- The Coal Authority
- Totnes Town Council
- Transition Tavistock
- University Hospitals Plymouth NHS Trust, Future Hospital Programme Manager
- Vistry Group
- Wainhomes (South West) Ltd

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Appendix 2: Summary and scale of issues raised



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Question/Section Numbers	Question/Section Text	Summary of Key Issues
Section 1	Introduction	High view of the proposals, most are in favour of the proposals. Some concern over where energy will come from for heat pumps and EV
Section 2	Consultation	Welcomed/ some concern on delay to get specific climate policy, suggests building materials are a major factor, need to be fighting climate change and some concern over implementation of the guidance.
Section 3	Status of the policy and guidance	Reality needs to match theory, needs to be reviewable as new events/data comes to light.
Section 4	Why additional policy and guidance is needed	Some welcome, some question climate emergency, some question could we do more. Devon ask that the Climate emergency partnership be mentioned in Para 4.2.
Section 5	Recent national policy and guidance	Happy content references SDG, could go further asks if BNG will be monitored. Para 5.10 could include a transport document such as Decarbonising Transport.
Section 6	Recent appeal decisions	Comments on what appeals should do in new housing, reference appeal decisions should mitigate against climate change.
Section 7	Stakeholder and developer climate statements	Developers should be accountable, statements should be able to be measured.
Section 8	How the policy and guidance relates to the Joint Local Plan	Could mention policy in this chapter to make it easier for developers to understand the content.
Section 9	How the policy and guidance relates to the Plymouth and South West Devon Joint Local Plan Supplementary Planning Document	Support proposals, need a simple web based tool.
Section 10	What the policy and guidance does and how it works	Some requests that definitions are earlier in the document, 27% be implemented now and increased to 80% in 3 years' time, could be strengthened. Minor tweaks to wording.
Section 11	Mitigation	Many Comments. Dwellings could be orientated to the south, can document be flexible to cover issues such as a move away from air pumps, AONB should have some exemptions for heat pump, consider bike storage, local timber as house building materials, retrofit should be an objective of guidance, could specify a passivhaus standard rather than bolt on solutions, suggest alternative rating for embodied carbon of materials, reconsider EPC rating. Could consult with BRE.
Section 12	Adaptation	Include greenspace for biodiversity reasons, need local green washing, increase tree cover, increase tree protection, new developments could provide a 10% net gain, also harvest grey water, blue space could be considered, could develop a tool to measure benefits of green space.
Section 13	Structure of the Document	Green walls and roofs will need water to maintain, BNG > 10% ecology surveys for all developments. Tiered council tax depending on green rating.
Section 14	How will we deliver this?	Heating, lighting could be a greater priority than offsetting, need to be clear on how adaptation measures are secured for the lifetime of the development. More education to public on ecology.

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Section 15	Sustainability and Equalities Impact Assessment	Liaise with health authorities/emergency services to respond to climate emergencies, could expand para 15.1 to include the benefits of the guidance. Para 15.2 could include children, elderly and low income groups. Para 15.4 include the reduction of flood risk to existing development as a result of contributions to flood risk management schemes.
Section 16	What do you think?	Some agreement. Suggestions are planning applications should require developer to mitigate impact of proposals, pv should be on all new builds, consider AONB impacts as aesthetics of proposals are not seen as positive and harvest grey water.
Section 17	17 Appendices: Mitigation and adaptation factsheets	Could include home grown timber to M6 list.
Section 18	Appendix 1: Mitigation - Extensions, conversions and change of use	General tweaks suggested including M6 para 18.10 consider alternative sources, 18.24 needs to be clear if any application triggers EV ports requirement, 18.22 could require a robust statement should a building be intended to be demolished. M8 sensitivity for listed buildings consider article 4 use. M9, M10, M11 need to be future proof for new technology. M10 some concerns of identification of infrastructure improvements needed, could have an assessment of links for more rural locations, 19.52 'back bus better' suggested.
Section 19	Appendix 2: Mitigation - New build (housing, commercial, other	General tweaks suggested including consider electricity generated rather than roof coverage, para 19.35 encouragement should be greater, para 19.40 text suggested, concern M9/10 are not inclusive to rural areas, M2 concerned listed assets and impacts of solar on roof if not appropriate.
Section 20	Appendix 3: Adaptation - All development	General tweaks suggested including protection of existing trees should be greater, Para 20.2 reference broader landscape and heritage value, para 20.23 suggests using biodiversity metric, para 20.09 clearer wording, further guidance for para 20.14, A3 more clarity on if gardens are included as important green spaces, reference to A4 including enforcement measures, could build on DEV35 flood strategy. A5 Clear set out for managing and protecting proposals. Reference heritage or historic environment in line with NPPF Para 190.
Section 21	Appendix 4: Glossary	Could have been earlier.

Question Number	Question Text	Which Measure/area of document?	Number of responses	Summary of Key Issues
1	Will these new requirements work?	Whole Document	50	Cautious yes, needs monitoring and enforcement.
2	Do they go far enough or too far?	Whole Document	36	Mixed but mostly no
3	What are the challenges?	Whole Document	34	Complexity, keeping engagement, legal challenges, possible to measure, costs and enforcing.

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4	Have we missed anything?	Whole Document	34	Sustainable bus transport, guidance to avoid light pollution from large windows, district heating systems, plastic grass should not be allowed, rainwater harvesting, enforcement measures, grey water.
5	Could we do it better/differently?	Whole Document	21	Consider higher standards of airtightness and HVHR, consolidate energy efficiency/carbon reduction toolkits/checklists, link to JLP and show what grants are available.
6	What transitional arrangements are required?	Whole Document	22	Generally no from members of the public, resistance from developers.
7	Would any additional guides help?	Whole Document	23	Guide to explain terms (comments that terms should be explained outside of glossary), guide for listed building users, specimen application forms, compliance statement and easy presentation of guidance.
8	Should the Statement of Compliance be included as a new validation requirement and included on the local planning authorities Local Validation Lists?	Whole Document	30	Generally no from members of the public, resistance from developers. Suggestion that DAS could be used.
M1 Thermal Efficiency				
33	Should we fast track this Future Building Standard requirement of 27% now?	M1 (Mitigation – New build Housing commercial, other)	28	Yes from members of the public and no from developers. Public would like a greater level and developers concerned it is adding uncertainty to costs.
34	We know there is often a gap between what is designed and what is built, should we also introduce a mechanism to measure the performance gap of all types of development?	M1 (Mitigation – New build Housing commercial, other)	20	Generally yes. Enforcement and implementation is important, there should be independent assessments.
35	Should air tightness testing be required to ensure that thermal efficiency standards are met?	M1 (Mitigation – New build Housing commercial, other)	18	Generally yes from members of the public. Developer notes that it only shows if thermal standards have been met and that fabric performance is important, suggests Veritherm thermal assessments.
M2 Roof Mounted Solar PV				
36	Do you agree that a general minimum 40% requirement should apply to commercial buildings?	M2 (Mitigation – New build Housing commercial, other)	27	Generally yes,

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37	What measure should be used for this requirement – 40% of building footplate or 40% of roof space?	M2 (Mitigation – New build Housing commercial, other)	23	Mix of answers some state whichever is greater.
38	Should there be different standards for different types of uses?	M2 (Mitigation – New build Housing commercial, other)	22	Generally no, some concerns that a change of use could take place bypassing the requirements. Developer notes that PV fitted should depend on demand from on the type of property.
39	Should non-residential buildings with flat or mono-pitched roofs be required to include a pv system that is more than 40% of the building footprint or roof space?	M2 (Mitigation – New build Housing commercial, other)	21	Generally yes,
40	Should this requirement also apply to extensions with favourable aspect?	M2 (Mitigation – New build Housing commercial, other)	24	Generally yes, some concern that it could price out families
41	Should this requirement also apply to extensions on listed buildings and heritage assets?	M2 (Mitigation – New build Housing commercial, other)	14	Some yes and some case by case
42	Should we require solar pv panels integrated into the roof design or roof mounted panels?	M2 (Mitigation – New build Housing commercial, other)	19	Mix of comments some are prioritising efficiency or aesthetics. Generally efficiency is more popular.
M3 Energy Storage				
43	Does this go far enough? Should we be requiring all new buildings with onsite energy generation to include a battery storage system?	M3 (Mitigation – New build Housing commercial, other)	28	Interest in providing battery storage or space, developers wary of additional cost resulting and consider the battery market immature.
M4 Heat pumps				
44	Should we restrict all new gas and oil connections?	M4 (Mitigation – New build Housing commercial, other)	32	Generally yes, some concern this should be in line with national targets.
45	Do you foresee any difficulties in delivering this?	M4 (Mitigation – New build Housing commercial, other)	15	Availability of technology, cost and needs strong political leadership.
46	Should we be prioritising ground source heat pumps over air source heat pumps on developments at a	M4 (Mitigation – New build Housing commercial, other)	17	Generally yes. Developers would like to see decisions made based on viability, concern cost is higher but it is recognised they need less energy.

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	certain scale with favourable conditions, and if so, what should that threshold be?			
47	If there is an additional cost required by WPD to upgrade the local grid, how much is considered 'reasonable'?	M4 (Mitigation – New build Housing commercial, other)	12	Mixed comments. Ofgem has consulted and results are not yet out, price should be capped at £3000. Private power companies should not be receiving additional funding which could affect the viability of schemes
M5 Passive solar heating and reducing the risk of overheating				
9	Do you agree that passive solar gain already adequately covered by guidance in the SPD? If not what else is required?	M5 (Mitigation - Extensions, conversions and change of use)	15	Question not answered yes/no. Comments are consider trees and water to act as cooling and consider possible damp issues.
10	Are there other specific measures that we should include to reduce the risk of overheating?	M5 (Mitigation - Extensions, conversions and change of use)	16	Assessments should be consistent with industry standards, encourage tree planting for shade, solar glass, shading for high glass areas built into design
48	Do you agree that passive solar gain already adequately covered by guidance in the SPD? If not what else is required?	M5 (Mitigation – New build Housing commercial, other)	12	Some suggestions. Many councils across the UK have specified the Passivhaus standard which can be applied to all building types Need to be much firmer on solar orientation.
49	Are there other specific measures that we should include to reduce the risk of overheating?	M5 (Mitigation – New build Housing commercial, other)	12	An overheating assessment using CIBSE TM59 assessment criteria should be undertaken for overheating properties. Include water and shade trees for a cooling factor
M6 Locally sourced materials				
11	Do you agree we should ensure the use of more environmentally friendly, low carbon materials in all development?	M6 (Mitigation - Extensions, conversions and change of use)	35	Generally yes, some developer resistance. Could be clearer on what the more environmentally friendly are and a definition. It could also be subject to cost.
12	Are there more effective ways of doing this?	M6 (Mitigation - Extensions, conversions and change of use)	14	Specify materials and proof of compliance carbon quotas suggested, could consider longevity of products ie slates that last 60 years vs 80.
13	Should we extend this requirement to other natural products such as	M6 (Mitigation - Extensions,	21	Generally yes from members of the public, resistance from developers. Subject to costs.



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	stone where these are required within a development?	conversions and change of use)		
14	Should we require a minimum warranty period as well as proof of origin?	M6 (Mitigation - Extensions, conversions and change of use)	21	Generally yes. Subject to costs. Warranty and proof of origin should be included.
15	What evidence, if any, should we require of compliance?	M6 (Mitigation - Extensions, conversions and change of use)	18	Mix of responses including clear evidence that is reviewed, bill of sale showing origin and life expectancy.
50	Do you agree we should ensure the use of more environmentally friendly, low carbon materials in all development?	M6 (Mitigation – New build Housing commercial, other)	21	Generally yes.
51	Are there more effective ways of doing this?	M6 (Mitigation – New build Housing commercial, other)	7	Consider durability and safety, encourage recycled goods to be used.
52	Should we extend this requirement to other natural products such as stone where these are required within a development?	M6 (Mitigation – New build Housing commercial, other)	14	Generally yes
53	Should we require a minimum warranty period as well as proof of origin?	M6 (Mitigation – New build Housing commercial, other)	12	Generally yes, could also not allow anything with less than 30 years to be on a compliance list. Could be moving towards an embodied carbon assessment.
54	What evidence, if any, should we require of compliance?	M6 (Mitigation – New build Housing commercial, other)	11	Assessment of compliance could be a paid-for service provided by the Planning Authority, or a 3rd party provider. Much as building regs compliance is already done. Evidence of compliance should be required.
M7 Principle of net gain				
16	Do you agree we should seek to achieve a net gain in energy efficiency from extensions, conversions and changes of use?	M7 (Mitigation - Extensions, conversions and change of use)	32	Most responses are yes, some concern over costs and EPC not recognising heat pumps.



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17	Is the EPC the right measure of net gain?	M7 (Mitigation - Extensions, conversions and change of use)	22	Mix of responses between EPC and SAP. Comments however that EPC is most accessible.
18	What other measures can we use to demonstrate net gain?	M7 (Mitigation - Extensions, conversions and change of use)	13	Use improvement in SAP score and Increase U value of building and carbon reduction measurements.
19	Should there be exceptions to this approach?	M7 (Mitigation - Extensions, conversions and change of use)	15	Mixed responses. Listed buildings, extensions as they could be too difficult to measure
20	How do we ensure that net gain is also achieved on listed buildings and heritage assets?	M7 (Mitigation - Extensions, conversions and change of use)	19	Answers around tasking conservation officers to provide ways of improving efficiency in listed buildings. Case by case basis. Consider insulation and heating that is compatible with listed buildings.
21	Should the planning application specify the measures that will generate the uplift?	M7 (Mitigation - Extensions, conversions and change of use)	19	Generally yes from members of the public, resistance from developers.
M8 Demolition and replacement buildings				
22	Do you think we should prioritise reuse and retrofit of existing buildings	M8 (Mitigation - Extensions, conversions and change of use)	34	Yes from members of public, comment that it may not be best solution, viability, substandard building type, ineffective layout and low density referenced. One comment should be not for extensions and small developments.
23	Do you agree we should try and offset any loss of embodied carbon?	M8 (Mitigation - Extensions, conversions and change of use)	28	Generally yes, some comments that reuse should be first option. Should be avoided but if replacement was to result in lower emissions over 10 years it could be considered.
24	Is there a better approach? Should we consider an article 4 direction requiring prior approval?	M8 (Mitigation - Extensions, conversions and change of use)	11	Yes from members of the public. Although some caution and one comment notes that any article 4 should be more locally specific.
25	If we are going to offset embodied carbon is 25 years the right offset	M8 (Mitigation - Extensions,	13	Mix of comments some say 25, some 10, some up to 50 years. Consensus seems to be less than 25 years.



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	period? If not, what alternative should be used?	conversions and change of use)		
26	There is a variety of life carbon assessment tools available to calculate embodied carbon. Do you recommend any particular one?	M8 (Mitigation - Extensions, conversions and change of use)	9	Green building calculator
27	Should the LPAs offer access to a carbon calculator software package to enable developers to calculate the embodied carbon within a proposal? Would you use this?	M8 (Mitigation - Extensions, conversions and change of use)	15	Comments are generally yes. Developers should use same software package. To avoid low cost cheap packages that may not be accurate.
28	Should we require airtightness tests in addition to as built SAP assessment to demonstrate compliance?	M8 (Mitigation - Extensions, conversions and change of use)	21	Generally yes, also consider radon and appropriate ventilation. Concern about cost.
55	Do you think we should prioritise reuse and retrofit of existing buildings	M8 (Mitigation – New build Housing commercial, other)	15	Generally yes. A developer notes this may not be the best solution and mentions an ineffective layout of the existing scheme causing occupational issues.
56	Do you agree we should try and offset any loss of embodied carbon?	M8 (Mitigation – New build Housing commercial, other)	11	Yes
57	Is there a better approach? Should we consider an article 4 direction requiring prior approval?	M8 (Mitigation – New build Housing commercial, other)	7	Generally yes, concern loopholes will be used otherwise.
58	If we are going to offset embodied carbon is 25 years the right offset period? If not, what alternative should be used?	M8 (Mitigation – New build Housing commercial, other)	9	Not directly answered, should use ground source heat pumps. Developer questions how 25 years has been reached. Another comment says 15 years is better.
59	There is a variety of life carbon assessment tools available to calculate embodied carbon. Do you recommend any particular one?	M8 (Mitigation – New build Housing commercial, other)	6	https://greenbuildingcalculator.uk/ Suggested in line with Devon Carbon Plan
60	Should the LPAs offer access to a carbon calculator software package to enable developers to calculate	M8 (Mitigation – New build Housing commercial, other)	6	Yes

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	the embodied carbon within a proposal? Would you use this?			
61	Should we require airtightness tests in addition to as built SAP assessment to demonstrate compliance?	M8 (Mitigation – New build Housing commercial, other)	6	Yes, thermal assessments, such as Veritherm should also be proposed. Some unsure.
M9 EV charging points				
29	Should we be requiring a higher charging capacity in communal parking areas?	M9 (Mitigation - Extensions, conversions and change of use)	26	Yes from members of the public and no from developers.
30	Should commercial chargers be higher than 22kw?	M9 (Mitigation - Extensions, conversions and change of use)	13	Yes from members of the public and no from developers. Developer notes 11KW is equally effective if the installation has a load management system, public note 50Kw for future proofing.
31	Should we apply a threshold at which commercial development is required to install 22kw?	M9 (Mitigation - Extensions, conversions and change of use)	12	Mostly yes, some comments that vehicles at commercial sites will be doing more journeys require at least a moderate charge rate.
32	Should we be increasing the requirement to 50kw chargers for parking areas that serve class E businesses?	M9 (Mitigation - Extensions, conversions and change of use)	11	Comments are generally yes, some note remote rural locations are an issue, need to be future proof, depends on where the cost to increase chargers comes from ie owners vs energy companies.
62	Should we be requiring a higher charging capacity in communal parking areas?	M9 (Mitigation – New build Housing commercial, other)	12	Some yes, 7Kw suggested several times. 50% parking back requirement seems high. Could use active ev charging bays, should be considered as part of an active travel strategy.
63	Should commercial chargers be higher than 22kw?	M9 (Mitigation – New build Housing commercial, other)	8	Generally yes. 50kw suggested several times. Though a developer notes an 11kw communal charger is equally effective if the installation has a load management system.
64	Should we apply a threshold at which commercial development is required to install 22kw?	M9 (Mitigation – New build Housing commercial, other)	9	Mainly yes. It is noted that vehicles charged at commercial sites are more likely to do miles hence should have a high charge rate. In line with Devon Carbon Plan.
65	Should we be increasing the requirement to 50kw chargers for	M9 (Mitigation – New build Housing commercial, other)	6	Mostly yes, some resistance is it is a broad measure that may not work in villages,

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	parking areas that serve class E businesses?			
M10 Active and sustainable travel				
66	Are there any other measure we should include to encourage more active travel?	M10 (Mitigation – New build Housing commercial, other)	14	Many comments such as car restrictions in heavily built up areas. Cycle routes, 20mph speed limit, easy to access green space and ebike hire.
67	Should we reference or signpost any other documents?	M10 (Mitigation – New build Housing commercial, other)	9	Ones that support good design for sustainable settlements and green place-making, Consider / refer to measures to ensure existing and new routes are safe, appealing and inclusive. Encourage design which makes active travel the most convenient option for short journeys. Devon Carbon Plan Climate Change Building Car Dependency https://www.transportfornewhomes.org.uk Devon Carbon Plan – Devon Climate Emergency Climate change - GOV.UK (www.gov.uk).
M11 Reducing reliance on the car				
68	Should we resist development proposals that rely upon access solely by the private car?	M11 (Mitigation – New build Housing commercial, other)	29	Mostly yes, some resistance as it can depend on location, also consider EV use means petrol impacts are reducing.
69	Should thresholds be applied – for example bike storage/charging, footpath and cycle way connections, bus routes/funding bus services?	M11 (Mitigation – New build Housing commercial, other)	22	Generally yes. Developments should have bike storage, cyclepath and foot way connections. Para 19.50 also needs to include storage for disability vehicles (Trampers/buggies) to enable less physically active people to be mobile without the need for a car, allowing for charging point for all e-bikes, scooters and buggies.
70	Are there any specific planning measures we could introduce to help reduce reliance on the car?	M11 (Mitigation – New build Housing commercial, other)	15	Developments will need to have Bike storage - all houses Footpath and cycle way connections with restrictions based on size. Reduce parking, require active travel strategies.
71	How should we deal with this issue in the rural areas?	M11 (Mitigation – New build Housing commercial, other)	16	Many suggestions such as discourage remote developments, require travel plans, consider upgrading public transport. Car Share schemes. E bike hire.
72	Should we reference or signpost any other documents?	M11 (Mitigation – New build Housing commercial, other)	9	Transport for New Homes reports and checklists, and Walking for Everyone, What is Healthy Streets? — Healthy Streets
ADAPTATION				

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73	How rigorously should the Councils' enforce against non-porous hardstanding that do not have planning permission?	A4 (Adaptation – All Development)	18	Generally the response was very rigorously. It should be treated as a planning infringement. It is recognised as a contributor to flooding by some.
74	Should we give increased emphasis to the inclusion of adaptation measures within development schemes?	A5 (Adaptation – All Development)	12	Generally yes. Resistance from developers. There should be greater emphasis on the inclusion of adaptation measures.
75	Are there any additional adaptation issues that should be included?	A5 (Adaptation – All Development)	21	Many suggestions. Including 10%-15% net gain and reusing grey water.
76	Should we introduce a clearer framework for small-scale developments?	A5 (Adaptation – All Development)	12	Generally yes,
77	Do you know of any good examples of simple approaches to deliver biodiversity net gain in small development schemes?	A5 (Adaptation – All Development)	11	Many suggested including requires local expert guidance and advice, needs to be more than a plan. Teignbridge council have a tool to assess the biodiversity of the sites prior to development. and habitat banks, which are areas set up and funded by the council to increase biodiversity and green spaces.
78	Do you think this is a good tool to achieve a wide range of adaptation measures? If not, what alternatives would work better?	Green Space Factor Tool (Adaptation – All Development)	13	Mixed responses, some feel this is too much of an urban tool, some say yes. Biodiversity matrix 3.0 is mentioned as an assessment tool by several commenters.
79	Do you agree that factor scores should be adjusted according to the type and location of sites?	Green Space Factor Tool (Adaptation – All Development)	9	Generally yes
80	Do you have any views about what the thresholds should be?	Green Space Factor Tool (Adaptation – All Development)	15	Repeated comments that biodiversity on new developments should not just be positive but should be at least 10% net gain as measured by the biodiversity matrix 3.0. Some unsure.
81	Should we use this approach to ensure any green space or greenfield windfall development is required to deliver considerable adaptation benefits?	Green Space Factor Tool (Adaptation – All Development)	10	Mixed responses public generally in favour developers resisting.
82	Do you think the Green Space Factor tool could be used effectively and simply to seek	Green Space Factor Tool (Adaptation – All Development)	10	Generally no. Some yes. Request that biodiversity matrix 3.0 is used.

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	biodiversity net gain from small-scale development?			
83	Do you agree that this tool needs a supporting document to define the different surface types and explain the different factor scores?	Green Space Factor Tool (Adaptation – All Development)	8	Yes
84	Do you think we should provide for carbon offsetting in the event that measures cannot be delivered within the development scheme?	Carbon Offsetting (Adaptation – All Development)	20	Very mixed between respondents. Some note it should be a last resort some argue that if it is required then the design of what is being proposed is wrong.
85	How do we quantify the carbon to offset for each measure?	Carbon Offsetting (Adaptation – All Development)	9	Some resistance for offsetting question not answered.
86	What projects should be included?	Carbon Offsetting (Adaptation – All Development)	11	Local habit banks, not for offsetting. Projects funded through offset should be “extras”, not things like cycle infrastructure or habitat restoration.
87	Do you agree we should require a Statement of Compliance?	Statement of Compliance (Adaptation – All Development)	23	Generally yes. One comment notes the planning system has become increasingly more complicated with long lists both locally and nationally for validation.
88	Should it include anything else?	Statement of Compliance (Adaptation – All Development)	16	More detail in application forms cites. Bath and North East Somerset: sustainable_construction_checklist_spd_version_2_2020_final (2).pdf (bathnes.gov.uk). Consider water saving, management of ground water.
89	Should it be included as part of the validation process and included within the Local Planning Authorities’ validation checklist?	Statement of Compliance (Adaptation – All Development)	17	Generally yes. Some no comments state the planning system is too complex.
90	Does anything else need to be included?	Appendix 4: Glossary	12	Many answers including limits on embodied carbon per m2 for new houses, phased introduction of limits, offer a planning advantage to most thermally efficient, PassivHaus.

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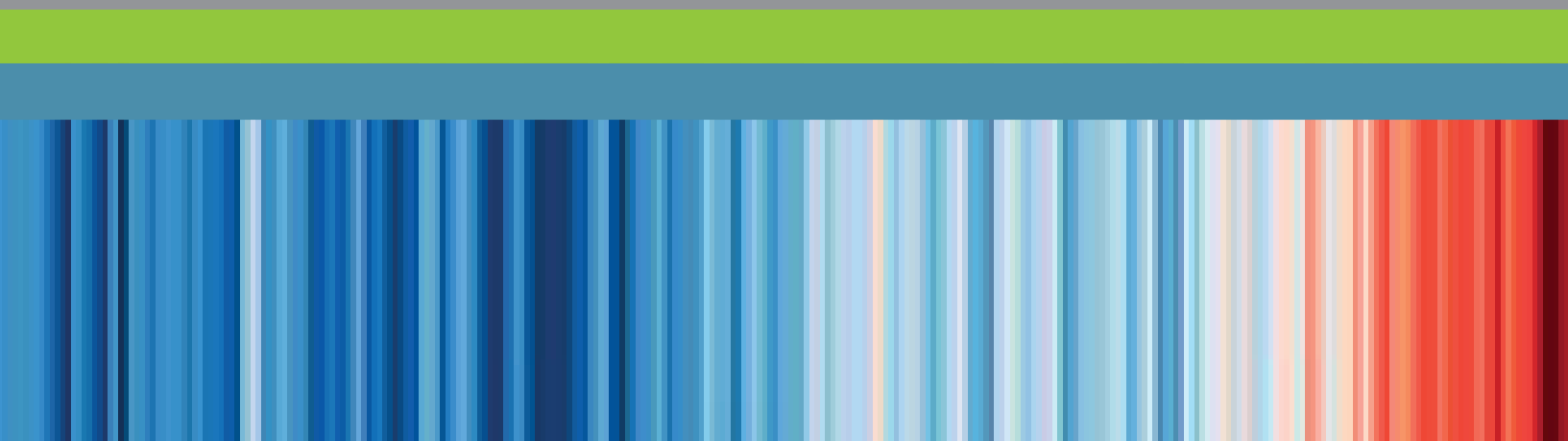
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Plymouth and South West Devon Joint Local Plan

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PLYMOUTH AND SOUTH WEST DEVON CLIMATE EMERGENCY PLANNING STATEMENT



**ADOPTION DRAFT
SEPTEMBER 2022**



Plymouth and South West Devon Climate Emergency Planning Statement

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1 Introduction

1.1 The growing effects of climate change are having a significant impact on communities and there is clear evidence that we need to take action now. The way we use the planning system, together with Building Regulations, can make a major contribution to tackling climate change. It can help shape new developments and existing places in ways that minimise carbon emissions and positively support community resilience to climate impacts, such as increasing temperatures, rising sea levels, increased rainfall and extreme weather events.

1.2 This Climate Emergency Planning Statement responds directly to the Climate Emergency declarations issued across Plymouth and South West Devon and identifies exactly what all new development should do to meet the challenge of climate change. It builds on existing planning policies set out within the Plymouth and South West Devon Joint Local Plan and its supplementary planning document, embraces new standards and proposes new requirements. The mitigation and adaptation measures set out in this planning statement relate only to new development that requires planning permission. We recognise that there is work to be done to existing homes to ensure they are resilient to climate change, but retrofitting is a key issue that will need to be addressed outside the planning process.

1.3 This planning statement is deliberately ambitious and challenges the ‘business as normal’ approach. It intentionally suggests measures that look to the future, and encourages development that goes further than current Building Regulations. This includes providing for energy storage, understanding embodied carbon, using low and zero carbon space and water heating systems and requiring resilient and low carbon building materials.

1.4 The mitigation (preventing/reducing carbon emissions) and adaptation (adjusting to current/future effects of climate change) measures are set out in detail in Appendices 2 and 3, however they are best viewed using the interactive online tool on the website **here**. It explains what is expected and signposts to good practice and useful guidance about how it can be included within designs.

1.5 Consultation on the draft document took place for 7 weeks between 3 March 2022 and 19 April 2022. Over 1,800 comments were made by 128 individuals and organisations and a range of views were expressed. Detail is available in the consultation report **here**. These comments have been taken into account in finalising the document. The measures contained in the planning statement balance the need for early action with the constraints of what can be required now. This begins a discussion about climate emergency planning policy that will continue and evolve as the Joint Local Plan is reviewed.

1.6 A glossary of all the terms used is set out in Appendix 5.

2 Why is this planning statement needed and what is its status

2.1 The Plymouth and South West Devon Joint Local Plan (JLP) provides a sound policy basis for the Local Planning Authorities to begin to tackle the impacts of climate change. However, we recognise that the knowledge, evidence and expertise surrounding climate change and its impacts is continually evolving. In the last 3 years following the adoption of the JLP, there have been a number of significant changes that have elevated the importance of addressing the climate challenge. This includes commitments made at the United Nations Climate Change Conference COP26 (Glasgow Autumn 2021), changes to national legislation and policy and relevant planning appeal decisions (summarised in Appendix 1).

2.2 Each council made Climate Emergency declarations in 2019⁽¹⁾ committing themselves to aiming for net zero by 2030, with further detail on how they intend to achieve this set out in climate emergency action plans⁽²⁾. South Hams District Council and West Devon Borough Council have also declared biodiversity emergencies. Taken together, these changes create an increased urgency for more radical action.

2.3 This planning statement does not change the status of the JLP, which remains the adopted development plan for the area and the starting point for decision making. This planning statement has the status of an interim policy statement and guidance and therefore must be taken into account when determining a planning application. This is a recognised approach, as set out in the National Planning Policy Guidance in relation to First Homes.⁽³⁾, that enables us to put in place interim policy pending the next review of the JLP. As such, it is a new material consideration in the development management process.

1 Plymouth City Council Full Council 18 March 2019, South Hams District Council Executive 6 June 2019, West Devon Borough Council full council 21 May 2019

2 South Hams: [Action Plan and Activity | SH Climate Change \(southhams.gov.uk\)](https://www.southhams.gov.uk/action-plan-and-activity-sh-climate-change), Plymouth: [Climate Emergency Action Plan 202](https://www.plymouth.gov.uk/climate-emergency-action-plan-202), West Devon: [Action Plan and Activity | WD Climate Change \(westdevon.gov.uk\)](https://www.westdevon.gov.uk/action-plan-and-activity-wd-climate-change)

3 NPPG Paragraph: 009 Reference ID: 70-009-20210524.

3 How the planning statement relates to local planning policy and guidance

3.1 All new development is assessed against local planning policy and guidance as set out in the:

- Plymouth and South West Devon Joint Local Plan adopted in March 2019; and the
- Plymouth and South West Devon Supplementary Planning Document (SPD) adopted in June 2020.

3.2 The new measures within this planning statement are consistent with the adopted strategic objectives and policies within the JLP, and expand on the additional guidance in the adopted SPD. These documents work together in the pursuit of sustainable development in the JLP area.

3.3 JLP Strategic Objective SO11 Delivering high quality development already expects development to respond positively to the challenges of climate change, reducing carbon emissions and creating communities that are more resilient. Alongside this the strategic policies set the framework for growth based on the delivery of sustainable development:

- SPT1 Delivering sustainable development
- SPT2 Sustainable linked neighbourhoods and sustainable rural communities
- SPT9 Strategic principles for transport planning and strategy
- SPT10 Balanced transport strategy for growth and healthy and sustainable communities.

3.4 Collectively the JLP policies seek to deliver sustainable development of the right quality in the right location. This planning statement uses and reinforces the existing policies in the JLP that seek to deliver development which positively responds to the climate challenge. These policies collectively provide the hooks for this new planning statement.

3.5 Policy 'DEV32 Delivering low carbon development' already sets out a very progressive approach and is used alongside other adopted policies and allocations to achieve climate change mitigation, adaptation and resilience. Whilst applications are considered against the JLP as a whole the following policies are of particular relevance:

- PLY6 Improving Plymouth's city centre
- PLY20 Managing and enhancing Plymouth's waterfront
- PLY37 Strategic Infrastructure measures for the City Centre and Waterfront Growth Area
- DEV1 Protecting health and amenity
- DEV2 Air, water, soil, noise, land and light
- DEV10 Delivering high quality housing
- DEV15 Supporting the rural economy
- DEV16 Providing retail and town centre uses in appropriate locations
- DEV20 Place shaping and the quality of the built environment
- DEV23 Landscape character
- DEV25 Nationally protected landscapes
- DEV26 Protecting and enhancing biodiversity and geological conservation

- DEV28 Trees, woodlands and hedgerows
- DEV29 Specific provisions relating to transport
- DEV33 Renewable and low carbon energy (including heat)
- DEV34 Community energy
- DEV35 Managing flood risk and water quality impacts
- DEV36 Coastal Change Management Areas

3.6 To support the JLP policies the SPD contains considerable detailed planning guidance explaining how the policies work and what is required to comply with them. In relation to policy 'DEV32 Delivering low carbon development' the SPD sets out the application requirements, promotes the reuse and recycling of building materials, explains the dangers of overheating, seeks the delivery of on site renewable energy generation to achieve regulated carbon emissions levels of 20% less than that required by the Building Regulation part L ⁽⁴⁾, identifies exactly what Energy Statements and Solar Masterplans should cover, explains the energy hierarchy and signposts to useful resources.

3.7 There are also numerous other parts of the SPD that are highly relevant to delivering a positive response to the climate challenge. This includes requirements for travel plans and electric vehicle charging as well as delivering resilient development with biodiversity net gain, sustainable drainage systems, flood management, district heat networks, green space, trees, woodlands and hedgerows.

4 [Conservation of fuel and power: Approved Document L - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/61234/Conservation_of_fuel_and_power_Approved_Document_L.pdf)

4 What the planning statement does and how it works

4.1 The requirements and guidance set out in this planning statement aim to deliver the following Strategic Objective.

CES01 Strategic Objective

Delivering positive measures to address the climate emergency

To deliver development that contributes less to and mitigates the impacts of, climate change and adapts to its current and future effects through:

- ***Ensuring resilience by providing positive benefits that reduce carbon***
- ***Increasing renewable energy generation***
- ***Improving energy efficiency***
- ***Using sustainable local materials and minimising embodied carbon***
- ***Prioritising the retrofitting of existing buildings and reuse of materials***
- ***Reducing reliance on fossil fuels***
- ***Embracing electric vehicles and their charging infrastructure***
- ***Increasing walking, cycling and public transport opportunities***
- ***Reducing waste and increasing recycling***
- ***Effective use of solar gain, solar cooling and shading***
- ***Delivering biodiversity net gain and using nature based solutions***
- ***Managing flood risk, improving sustainable drainage and minimising impermeable surfaces***

4.2 This planning statement sets out a range of new requirements for all types and scales of development. It is split into two parts; mitigation measures and adaptation measures which are detailed in Appendices 2 and 3.

4.3 A simple web based tool has been developed to help applicants understand what is required of new development to meet the expectations of the climate emergency and ensure it is fit for the future.

4.4 ***Click here for the user-friendly tool.***

4.5 All those seeking planning permission for new development should give proactive consideration to the implications of the climate emergency on their development at the beginning of the scoping and design stage. By working with developers, the opportunity exists to reduce the contribution to climate change from development and maximise climate change mitigation, adaptation and resilience. We want to achieve this by incorporating measures that reduce the impact, such as the emission of greenhouse gases, and adjust to the current and future effects of climate change.

4.6 In most instances, the requirements are consistent with the emerging Future Homes/Building Standard⁽⁵⁾ that have now been incorporated into Building Regulations and came into force for applications made on or after 15 June 2022. Applications made prior to June 15, will be assessed against the previous standards providing substantial building work has begun before 15 June 2023 on all aspects of the application. This planning statement twin tracks these improved standards so they can also be properly considered in the planning system to ensure issues such as orientation are considered at the right stage of the process. However, given the scale of the emergency and the need for urgent action it also introduces some additional requirements, summarised below and set out in detail in Appendices 2 and 3.

4.7 We welcome and encourage proposals from developers that want to go further and be more ambitious, for example delivering carbon negative buildings.

Mitigation measures

4.8 The primary aim of the mitigation measures is to reduce the amount of carbon emitted through the development process. The proposals set an intentionally high bar in terms of demonstrating how carbon reduction permeates all aspects of a development scheme. The mitigation measures are set out in detail in Appendix 2 and include:

- The need for improved energy efficiency through ensuring the building minimises energy use, increasing on-site renewable energy generation, incorporating energy storage and maximising passive energy capture. This could help reduce the impact of volatile energy prices by promoting low and zero carbon space and water heating systems that do not use gas or oil boilers.
- Increased emphasis on sustainable, durable, recycled materials of UK or European origin in the construction process by introducing a hierarchy of acceptability and proof of provenance for roof slates and stone.
- Prioritising the re-use of buildings, rather than the demolition and replacement, and ensuring embodied carbon is a consideration in the planning process.
- Providing for Electric Vehicle charging facilities.
- Reducing the need to travel and avoiding development that locks in reliance on the private car, in favour of increasing sustainable transport options including the provision of adequate charging facilities for electric car and bikes as well as mobility hubs.

Adaptation Measures

4.9 Adaptation to the impacts and effects of climate change can often be overlooked in favour of mitigation measures to reduce the carbon impact of development. Effective adaptation is an important part of ensuring resilient development and delivering places that respond to the impacts of the climate emergency, in turn helps reduce carbon emissions.

5 [The Future Homes Standard: changes to Part L and Part F of the Building Regulations for new dwellings](#) and <https://www.gov.uk/government/consultations/the-future-buildings-standard>

4.10 The policies of the JLP and existing guidance in the SPD provides considerable detail on how development should include measures to ensure the building and its wider site is adaptable to climate change. In many instances, the solutions and opportunities are interconnected and the design should consider these holistically, using nature based solutions to maximise the benefits and deliver buildings and greenspace that positively mitigate and adapt to the challenge of climate change.

4.11 All development should consider how the development adapts to a changing climate. This means positively:

- Incorporating passive solar design
- Protecting our soil resource
- Protecting hedges and trees, especially mature trees that have significant value, and enhancing tree cover in the right places
- Protecting and enhancing gardens, green spaces and greenfield sites
- Delivering sustainable drainage and surface water management, reducing flood risk and urban creep
- Delivering at least 10% biodiversity net gain and habitat improvements

4.12 The inclusion of positive adaptation measures within development schemes will be a material consideration in the decision making process.

4.13 Biodiversity net gain is a key area where policy and practice is evolving with the introduction of provisions set out in the Environment Act. The JLP policy 'DEV26 Protecting and enhancing biodiversity and geological conservation' states that net gains in biodiversity will be sought from all major development proposals, and a 10% increase in biodiversity units will be compliant with this policy. This will be measured using the most up to date Biodiversity Metric. A proportionate approach will be taken for small-scale development. Additional detailed guidance on biodiversity net gain will be produced to assist developers and applicants with the use of the new biodiversity metrics, habitat banking and costs.

4.14 To complement the current policies and recognise the importance of adaptation measures on the environment a new Green Space Factor tool will be produced. This will ensure the multifunctional benefits of green and blue spaces are prioritised and recognise the role they play in maintaining our health and wellbeing. Further work is required to develop this tool, set appropriate thresholds and understand how it could be used to complement the approach on biodiversity net gain particularly on small sites. We will bring this forward separately as part of any biodiversity net gain guidance.

5 How the planning statement will be delivered

5.1 Planning applications submitted after the 30 September 2022 (when this planning statement is adopted) will need to meet the requirements set out in this planning statement and will have to complete a Climate Emergency Compliance Form to demonstrate how they will meet each of the mitigation requirements and deliver adaptation measures in their proposals. This will ensure applicants can explain exactly which document, plan, or drawing, demonstrates evidence of compliance. The measures could be included in:

- Energy Statement/Strategy
- Design and Access Statement
- Sustainability Statement
- Sustainable Travel Plan
- Energy Performance Certificate
- Standard Assessment Procedure (SAP) or
- specifically indicated on plans, drawings or other compliance reports.

5.2 The completion of the Climate Emergency Compliance Form will be included in the validation process and within the Local Validation Lists.

5.3 All mitigation and adaptation measures identified should be integrated into the design and layouts of developments and will be subject to control through building regulations and/or planning conditions. In some cases it will be necessary to secure delivery and management through the use of a S106 planning obligation. Developers and house builders should factor these requirements into their land purchases and will be expected to clearly demonstrate how they are being met, either through compliance with new building regulations or condition.

5.4 It is recognised that there may be some exceptional circumstances when it may not be possible to meet all the mitigation and adaptation requirements of this planning statement. Therefore if the requirements are not met in full proposals to mitigate the impact of non-compliance must be set out. In these cases, where it is demonstrably not possible to meet these requirements, a contribution to offset carbon emissions may be sought by the relevant Local Planning Authority, consistent with policy DEV32.3. Where a financial contribution commensurate with the direct carbon impact of the development is proposed, in line with policy DEL1 and paragraph 9.3 of the SPD, calculations should use the [GLA Carbon Offset Funds guidance](#) or updated version. All contributions will be secured by Section 106 agreements and allocated by the Local Planning Authorities to local offsetting schemes.

5.5 New development schemes are likely to be subject to additional costs, which could have an impact on development viability in some locations. However, the direction of travel towards low carbon and carbon neutral development has now been set for many years, and developers should be expected to factor these costs into their land valuation and profit expectations. The climate emergency is too important an issue for the entirety of humanity to continue with development that only serves to exacerbate the problem and leave significant retrofit costs for the future. The impact on viability will be considered on a case by case basis and difficult decisions about the balance of priorities may be necessary.

6 Appendix 1 Detailed justification for the Climate Emergency Planning Statement

National Policy and Legislation

6.1 The core purpose of the planning system is to create places which enable people to live happy and healthy lives, it is not possible to achieve this without considering the impact of climate change and addressing this through adaptation and mitigation. The UK has set ambitious targets for reducing greenhouse gas emissions and in all four UK nations there is law or policy requiring local planning authorities to consider and take action on mitigating and adapting to climate change. The planning system is set by and subject to a number of pieces of national legislation and regulation. This section identifies the most relevant legislation demonstrating the need for urgent action and justifying the priority to be given to climate change through this planning statement.

6.2 The Climate Change Act 2008 (amended in 2019) requires a 100% reduction in greenhouse gas emissions by 2050 (compared to 1990 levels). This is known as the net zero target. In June 2021 the Government adopted the sixth carbon budget⁽⁶⁾ that sets out a more ambitious target of 68% reduction by 2030.

6.3 The Planning and Compulsory Purchase Act 2004 sets out the current structure of the local planning framework for England and Wales, including the duty on plan-making to mitigate and adapt to climate change. Local planning authorities are bound by the legal duty set out in Section 19 of the Planning and Compulsory Purchase Act 2004, as amended by the Planning Act 2008, to ensure that, taken as whole, plan policy contributes to the mitigation of, and adaptation to, climate change.

6.4 The Flood and Water Management Act 2010 addresses the threats of flooding and water scarcity. Under the Flood Risk Regulations 2009, the Environment Agency is responsible for managing flood risk from main rivers, the sea, and reservoirs. Lead local flood authorities (LLFAs) are responsible for local sources of flood risk, in particular surface water run-off, groundwater, and ordinary watercourses. LLFAs are statutory consultees on major development. Local authorities are responsible for ensuring that requirements for preliminary flood risk assessments are met.

6.5 The Planning and Energy Act 2008 sets out powers for local authorities to require a proportion of the energy need related to new development to be sourced in the locality of the development, through renewable or low-carbon generation. It also sets out powers for local planning authorities to set energy efficiency standards that exceed the energy requirements of the Building Regulations. There has been much discussion about whether LPAs can continue to set their own requirements and in January 2021 the Government responded to the consultation on the Future Homes Standards by stating 'To provide some certainty in the immediate term, the Government will not amend the Planning & Energy Act 2008, which means that local planning authorities will retain powers to set local energy efficiency standards for new homes.'

6 The Carbon Budget Order 2021 (SI 2021/750)

6.6 The NPPF sets out the key national planning priorities for England. It was updated in 2021. It is non-statutory guidance, but is a powerful material consideration in plan-making and development management decisions. The NPPF is accompanied by online Planning Practice Guidance. Paragraph 152 of the NPPF underlines that the planning system should support the transition to a low-carbon future in a changing climate, taking full account of flood risk and coastal change. Paragraph 153 makes clear that local planning authorities are expected to adopt proactive strategies to mitigate and adapt to climate change, in line with the Climate Change Act 2008. Since compliance with national law and policy is central to the soundness test carried out on local development plans, compliance with the Climate Change Act is a clear obligation on both the Planning Inspectorate and local planning authorities.

6.7 The National Planning Policy Framework (NPPF)⁽⁷⁾ was amended in July 2021 to include reference to the United Nations Sustainable Development Goals. These are set out below.



6.8 This means there is a duty to deliver development that contributes positively to goal 11 Sustainable Cities and Communities, and goal 13 Climate Action. While more is needed to enshrine the climate emergency within the NPPF, paragraph 8 identifies the opportunity to secure net gain and requires a positive approach to ‘mitigating and adapting to climate change, including moving to a low carbon economy’. It also includes a chapter on meeting the challenge of climate change, flooding and coastal change, and within that is a requirement to help ‘shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience’.

6.9 The Planning Practice Guidance (PPG) online resource provides vital additional and detailed guidance on aspects of the NPPF, and it is periodically updated to include interpretations of Ministerial Statements relevant to planning. The critical sections of PPG are on ‘Climate change’, ‘Renewable and low carbon energy’, and ‘Flood risk and coastal change’. Paragraph 011 of the ‘Climate change’ section directs planners to the Climate Change Committee for further information and guidance. In recent years, significant changes

7 NPPF 2021 para 8c

have been made to the viability test that is applied to plan policy and particular applications. Paragraph 002 of the PPG section on viability and plan making now states that ‘the price paid for land is not a relevant justification for failing to accord with relevant policies in the plan.’

6.10 On 14th July 2021 the Government published their Transport Decarbonisation Plan that sets out the pathway to net zero transport in the UK⁽⁸⁾.

6.11 The National Model Design Code⁽⁹⁾ published on 20th July 2021 requires codes to cover “sustainability including energy efficiency, net zero alignment and climate resilience”. This reflects the National Design Guide that sets out the ten characteristics of a well-designed place that need to positively address environmental issues affecting climate.

6.12 On 19th October 2021 the Government published its Net Zero Strategy: Building Back Greener and its Heat and Buildings Strategy⁽¹⁰⁾. This contained a raft of commitments including ensuring the reformed planning system supports efforts to combat climate change. Key elements include retiring the internal combustion engine by banning petrol and diesel cars from 2030, phasing out the installation of new and replacement gas boilers by 2035, introducing interim Future Homes Standards from June 2022 and reviewing the NPPF. The Government intends to publish an electric vehicle infrastructure strategy later this year and the latest announcement⁽¹¹⁾ sets out that all new homes and buildings will be required by law to install electric vehicle charging points from the middle of 2022.

6.13 The recent Housing, Communities and Local Government Select Committee Report⁽¹²⁾ requires action to deliver its Net Zero Strategy. This includes giving net zero a central role in the NPPF and bringing forward Future Homes Standard legislation as soon as possible. The Government response to this, published on 13th January 2022 commits to accelerating the legislation to introduce the full Future Homes Standard in 2024.

6.14 The Environment Act received royal assent on 9th November 2021. It provides increasing emphasis on the sustainable use of resources and the importance of nature in addressing the climate emergency. It sets out new requirements for waste, water, local nature recovery and expects all new developments to deliver a ten per cent biodiversity net gain managed for at least 30 years.

6.15 On 15th December 2021 the Government announced new building regulations⁽¹³⁾ that will help deliver net zero through a number of measures including requiring new homes to produce 30% less carbon emissions and bringing in more EV charging. These standards came into force on 15th June 2022.

8 <https://www.gov.uk/government/publications/transport-decarbonisation-plan>

9 [National Model Design Code: Part 1 - The Coding Process \(publishing.service.gov.uk\)](#)

10 M Government, [Net Zero Strategy: Building Back Greener](#). (October 2021); [HM Government, Heat and Buildings Strategy](#), (October 2021)

11 21st November 2021 <https://www.bbc.co.uk/news/business-59369715>

12 [Fifth Report published 29th October 2021 Local government and the path to net zero - Committees - UK Parliament](#)

13 [New homes to produce nearly a third less carbon - GOV.UK \(www.gov.uk\)](#)

6.16 On 17th January 2022 the Government published the UK Climate Change Risk Assessment 2022⁽¹⁴⁾ which identifies that even under low warming scenarios the UK will be subject to a range of significant and costly impacts unless significant further action is taken now. It states that ‘the evidence shows that we must do more to build climate change into any decisions that have long-term effects, such as in new housing or infrastructure, to avoid often costly remedial actions in the future’.

6.17 On 2nd February 2022 the Government published its Levelling Up White Paper⁽¹⁵⁾ which supports the decarbonisation agenda and recognises changes to the planning system are needed to support the transition to net zero.

6.18 On the 11th May 2022 the Government published the Levelling Up and Regeneration Bill. The Bill seeks to improve the planning process so it can

- deliver high quality design and beautiful places, and protect our heritage
- enable the right infrastructure to come forward where it is needed
- enhance local democracy and engagement
- foster better environmental outcomes
- allow neighbourhoods to shape their surroundings, as this is where the impact of planning is most immediately felt

6.19 The Bill will also enable further changes to come forward which will enhance the way that planning works, including full digitalisation of the system, improving planning processes and the preparation of National Development Management Policies. It is currently not clear what will be included within these policies but it is likely that they will contain guidelines to help deliver the Government's Net Zero Agenda.

Case law and recent planning appeals

6.20 Legal judgements made by judges in the courts and planning appeal decisions are made by planning inspectors and provide a useful interpretation of planning policy. They are increasingly recognising the climate emergency as a significant material consideration in decision making.

6.21 Climate change as a whole, and the impact of embodied carbon in particular, are clearly material planning considerations in light of the relevant case law on the meaning of “material planning considerations”: *R(Wright) v Resilient Energy Severndale Ltd and Forest of Dean Council* [2019] UKSC 53, [2019] 1 WLR 6562 at §§39-42 and *R(Samuel Smith Old Brewery) v North Yorkshire CC* [2020] UKSC 3, [2020] PTSR 221 at §§31-32. 8. The fact that a local authority has declared a climate emergency is also a material planning consideration, which was confirmed in 2020 by the Planning Inspectorate in a decision under section 78 of the Town and Country Planning Act 1990: appeal APP/Y2620/W/15/3134132 at §§86-89.

14 [UK Climate Change Risk Assessment 2022 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/106444/uk-climate-change-risk-assessment-2022.pdf)

15 [Levelling Up White Paper \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/106444/levelling-up-white-paper.pdf)

6.22 In April 2021 the Secretary of State recognised that ‘the scale and urgency of the climate change emergency is such that tackling climate change is a material consideration to which significant weight should be attached’⁽¹⁶⁾. In November 2021 in an appeal in Dartmouth the Inspector explicitly referred to the issue of climate change as one where planning policy may not be quite keeping pace with development elsewhere. In his decision letter⁽¹⁷⁾ he states ‘*My site visit took place on the third day of the Cop26 climate conference in Glasgow where the need for urgent action was once again made crystal clear by the Prime Minister. The recent initiatives such as those mentioned above are therefore a material consideration which I believe should carry some weight. It seems to me folly to build new houses now that will commit the owners to potentially expensive and disruptive alterations as the UK moves to decarbonise the heating of its housing stock*’.

Stakeholder and developer statements

6.23 The Department for Environment, Food and Rural Affairs is the lead department for domestic climate adaptation, but across government actions and policies are being implemented. Adaptation is also embedded in other key government commitments such as the 25 Year Environment Plan. The climate emergency requires everyone involved in the built environment to take responsibility for climate resilience and therefore all stakeholders and developers are increasingly setting out how they can adapt their plans and programmes in response. Set out below are a number of examples:

6.24 The Environment Agency’s strategy⁽¹⁸⁾ is about living better with a changing climate and designing today for tomorrow’s climate. Their aim is to create a net zero nation that is resilient to climate change.

6.25 Natural England’s vision for thriving nature for people and planet is at the heart of their action plan⁽¹⁹⁾. The natural environment can play an important role in tackling the climate crisis as healthy ecosystems take up and store a significant amount of carbon in soils, sediments and vegetation. The Carbon Storage by Habitat report provides detailed information and support for nature-based solutions for net zero⁽²⁰⁾.

6.26 National Highways have set out a plan⁽²¹⁾ to 2050 for net zero highways and are investing in energy storage systems to support electric vehicle (EV) drivers.

16 APP/V2255/W/19/3233606 Secretary of State decision. Appeal by Quinn Estates Ltd and Mulberry Estates (Sittingbourne) Ltd against Swale Borough Council.

17 APP/K1128/X/20/3252613, APP/K1128/W/20/3252623. Appeal by Mr David Holloway against South Hams District Council.

18 Living better with a changing climate - [Climate Adaptation and Reporting Third Round: Climate Emergency](#)

19 [Natural England action plan 2021 to 2022](#)

20 <http://publications.naturalengland.org.uk/publication/5419124441481216>

21 <https://nationalhighways.co.uk/netzerohighways/>

6.27 The Town and Country Planning Association (TCPA) and Royal Town Planning Institute (RTPI) explores ways local authorities and communities can make a real difference and conclude that ‘The threat of climate change is real, and time is running dangerously short. A resilient and sustainable future is achievable, but only if we act now’⁽²²⁾.

6.28 House builders and Commercial organisations are also committed to addressing climate change. Persimmon’s Annual report 2020⁽²³⁾ identifies climate change action and resilience as the single most important material issues to be addressed and have set targets aligned to the UN Sustainable Development Goals. This includes the ‘aim to be net zero carbon for our homes in use by 2030 and in our operations by 2040 and 50% of our homes will be built using timber frames from our off-site manufacturing facilities by 2025’.

6.29 Taylor Wimpey in their 2020 Annual Report⁽²⁴⁾ explicitly identify climate change as one of their priorities recognising it as ‘the most significant global environmental threat and we are determined to play our part in tackling it’. This has translated into setting targets and recognising the need to purchase land that factors in the new costs associated with the Future Homes Standard and EV charging regulations.

6.30 The Planning Practice Guidance is very clear that it is the responsibility of site promoters to engage in plan making, take into account any costs including their own profit expectations and risks, and ensure that proposals for development are fully compliant with up to date plan policies. Decisions on applications will be considered against the adopted and emerging policies. The price paid for land is not a relevant justification for failing to accord with policies in the plan. Landowners and site purchasers should consider this when agreeing land transactions⁽²⁵⁾.

22 TCPA/RTPI, The Climate Crisis – a guide for planning authorities on planning for climate change, October 2021 <https://www.tcpa.org.uk/planning-for-climate-change>

23 [persimmon_ar2020_web_bmarks-final.pdf](#)

24 [Annual Report and Accounts 2020](#) □ [Taylor Wimpey](#)

25 NPPG Paragraph: 002 Reference ID: 10-002-20190509

7 Appendix 2 Mitigation measures



M1 – Onsite renewable energy generation

7.1 For major and minor planning applications, adopted JLP policy DEV32.5 will apply in order to secure an equivalent 20% carbon saving through onsite renewable energy generation.

7.2 The baseline ‘target emissions rate’ (TER) will be calculated using the most up-to-date version of SAP10 (or other versions of SAP should SAP10 be superseded) to ensure that the latest carbon factors are used to create both a robust baseline for the proposal, and to calculate the most accurate carbon savings from renewable energy generation.

7.3 Extensions that benefit from favourable conditions to support roof mounted PV, and where the host building does not already generate renewable energy onsite, should include a rooftop PV system of a minimum installed capacity of 1kWp.

7.4 Generating renewable energy onsite improves energy resilience and reduces fuel prices for occupiers. Onsite energy generation will also help reduce energy demand from the national grid, allowing more energy to be used to support the transition to electric vehicles and heat pumps, both of which are important elements of the UK decarbonisation strategy.

7.5 Building Regulation Approved Document Part L has been updated in December 2021 and introduced in June 2022, and this introduces higher standards of thermal efficiency for buildings. As such, it is appropriate to ensure that the DEV32.5 20% carbon reduction requirement is only secured through onsite renewable energy generation, with no mechanism to count alternative savings through a fabric first approach, as this has already been incorporated into the 2021 Part L uplift.

7.6 Favourable conditions for extensions include no overshadowing of the proposed roof, with the roof having an easterly, southerly or westerly aspect. A 1kW system is likely to comprise of at least 4 PV panels.

7.7 Further information is available: [Approved Document Part L 2021](#), [Energy Saving Trust guide to solar panels](#) and [The Renewable Energy Hub](#)

M2 – Energy storage

7.8 New development proposals should identify on submitted floor plans an area close to the main circuit board that could accommodate a battery storage system capable of meeting at least 50% of the daily energy demand of the building, unless this is technically unfeasible, or incompatible with the technological requirements of a specific battery.

7.9 Battery storage enables buildings to better use energy that is generated onsite, or purchased at favourable tariffs overnight when demand is low. The use of battery storage as part of smart system has benefits on the grid, as it reduces demand at peak times, and allows users to be more resilient to power outages, as well as paying less for the energy they consume.

7.10 Batteries can be floor or wall mounted, and space needs to be identified that allows for suitable access and maintenance arrangements. Although a battery storage system does not need to be located next to a mains circuit board or solar PV inverter, it does make for a less intrusive installation process for the occupier.

7.11 If suitable space next to the mains circuit board cannot be accommodated, alternative spaces will be considered that are compatible with the technical requirements of a specific product or system.

7.12 Further information is available: [Energy Saving Trust guide to battery storage](#)

M3 – Low and zero carbon space and water heating systems

7.13 All minor and major development proposals should be served by low or zero carbon space and water heating and where relevant cooling systems, with an emphasis on ground, air and water source heat pumps. Other options for low carbon heating systems include solar thermal/ solar thermodynamic/ or solar PVT systems or biomass in rural areas.

7.14 Buildings served by district energy systems for heating and cooling will be considered to meet the requirements of the policy, providing the fuel used within the district energy network is low or zero carbon. Proposals that meet the prescribed characteristics in the SPD, and/or are in a defined area for district energy potential will need to connect to an existing heat network, where this exists, be future-proofed for connection to a future heat network or provide analysis and justification for why they cannot connect to a heat network.

7.15 In order to meet binding legislative carbon reduction targets, the UK needs to rapidly decarbonise all aspects of societal behaviour. Reducing reliance on fossil fuels is the single biggest action that will contribute to rapid decarbonisation. For many, this will result in the installation of a heat pump, although other systems may also meet the wider policy aims, such as solar thermal heating and biomass boilers.

7.16 Hydrogen based systems are not considered compatible with the aims of this policy, as the fuel is not proven at scale for domestic or commercial buildings, and only 'green' energy is low or zero carbon, with grey or blue hydrogen being formed from fossil fuels. Where three phase electricity supply is available this must be fully enabled internally, to support the full range of low carbon technologies available to the occupants now and in the future.

7.17 Further information is available: [The Renewable Energy Hub](#) and [Micro Certification Scheme](#)

M4 – Resilient and low carbon building materials

7.18 Slate used on all new buildings with pitched roofs and/or natural stone used for paving must accord with the hierarchy of origin as well as meeting the requirements to be compatible with local vernacular and design:

- Reclaimed UK or European slates where available with proof of origin from supplier
- New UK derived slates with proof of origin from supplier
- New European derived slates with proof of origin from supplier
- No other natural slate products will be considered acceptable

7.19 All new roof slates and natural stone must be covered by a minimum warranty period of 50 years.

7.20 The number and type of materials used to construct a building is extensive, and the planning process rarely seeks to influence materials used in construction except where there may be an issue of visual impact. However, as well considering the colour and tone of certain materials, DEV32.1 requires us to reduce the wider environmental impact of building materials, and this requirement is rarely considered or conditioned.

7.21 Many building materials are increasingly accompanied by information that quantifies not only the origin of the product, but also the environmental impact. Where possible, a product should be obtained that has an Environmental Product Declaration (EPD). If an EPD is not available, a verifiable certificate of origin or provenance will need to be supplied.

7.22 Further information is available: [Environmental Product Declaration](#)

M5 – Demolition and rebuild

7.23 Priority will be given to the reuse and retrofitting of buildings. Where an existing building is proposed to be demolished and rebuilt, the net overall carbon cost of the project should be offset within 25 years through carbon savings achieved by operational use of the replacement building.

7.24 The JLP policies DEV31 and DEV32.1 advocate reuse, recycling and resource minimisation through the development process. In 2019 the Architects Journal launched their RetroFirst campaign, that seeks to ensure that our existing buildings in the UK are only demolished and replaced as a last resort, and where retrofitting is proven to be not technically feasible. However, we recognise that there are some circumstances when demolition may be necessary.

7.25 The age of a building is not in itself justification for demolishing it. Old windows can be replaced, insulation added either internally or externally, roofs replaced with more resilient and lower impact materials. Air tightness can be greatly improved by combining external interventions, with particular focus on the reinstatement of doors and window. A comprehensive approach to improving air tightness through whole-building retrofit will also allow for a suitable ventilation system to be designed and incorporated.

7.26 A project wide assessment of the net carbon impact of the development proposal will form the basis of how much energy needs to be saved through operational efficiencies. Further detail is available in [Architects Journal RetroFirst](#) and [RICS whole life carbon assessment for the built environment](#) and set out below:

Further information

The baseline for this assessment will be the target emissions rate as derived from building regulations Part L, using the most up-to-date SAP software, with savings calculated using the difference between the TER and the dwelling emissions rate (DER, for domestic buildings) or building emissions rate (BER, for non-domestic buildings).

Embodied carbon calculations for existing and proposed dwellings should be submitted in full using software that complies with RICS whole life carbon assessment principles.

Justification for demolition will only be considered acceptable under the following circumstances;

1. The building is structurally unsafe and is in a condition that cannot be safely remediated as part of a comprehensive retrofit; or,
2. The demolition and rebuild will result in significant social and environmental benefits, such as large scale regeneration, and affordable-housing led development proposals

$((\text{TER} \times \text{floorspace}) \times 25) - ((\text{DER} \times \text{floorspace}) \times 25) = \text{more than or equal to the net embodied carbon of original and new structure.}$

M6 – Electric Vehicle Charging Points

7.27 Domestic charging points will be installed in accordance with 2021 Building Regulations Approved Document Part S, which will need to be demonstrated as part of the planning application.

7.28 The quantity of charging points for non-domestic development will also need accord with 2021 Approved Document Part S. The minimum installed capacity for each charging point will be;

- **Class E – 22kw**
- **All other non-domestic development – 11kw**

7.29 Electric vehicles represent an opportunity to reduce reliance on fossil fuels, and will contribute to decarbonising transport emissions across the UK as part of the Government's Transport Decarbonisation Plan. To ensure that the transition to electric vehicles is achieved at a trajectory that secures adequate levels of emissions savings, charging infrastructure must be available and accessible in all new developments.

7.30 Whilst switching fuels in private and commercial vehicles has a clear role to play in decarbonising transport, it should not be confused with the greater benefits that can be achieved by reducing the need to travel in the first place, and increasing the number of journeys by sustainable and active modes of travel.

7.31 Further information is here: [Approved Document Part S 2021](#)

M7 – Active and Sustainable Travel

7.32 All new buildings must incorporate measures to encourage use of active and sustainable travel options and should avoid locking-in reliance on the private car.

7.33 Minor development proposals should be guided by the requirements of the adopted policies 'SPT10 Balanced transport strategy for growth and healthy and sustainable communities', 'SPT12.9 Strategic approach to the natural environment', 'DEV15 Supporting the rural economy' and 'DEV29 Specific provisions relating to transport', as well as the associated sections of the SPD.

7.34 Major developments will need to include an assessment of sustainable and active travel opportunities and constraints in their Design and Access Statement (DAS). This should identify what benefits are being proposed as part of the development highlighting how these benefits will achieve modal shift within and beyond the proposed development.

7.35 In addition, residential developments of over 50 dwellings will need to include an assessment of onsite car club and ebike hire potential, as well as identifying opportunities to contribute to existing active and sustainable travel projects within the local area. In Plymouth, an assessment of how the proposal can link with existing and planned mobility hubs will be required.

7.36 The location of new development should continue to be considered against the adopted spatial strategy set out in the JLP and specifically policies 'SPT1 Delivering sustainable development', 'SPT2 Sustainable linked neighbourhoods and sustainable rural communities' and 'TTV1 Prioritising growth through a hierarchy of sustainable settlements' and 'TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area'. Switching to EV is not a substitute for sound placemaking based around the core principles of reducing

the need to travel and maximising the use of sustainable and active travel modes. Any development proposal that locks-in reliance upon the private car, and exclusively caters for car borne customers, such as drive through restaurants, cannot be considered to meet the most basic requirements of the JLP or accord with paragraph 104 of the National Planning Policy Framework.

7.37 Government policy is increasingly supportive of locating development in the most sustainable places and designing development to facilitate modal shift to active travel ([see LTN1/20](#): Cycle Infrastructure Design; [Gear Change](#): A bold vision for cycling and walking) and bus service ([Bus Back Better](#): National Bus Strategy for England. Further information is also available at: [Planning and Net Zero Transport](#)

8 Appendix 3 Adaptation measures



8.1 The JLP policies and SPD already include numerous requirements to ensure our communities are both resilient and adaptable to the impacts of climate change. Strategic Objective 'SO11.6 delivering high quality development' within the JLP explicitly requires development to respond positively to the challenges of climate change, reducing carbon and creating communities that are more resilient.

8.2 Given the importance adaptation plays in climate change, it is essential that all schemes are designed to include positive adaptation measures. In all applications additional consideration and increased emphasis will be given to the following adaptation requirements in the decision making process because of their importance in capturing carbon and providing more resilience of extreme weather events.

A1 – Passive Solar Design

8.3 All development is required to :

- **be compliant with 2021 Building Regulations Approved Document Part O – Overheating, and provide a copy of the Part O Compliance Checklist (Appendix B) as part of their planning application**
- **incorporate sound design principles that take every opportunity to incorporate passive solar gain in line with SPD guidance.**

8.4 As the world gets hotter our buildings will need to adapt to rising temperatures. Building design will need to make best use of heat from the sun to create a comfortable internal temperature, whilst avoiding overheating when the sun is at its hottest. Approved document

Part O – Overheating applies to all new buildings and extensions, and includes specific window to floor ratios that need to be adhered to in each elevation. The checklist is a summary document that collates all of the room and window data into a concise format.

8.5 The benefit of this information at planning application stage is that it can be amended during the consideration of the application. This is preferable to identifying and issue at the inspection stage as to rectify any issues then is likely to result in resubmission of planning information and expensive reconstruction of the building.

8.6 JLP Policy 'SPT2 Sustainable linked neighbourhoods and sustainable rural communities' seeks to reduce the use of energy through design. The opportunities for maximising the cooling benefits of planting should not be restricted to areas surrounding a building, but also within the fabric of the building itself. As global temperatures rise we will need to look at whole systems approaches to reducing the risk of overheating, not just in the design and orientation of buildings themselves, but through managing the relationship between buildings and their surroundings. Green walls and roofs offer significant potential to reduce the risk of overheating, whilst also benefitting biodiversity and habitat creation. All proposals should therefore demonstrate what additional adaptation measures are included to reduce the risk of overheating. Building design should avoid relying upon 'bolt-on' technologies like air conditioning units to cool the internal temperature of the building. Mechanical heat recovery and ventilation systems could be suitable technology to use as the air tightness of buildings improves, although care should be taken to ensure that the energy demand from these systems is kept to a minimum, and ideally offset completely by onsite renewable generation.

8.7 Further guidance on green walls and roofs will be made available.

A2. Protecting our soil resource

8.8 The JLP prioritises the development of previously developed land and promotes resilient development and policy DEV2.6 gives further detail on protecting soils. Because of the importance our soil resource plays in carbon storage the plan seeks to protect greenfield sites unless allocated or there is a need for the development.

8.9 Soils support biodiversity, sequester carbon and absorb water and play an important role in capturing carbon, providing sustainable drainage, as well as increasing resilience to extreme weather event. The loss of soil cover to impermeable surfaces has numerous detrimental impacts which erode their important role in addressing the climate emergency.

8.10 **The Climate Emergency Compliance Form should include measures to protect the soil resource.**

A3. Protecting and enhancing tree cover

8.11 JLP policy DEV28 protects trees, woodlands and hedgerows, require net gain and appropriate mitigation. Trees are crucial in delivering a wide range of adaptation benefits and for helping to maintain our health and wellbeing; for example spending time around trees and looking at trees can reduce stress, lower blood pressure, and improve mood.

8.12 Trees play a vital role in addressing the climate emergency through their storage of carbon, reducing run off, increasing drainage, shade and improving air quality, as well as addressing local climatic effects and reducing energy demand. Trees also support a huge amount of habitats and species. Tree planting at a massive scale is a key component of the government plan to net zero. Existing trees, especially mature trees that have significant value should be protected and development should provide enhanced tree cover with the right new trees in the right places.

8.13 The Climate Emergency Compliance Form should include measures to protect and enhance tree cover and to address their important role in the climate emergency.

A4. Protecting and enhancing gardens, green spaces and greenfield sites

8.14 JLP policy 'SPT1 Delivering sustainable development' and 'SPT2 Sustainable linked neighbourhoods and sustainable rural communities' prioritise the re-use of previously developed sites reducing the need for greenfield development. This in turn helps protect natural assets and promotes the creation of a wildlife rich local environment with well designed public and natural spaces. These key strategic policies, along with other policies in the JLP collectively promote resilient development and the efficient use of land protecting and enhancing gardens, green spaces and greenfield sites.

8.15 Green spaces and green fields sites have an intrinsic value as a natural resource that makes a significant contribution to addressing the climate emergency. They offer a wide range of existing multifunctional benefits. These include as a soil resource, which provides an important role in capturing carbon, and providing increased resilience to extreme weather events through managing drainage and surface water. As well as making a positive contribution to climate change adaptation they are an important source of biodiversity and habitats as well as playing an important role in maintaining our health and wellbeing. This includes delivering opportunities for food production that reduces food miles and grocery costs, growing food protects the soil, creates habitats, manages water run-off and helps reduce the risk of overheating.

8.16 The Climate Emergency Compliance Form should demonstrate how the benefits and functions of all green spaces will be protected and enhanced.

A5. Delivering sustainable drainage, surface water management and restricting urban creep

8.17 JLP policy 'DEV35 Managing flood risk and water quality impacts' requires sustainable water management measures. Being able to absorb water through permeable surfaces reduces the need to manage water offsite, which in turn reduces the risk of flooding. Urban creep is the gradual paving of porous surfaces and leads to an increased need to manage surface water. Good water management onsite will also assist in supporting biodiversity and habitats, as well as reducing the risk of overheating.

8.18 Specific rules apply for householders wanting to pave over their front gardens. You will not need planning permission if a new or replacement driveway of any size uses permeable (or porous) surfacing which allows water to drain through, such as gravel, permeable concrete

block paving or porous asphalt, or if the rainwater is directed to a lawn or border to drain naturally. However, if the surface to be covered is more than five square metres planning permission is required for laying traditional, impermeable driveways that do not provide for the water to run to a permeable area.

8.19 The Climate Emergency Compliance Form should demonstrate how surface water will be managed to ensure sustainable water drainage and reduced flood risk.

A6. Delivering biodiversity net gain and habitat improvements

8.20 JLP policy 'DEV26 Protecting and enhancing biodiversity and geological conservation' requires 10% biodiversity net gain in all major development, a proportionate approach to minor development and enhancements for wildlife from all scales of development. The SPD provides detailed guidance including provision for 30-year maintenance and acknowledges that there will be a new Biodiversity Metric and updated guidance will be required. The Environment Act increases the importance of this issue and makes 10% biodiversity net gain mandatory.

8.21 Biodiversity and habitats are hugely significant to personal health and wellbeing, supporting ecosystems, enhancing ecology, capturing and storing carbon capture and encouraging food production. The RSPB reports that the UK ranks in the bottom 12% of countries globally for biodiversity intactness, and has lost 60% of our habitats since 1970.

8.22 New guidance will be produced on biodiversity net gain including habitat banking and costs. In addition, a Green Space Factor Tool will be produced and consulted on separately.

8.23 The Climate Emergency Compliance Form should demonstrate how appropriate levels of biodiversity net gain will be achieved.

9 Appendix 4 Impact assessment

9.1 The Climate Emergency Planning Statement was assessed during its preparation against sustainability objectives and a supporting Impact Assessment Document was published alongside the consultation version.

9.2 This assessment also began to consider climate justice and how climate change can impact on different groups, however it did not attempt to provide a comprehensive assessment of this but only considered the small impact the document would have. As the Planning Statement will only apply to new development, submitted after 30 September 2022, its impact will be limited to new dwellings and extensions and other development requiring permission.

9.3 Moving forward the Councils recognise the importance of working closely with health authorities and emergency services to plan how to deal with potential emergencies such as storms, heat waves, extreme cold, further pandemics, floods, water or food shortages, wildfires, extreme air pollution, pest invasions, and associated mental health issues.

9.4 We recognise that climate change impacts differently on people and communities and their capacity to adapt will depend on different factors including:

- Personal features of the individual, such as age and health, which affect their sensitivity to climate impacts;
- Environmental characteristics, such as the availability of green space, quality of housing stock or elevation of buildings, which can increase or offset exposure to flooding or heat;
- Social and institutional context, such as levels of inequality and income, the strength of social networks, the cohesion of neighbourhoods and the day-to-day practices of institutions, such as care regimes in nursing homes, which affect people's ability to adapt.

9.5 There will be variations in how communities respond to the risks of climate change and some groups of people such as those with physical or mental health problems, care home residents, people who misuse alcohol, the homeless, the socially isolated, children, the elderly, the disabled, and people of low income can experience different levels of vulnerability to climate change impacts.

9.6 Understanding the full impacts of climate change on the JLP area will form part of the evidence to support any update or review of the Joint Local Plan in the future. In the period before the review/update of the JLP, the measures set out in the document will help ensure that new developments are responding to climate change. This will have direct impacts for those who are living within the properties or use services and facilities that have adapted or mitigated for climate change.

9.7 There might also be some secondary benefits for our communities, for example flood risk to existing development could be reduced as a result of contributions towards flood risk management schemes. Measures which seek to enhance green space and urban cooling measures, including nature based solutions, have the potential to reduce urban temperatures.

These secondary benefits are consistent with National Planning Policy Framework aims to wherever possible help reduce flood risk overall and provide wider sustainability benefits to the community

9.8 This planning statement seeks to improve the resilience of future development and its ability to adapt to climate change and raises awareness about climate change and how the Councils are responding. In terms of Equalities Impact Assessment, it does not have any direct negative impacts on different groups, it seeks to ensure that new development delivers positive benefits and responds appropriately to the Climate Emergency we are facing.

10 Appendix 5: Glossary

Active Travel

Active travel simply means making journeys in physically active ways - like walking, wheeling (using a wheelchair or mobility aid), cycling, or scooting.

Adaptation

Climate change adaptation is the process of adjusting to current or expected climate change and its effects. It is one of the ways to respond to climate change, along with mitigation.

Air Source Heat Pump

An air source heat pump is a renewable heating system that extracts low-temperature solar energy from the air and compresses this energy into a higher temperature. An air source heat pump provides a building with 100% of its heating and hot water all year round.

Biodiversity

The numbers and relative abundances of different genes (genetic diversity), species, and ecosystems (communities) in a particular area.

Biomass boiler

A heating system that uses natural/non-fossil fuel resources to create heat for use throughout a home or premises.

Brise Soleil

Brise soleil (taken from the French for 'sun breaker') is a type of solar shading system that uses a series of horizontal or vertical blades to control the amount of sunlight and solar heat that enters a building.

Carbon footprint

The amount of carbon an entity of any type (e.g., person, group, vehicle, event, building, corporation) emits into the atmosphere.

Carbon sink

Anything storing carbon such as trees and other vegetation, forests, oceans and grasslands.

Class E

The Town and Country Planning (Use Classes) Order 1987 (as amended) introduced a new use class E – Commercial, Business and Service. This covers a variety of uses including retail, restaurant and café, financial and professional services, indoor sport, recreation and fitness, medical or health services, crèche or day centre, offices, research and development and industrial services. Further detail can be found at [Planning portal use classes](#)

Eaves

The area where a roof extends a small way past the wall of a building is usually referred to as the eaves. Extending the eaves can assist with increasing shade at times when the sun is at its highest.

Ecosystem

A system of interacting living organisms together with their physical environment. The boundaries of what could be called an ecosystem are somewhat arbitrary, depending on the focus of interest or study. Thus, the extent of an ecosystem may range from very small spatial scales to, ultimately, the entire Earth.

Emissions

In the climate change context, emissions refer to the release of greenhouse gases (primarily carbon) into the atmosphere over a specified area and period of time.

Embodied carbon

Embodied carbon is the total greenhouse gas (GHG) emissions (often simplified to “carbon”) generated to produce a built asset. This includes emissions caused by extraction, manufacture/processing, transportation and assembly of every product and element in an asset.

Extension

An addition to an existing building that, for the purposes of this document, requires planning permission

Fossil fuels

Carbon-based fuels from fossil carbon deposits, including coal, oil, and natural gas.

Future Building Standard (FBS)

The aim of the Future Buildings Standard is to improve the energy efficiency and sustainability of new and renovated buildings other than new dwellings, which are covered by the Future Homes Standard.

Future Homes Standard (FHS)

The Future Homes Standard is a set of standards that will complement the Building Regulations to ensure new homes built from 2025 will produce 75-80% less carbon emissions than homes delivered under current regulations. Interim standards were introduced from 15 June 2022.

Green Roof

A green roof is a layer of vegetation planted over a waterproofing system that is installed on top of a flat or slightly-sloped roof. Plants help to reduce overheating, retain water and increase biodiversity and habitats.

Green Walls

A green wall is a vertical built structure intentionally covered by vegetation. Plants help to reduce overheating, retain water and increase biodiversity and habitats.

Ground Source Heat Pump

A ground source heat pump is a renewable heating system that extracts low-temperature solar energy stored in the ground or water using buried pipework and compresses this energy into a higher temperature. A ground source heat pump provides a building with 100% of its heating and hot water all year round.

Habitat

The particular environment or place where an organism or species tend to live; a more locally circumscribed portion of the total environment.

Major Development

For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.

For non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Minor development

A minor development is anything below the threshold for major developments. For example: the number of dwellings is between one and nine, or the floorspace is less than 1,000sqm or the site area less than one hectare.

Mitigation

Climate change mitigation consists of actions to limit global warming and its related effects. This involves reductions in human emissions of greenhouse gases as well as activities that reduce their concentration in the atmosphere. It is one of the ways to respond to climate change, along with adaptation.

Offsetting

A carbon offset is a reduction or removal of emissions of carbon dioxide or other greenhouse gases made in order to compensate for emissions made elsewhere. Offsets are measured in tonnes of carbon dioxide-equivalent. Carbon offsetting is just one tool in our toolbox to

tackle climate change and should not be considered as a stand-alone action. Organisations and individuals should look to reduce their emissions as much as possible, as well as taking responsibility for what remains, by offsetting it.

Photo Voltaic (PV) Panels

PV panels, also known as solar panels, capture the sun's energy and convert it into electricity.

Renewable Energy

Energy obtained from natural sources such as geothermal, wind, photovoltaic, solar, and biomass. The harvesting and use of this energy resource does not result in additional carbon being emitted into the atmosphere.

Solar PVT

A combination of solar photo voltaic panels and solar thermal panels in one module and produces electricity and heat simultaneously.

Solar thermal

System that uses energy from the sun to warm water for storage in a hot water cylinder or thermal store.

Solar thermodynamic

A flat plate collector which gains energy from the sun as well as the ambient air.

Standard Assessment Procedure (SAP)

A SAP assessment is the only government approved method for calculating the energy performance of dwellings. These can be done at a design stage, which forecasts the energy performance of a dwelling, and also 'as built' which calculates the actual energy performance of the constructed building.

Sustainable Transport

Sustainable transportation is the capacity to support the mobility needs of a society in a manner that is the least damageable to the environment and does not impair the mobility needs of future generations. The most sustainable forms of transport often move multiple people between fixed points, in the UK buses and trains are considered the most sustainable of mainstream transport modes. These can be made more sustainable by using renewable and low carbon fuels.

Thermal efficiency

Is a measure of how well a building uses energy for space heating. A higher level of energy efficiency means that a building uses less energy than a building of an equivalent size, (reducing energy waste) because less energy is lost through the fabric of the building.

City Council



Date of meeting: 21 November 2022
Title of Report: Annual Report on Treasury Management Activities for 2021/22
Lead Member: Councillor Andy Lugger, Chair of Audit and Governance Committee
Lead Strategic Director: David Northey (Service Director for Finance)
Author: Wendy Eldridge
Interim Finance Business Partner (Capital & Treasury Management)
Contact Email: Wendy.eldridge@plymouth.gov.uk
Your Reference: Finance/WE
Key Decision: No
Confidentiality: Part I - Official

Purpose of Report

In order to comply with the Code of Practice for Treasury Management, the Council is required to formally report on its treasury management activities for the year, providing information on the progress and outcomes against the Treasury Management Strategy. This report covers the treasury management activities for financial year 2021/22 including the final position on the statutory Prudential Indicators.

This report:

- a) is prepared in accordance with the CIPFA Treasury Management Code and the Prudential Code;
- b) confirms capital financing, borrowing, debt rescheduling and investment transactions for the year 2021/22;
- c) provides an update on the risk inherent in the portfolio and outlines actions taken by the Council during the year to minimise risk;
- d) gives details of the outturn position on Treasury Management transactions in 2021/22;
- e) confirms compliance with treasury limits and Prudential Indicators (PIs) and the outlines the final position on the PI's for the year.

Recommendations and Reasons

That Full Council approves the Treasury Management Annual Report 2021/22.

This is to comply with the CIPFA Code of Practice and discharge our statutory requirement.

Alternative options considered and rejected

None - it is requirement to report to Council on the treasury management activities for the year.

Relevance to the Corporate Plan and/or the Plymouth Plan

Effective financial management is fundamental to the delivery of corporate improvement priorities. Treasury Management activity has a significant impact on the Council's activity both in revenue budget terms and capital investment and is a key factor in facilitating the delivery against a number of corporate priorities.

Implications for the Medium Term Financial Plan and Resource Implications:

Into the medium and longer term the Council is facing significant pressures due to the national economic situation, which has led to a reduction in resources for local authorities over the Government's latest spending period. Effective Treasury Management will be essential in ensuring the Council's cash flows are used to effectively support the challenges ahead.

Financial Risks

There is an inherent risk to any Treasury Management activity. The Council continues to manage this risk by ensuring all investments are undertaken in accordance with the approved investment strategy, and keeping the counterparty list under constant review.

Carbon Footprint (Environmental) Implications:

In 2021/22 the Council invested £5m into the Public Sector Social Impact Fund to invest in carbon reduction projects.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

Appendices

**Add rows as required to box below*

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A								

Background papers:

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable)
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	If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.						
	1	2	3	4	5	6	7
Treasury Management Strategy report to Council 22 February 2021							

Sign off:

Fin	pl.22.23. 223	Leg	EJ/ 38851/ 20.9.22 /3	Mon Off		HR		Asset s		Strat Proc	
Originating Senior Leadership Team member: Brendan Arnold											
Please confirm the Strategic Director(s) has agreed the report? Date agreed: 27 September 2022											
Cabinet Member approval: Date approved: 26/9/2022											

Annual Report on Treasury Management Activities for 2021/22

Introduction

1. Treasury risk management at the Council is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice 2017 Edition (the CIPFA Code). This requires the Council to approve a treasury management strategy before the start of each financial year and, as a minimum, a half-year and annual treasury outturn report. This report fulfils the Authority's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code.
2. The approval of this report has been delegated to the Governance and Audit Committee to approve.
3. The 2017 Prudential Code includes a requirement for local authorities to provide a Capital Strategy, a summary document approved by full Council covering capital expenditure and financing, treasury management and non-treasury investments. The Council's Capital Strategy, complying with CIPFA's requirement, was approved by full Council on 22 February 2021.

Treasury Management Position

4. On 31st March 2022, the Authority had net borrowing of £554m arising from its revenue and capital income and expenditure. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. These factors are summarised in Table 1 below.

Table 1: Balance Sheet Summary

	31/03/21 Actual £m	2021/22 Movement £m	31/03/22 Actual £m
General Fund CFR	807	26	833
Less: Other debt liabilities *	-119	6	-113
Borrowing CFR	688	32	720
Less: Usable reserves	-115	-9	-124
Less: Working capital	-39	-3	-42
Net borrowing	534	20	554

* finance leases, PFI liabilities and transferred debt that form part of the Council's total debt.

5. The Council has increasing CFR due to the capital programme and increasing borrowing requirement to £833m. The Authority pursued its strategy of keeping borrowing and investments below their underlying levels, sometimes known as internal borrowing, in order to reduce risk and keep interest costs low.

Borrowing and Investment Activity

6. At 31st March 2022, the Council held £554m of loans, (a decrease of £46m on 31/03/2021 see table 2) as part of its strategy for funding previous years' capital programmes. See table 2 below.
7. Lower official interest rates have lowered the cost of short-term, temporary loans and investment returns from cash assets that can be used in lieu of borrowing at start of year. The Authority pursued its strategy of keeping borrowing and investments below their underlying levels, sometimes known as internal borrowing, in order to reduce risk and keep interest costs low.
8. The Council's main objective when borrowing has been to strike an appropriate balance between securing low interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Council's long-term plans change being a secondary objective. In accordance with this £190m short term borrowing was replaced with long term borrowing for up to 50 years through PWLB, at rates ranging between 1.37% to 2% to mitigate against interest rate risk.

The treasury management position at 31st March 2022 and the change during the year is shown in table 2 and table 3 below.

Table 2: Borrowing Activity

	Balance on 01/04/2021 £m	Movement £m	Balance on 31/03/2022 £m	Avg Rate %
Public Works Loan Board	44	187	231	2.29%
Banks - LOBOs	66	-1	65	4.34%
Other Loans	27	3	30	
Short Term Borrowing	463	-235	228	0.12%
TOTAL BORROWING	600	-46	554	
Other Long Term Liabilities	125	-1	124	-
TOTAL EXTERNAL DEBT	725	-47	678	-
Less Total Investments (see table 3)	-97	-4	-101	
Net Borrowing	628	-51	577	

9. The Council has £228m of short term borrowing which it borrows from other local authorities at a very low rates on 3-12 month terms. The Council has an Interest Rates Risk (the risk that interest rates may go up). If interest rates increase by 1% it would cost the Council £2.280m additional interest on its revenue budget.

10. To Hedge against this risk the Council took out an Interest Rate Swap in April 2020 for £75m at a fixed rates of 0.56% for 20 years using the SONIA (Sterling OverNight Index Average). The Sterling Overnight Interest Rate (SONIA) averaged 0.39% over the quarter therefore the hedge arrangement had no draw down in 2021/22.
11. The Council continues to hold £64m of LOBO loans where the lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. No banks exercised their option during the year.
12. Although not classified as borrowing, the Council has other capital finance from Private Finance Initiatives and Finance Leases etc. and as at 31st March 2022 this amounted to £124m. PFI and finance leases are other ways of financing capital however this is quite often more expensive and is paid over a number of years. The Council's current PFI debt will be repaid by 2040.
13. Both the CIPFA Code and government guidance require the Council to invest its funds prudently, and to have regard to the security and liquidity of its treasury investments before seeking the highest rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.
14. At 31 March 2022 the Council held £101m of cash and investments (see table 3) which was an increase of £4m on 2020/21.

Table 3: Investment Activity in 2021/22

Investments	Balance on 01/04/2021 £m	Movement £m	Balance on 30/03/2022 £m	Avg Rate/Yield (%)
Short term Investments (Banks and call accounts)	12	5	17	0.01%
Covered Bonds and Loans	0	0	0	-
Money Market Funds	30	-7	23	0.01%
Other Pooled Funds	55	6	61	2.5%
TOTAL INVESTMENTS	97	4	101	

15. Investment activity included pooled investments with a value of £60.895m (nominal value £55.000m) so had recovered much of the losses sustained through the financial crash and are likely to continue to grow slowly as the economy continues to recover. In addition to the capital value of investment increasing by £6m, externally managed Pooled Funds (bond, equity, multi-asset and property) with the CCLA, Schroder and Fidelity and has generated a

total return for the year of £1.976m. Investment income has been used to support services in year.

16. It should be noted that the capital value of the Council's Pooled Investment will fluctuate dependent on market conditions. Any unrealised capital losses will not have an impact on the revenue budget or General Fund. The capital value would only be realised if the funds were sold. The Pooled investments have no defined maturity date, but are available for withdrawal after a notice period. The Council continues to review regularly its investment in these funds together with advice from its Treasury Management advisors.

Treasury Management Outturn 2021/22

17. The Treasury Management budget is held as a separate budget under the Finance Department of the Council's General Fund. Whilst interest costs are less than the budget there are a number of factors that contribute to the final position. Whilst the Council not only borrows to finance capital expenditure, it also has to maintain a daily net cash surplus position.
18. The Council's Treasury Management Outturn for the year had a £0.490m underspend which has helped the Council balance the budget for 2021/22, see detail in table 4 below. The main savings have come from a dramatic fall in interest rates following the Covid pandemic and the worldwide financial crash. There was also a combination of low interest rates on short term borrowing which averaged 0.12% during 2021/22 offset by transferring debt to PWLB. Provision was made in 2021/22 to fund any financial adjustments required to 2019/20 accounts as a result of external audit which is still ongoing.
19. The Treasury Management Outturn does not include the returns from the Council's investments in the purchasing commercial assets, as this is included in the Place revenue outturn and referred to in Other Non-Treasury Holdings and Activity section below.
20. The continuing impact from the pandemic both on workforce adhering to Covid working restrictions and supply chain issues from Ukrainian conflict slowed the Council's capital programme, therefore reduced the amount of new borrowing that it had expected to take out, and therefore made further savings from loan repayments (Minimum Revenue Provision).

Table 4. Treasury Management Outturn Position 2021/22

	2021/22 Budget	2021/22 Outturn	Year End Variance
	£m	£m	£m
Interest Payable	10.260		
LOBO and other long term loans		4.075	
PWLB (Public Works Loan Board)		3.526	
Temporary loans		0.704	
Other Interest and charges		0.092	

Recharge to Departments for Unsupported Borrowing (in accordance with business cases)	(14.944)	(16.030)	
Total Interest Payable	(4.684)	(7.633)	(2.949)
Interest Receivable	(2.021)		
Pool Funds		(1.976)	
Money Market Fund		(0.031)	
Other Interest		(0.338)	
Total Interest Receivable	(2.021)	(2.345)	(0.324)
Other Payments	0.296	0.305	
Debt Management	0.500	0.257	
Transfer to Reserves	0.000	3.345	
Amortised Premiums	0.650	0.544	
Total Other Charges	1.446	4.451	3.005
Minimum Revenue Provision	17.115	16.893	(0.222)
TOTAL	11.856	11.366	(0.490)

21. Money Market Funds (MMF): Continued downward pressure on short-dated cash rate brought net returns on sterling low volatility net asset value money market funds (LVNAV MMFs) close to zero even after some managers have temporarily lowered their fees. Returns have increased as a result of Bank of England increases and MMF investment has been used short-term as the Council converted short term borrowing to PWLB long term fixed arrangements.
22. The costs of borrowing to finance 'invest to save' capital schemes is charged to departments. The figures above include the borrowing implications of decisions to utilise the Property Regeneration Fund, previously known as Asset Investment Fund to acquire assets to earn a revenue return which is accounted for in directorate's budgets.
23. Minimum Revenue Provision (MRP) is a charge to the revenue budget that is made each year for monies to repay the Council's borrowing. Under regulation 27 of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 SI 2003/146, as amended, local authorities are required to charge to their revenue account, for each financial year, MRP for the cost of their unfinanced capital expenditure.
24. The Council uses the annuity method to calculate its MRP and spreads the cost of the borrowing over the economic life of the assets and this takes into account the time value of money.

External Context affecting 2021/22 Treasury Management activities

25. The continuing economic recovery from coronavirus pandemic, together with the war in Ukraine, higher inflation, and higher interest rates were major issues over the period.
26. The Bank of England (BoE) held Bank Rate was 0.1% at the beginning of the reporting period. April and May saw the economy gathering momentum as the shackles of the pandemic restrictions were eased. Despite the improving outlook, market expectations were that the Bank of England would delay rate rises until 2022. Rising, persistent inflation changed that. Having increased Bank Rate from 0.10% to 0.25% in December, the Bank of England hiked it further to 0.50% in February and 0.75% in March. At the meeting in February, the Monetary Policy Committee (MPC) voted unanimously to start reducing the stock of its asset purchase scheme by ceasing to reinvest the proceeds from maturing bonds as well as starting a programme of selling its corporate bonds.
27. In its March interest rate announcement, the MPC noted that the invasion of Ukraine had caused further large increases in energy and other commodity prices, with the expectation that the conflict will worsen supply chain disruptions around the world and push CPI inflation to around 8% later in 2022, even higher than forecast only a month before in the February Monetary Policy Report. The Committee also noted that although GDP in January was stronger than expected with business confidence holding up and the labour market remaining robust, consumer confidence had fallen due to the squeeze in real household incomes.
28. UK CPI was 0.7% in March 2021 but thereafter began to steadily increase. Initially driven by energy price effects and by inflation in sectors such as retail and hospitality which were re-opening after the pandemic lockdowns, inflation then was believed to be temporary. Thereafter price rises slowly became more widespread, as a combination of rising global costs and strong demand was exacerbated by supply shortages and transport dislocations. The surge in wholesale gas and electricity prices led to elevated inflation expectations.
29. Financial markets: The conflict in Ukraine added further volatility to the already uncertain inflation and interest rate outlook over the period. The Dow Jones started to decline in January but remained above its pre-pandemic level by the end of the period while the FTSE 250 and FTSE 100 also fell and ended the quarter below their pre-March 2020 levels.
30. Bond yields were similarly volatile as the tension between higher inflation and flight to quality from the war pushed and pulled yields, but with a general upward trend from higher interest rates dominating as yields generally climbed.
The 5-year UK benchmark gilt yield began the quarter at 0.82% before rising to 1.41%. Over the same period the 10-year gilt yield rose from 0.97% to 1.61% and the 20-year yield from 1.20% to 1.82%.

Revised CIPFA Codes, Updated PWLB Lending Facility Guidance

31. In August 2021 HM Treasury significantly revised guidance for the PWLB lending facility with more detail and 12 examples of permitted and prohibited use of PWLB loans. Authorities that are purchasing or intending to purchase investment assets primarily for yield will not be able to access the PWLB except to refinance existing loans or externalise internal borrowing. Acceptable use of PWLB borrowing includes service delivery, housing, regeneration, preventative action, refinancing and treasury management.

32. CIPFA published its revised Prudential Code for Capital Finance and Treasury Management Code on 20th December 2021. The key changes in the two codes are around permitted reasons to borrow, knowledge and skills, and the management of non-treasury investments. Plymouth applied the principles of the Prudential Code which took immediate effect.
33. To comply with the Prudential Code, authorities must not borrow to invest primarily for financial return. This Code also states that it is not prudent for local authorities to make investment or spending decision that will increase the CFR unless directly and primarily related to the functions of the authority. Existing commercial investments are not required to be sold; however, authorities with existing commercial investments who expect to need to borrow should review the options for exiting these investments.
34. Borrowing is permitted for cashflow management, interest rate risk management, to refinance current borrowing and to adjust levels of internal borrowing. Borrowing to refinance capital expenditure primarily related to the delivery of a local authority's function but where a financial return is also expected is allowed, provided that financial return is not the primary reason for the expenditure. The changes align the CIPFA Prudential Code with the PWLB lending rules.

Other Non-Treasury Holdings and Activity

35. The Council held £200m of direct property investment under its Property Regeneration Fund. These non-treasury investments generated £2.492m of investment income for the Council after taking account of direct costs, representing a net revenue return of 1.3% after allowing for payment to a void reserve and payment to a lifecycle maintenance reserve. The gross return is higher than the return earned on treasury investments but reflects the additional risks to the Council of holding such investments.

Prudential Indicators 2021/22

36. The Local Government Act 2003 requires the Council to have regard to CIPFA's *Prudential Code for Capital Finance in Local Authorities* (the Prudential Code) when determining how much money it can afford to borrow. The objectives of the Prudential Code are to ensure, within a clear framework, that the capital investment plans of local authorities are affordable, prudent and sustainable and that treasury management decisions are taken in accordance with good professional practice. To demonstrate that the Council has fulfilled these objectives, the Prudential Code sets out the following indicators that must be set and monitored each year.
37. This report compares the approved indicators with the outturn position for 2021/22. Actual figures have been taken from or prepared on a basis consistent with, the Council's statement of accounts.

The Council measures and manages its exposures to treasury management risks using the following indicators.

The Section 151 Officer confirms compliance with its Prudential Indicators for 2021/22, which were set in the Treasury Management Strategy 2021/22.

The Following indicators are set and monitored each year:

- Estimates of Capital Expenditure;
- Estimates of Capital Financing Requirement;
- Gross Debt and the Capital Financing Requirement;
- Operation Boundary for External Debt;
- Authorised Limit for External Debt;
- Ratio of Financing Costs to Net Revenue Stream ;
- Incremental Impact of Capital Investment Decisions.

38. Interest Rate Exposures: This indicator is set to control the Council's exposure to interest rate risk. The upper limits on fixed and variable rate interest rate exposures, expressed as the proportion of net principal borrowed will be:

	2021/22 Limit	2021/22 Actual	Complied
Upper limit on fixed interest rate exposure	100%	57%	✓
Upper limit on variable interest rate exposure	95%	43%	✓

Fixed rate borrowings are those where the rate of interest is fixed for the whole financial year or more. Instruments that mature during the financial year are classed as variable rate.

39. Maturity Structure of Borrowing: This indicator is set to control the Council's exposure to refinancing risk. The upper and lower limits on the maturity structure of all borrowing were:

	Upper Limit	Lower Limit	31.03.2022 Actual	Complied
Under 12 months	90%	10%	43%	✓
12 months and within 24 months	25%	0%	0%	✓
24 months and within 5 years	25%	0%	0%	✓
5 years and within 10 years	25%	0%	5%	✓
10 years and above	95%	5%	52%	✓

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

40. Principal Sums Invested for Periods Longer than 365 days: The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the total principal sum invested to final maturities beyond the period end were:

	2021/22	2022/23	2023/24
Limit on principal invested beyond year	£10m	£10m	£10m
Actual	£0m	£0m	£0m
Complied	✓	✓	✓

41. Security: The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment.

	Target	Actual	Complied
Portfolio average credit rating	A	AA	✓

42. Liquidity: The Council does not keep large amounts of cash in call accounts so that it reduces the cost of carrying excess cash. To mitigate the liquidity risk of not having cash available to meet unexpected payments the Council has access to borrow additional, same day, cash from other local authorities.

43. Capital Financing Requirement (CFR) measures the Council's underlying need to borrow for a capital purpose.

Capital Financing Requirement	31.03.2022 Actual £m
General Fund	833
Total CFR	833

The CFR increased by £26m to £833m (2021 £807m) from capital expenditure financed by debt outweighs resources put aside for debt repayment. The increase in CFR shows that the Council is increasing its borrowing to pay for capital expenditure in the city.

44. Gross Debt and the Capital Financing Requirement: In order to ensure that over the medium term debt will only be for a capital purpose, the Council should ensure that debt does not, except in the short term, exceed the total of capital financing requirement in the preceding year plus the estimates of any additional capital financing requirement for the current and next two financial years. This is a key indicator of prudence.

45. The Council's actual debt at 31 March 2022 was as follows:

	31.03.22 Estimate £m	31.03.22 Actual £m	Difference £m
Borrowing	600	554	-46
PFI liabilities & other Finance leases	125	124	-16

Total Debt	725	725	3
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The actual debt levels are monitored against the Operational Boundary and Authorised Limit for External Debt below.

46. The operational boundary is based on the Council's estimate of most likely (i.e. prudent, but not worst case) scenario for external debt. It links directly to the Council's estimates of capital expenditure, the capital financing requirement and cash flow requirements, and is a key management tool for in-year monitoring. Other long-term liabilities comprise finance lease, Private Finance Initiative and other liabilities that are not borrowing but form part of the Council's debt.

Operational Boundary	31.03.22 Boundary £m	31.03.22 Actual Debt £m	Complied
Borrowing	935	554	✓
Other long-term liabilities	130	124	✓
Total Debt	1065	678	✓

- 47 Authorised Limit for External Debt: The authorised limit is the affordable borrowing limit determined in compliance with the Local Government Act 2003. It is the maximum amount of debt that the Council can legally owe. The authorised limit provides headroom over and above the operational boundary for unusual cash movements.

Authorised Limit	31.03.22 Boundary £m	31.03.22 Actual Debt £m	Complied
Borrowing	980	554	✓
Other long-term liabilities	135	124	✓
Total Debt	1115	678	✓

Other

48. IFRS 16: CIPFA/LASAAC confirmed in April 2022 that there will be a deferral of the implementation of IFRS 16 Leases to 1 April 2024, however early adoption is permitted for 1 April 2022.

Investment Training

49. Officers have undergone the following training during the year all of which have been online and provided by Arlingclose.

Outlook for the remainder of 2022/23

50. Inflationary pressures in the UK and Europe have intensified significantly with UK CPI inflation is expected to rise further and peak at just over 13% in 2022 Q 4 overwhelmingly reflecting the sharp increase in gas prices since May. Larger wage settlements are feeding into inflation. Domestic inflationary pressures are projected to remain strong in the near term before dissipating.
51. Arlingclose expects Bank Rate to rise by 50 basis points at the next MPC meeting in September 2022 and a further 25 basis points at both subsequent MPC meetings in November and December 2022. Therefore see Bank Rate peaking at 2.75%.
The projected rise to 3.25% in December 2022 will require a further 1.5% of Bank Rate hikes, suggesting 0.5% at each of the next three meetings.

Recommendations

That Full Council approves the Treasury Management Annual Report 2021/22.

City Council



Date of meeting:	21 November 2022
Title of Report:	Electoral Cycle Public Consultation
Committee Chair:	Councillor Andy Luggar
Lead Strategic Director:	Giles Perritt (Assistant Chief Executive)
Author:	Giles Perritt (Assistant Chief Executive)
Contact Email:	Giles.perritt@plymouth.gov.uk
Your Reference:	Electoral Cycle 2022
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

To seek the Council's endorsement of a public consultation using powers available under Section 116 of the Local Government Act 2003, between June and August 2023. This consultation will engage with stakeholders across the city on the issue of moving from the current electoral cycle of elections 'by thirds' to whole council elections.

The recommendations were unanimously approved by the Audit and Governance Committee on the 5 September 2022. The draft minute is provided at appendix A.

The use of powers under Section 116 of the Local Government Act 2003, does not in any way bind the authority to seeking a resolution to amend the election cycle. The result of any consultation or advisory poll conducted under the act is advisory in nature, and does not commit the council or any other entity to a particular course of action.

Recommendations and Reasons

The Audit and Governance Committee recommends to council that –

1. a public engagement consultation is undertaken using powers under Section 116 of the Local Government Act 2003 between June and August 2023 on the issue of moving from the current electoral cycle of elections to 'whole council' elections once every four years.
2. the Audit and Governance Committee oversees and agrees the design and implementation of the consultation, in particular who will be consulted/engaged with and how.
3. the council confirms that the Boundary Commission Review commences in December 2023 and is conducted across 2024/25 with resulting arrangements implemented in 2026.

Reason:

- To ensure that the Council's position on its intended elections cycle can be confirmed to the Local Government Boundary Commission for England prior to the commencement of the City Council's electoral review, subject to its commencement in December 2023.

- To better understand public and stakeholder views on either retaining the current arrangements of elections 'by thirds' taking place in three years out of four, or on moving to a cycle of 'all out' elections once every four years.
- Recommendation three ensures that City Councils election team will undertake its work in relation to the review in 2025 (a fallow year) and will not impact on the Local City and Police & Crime Commissioner Elections to be held in 2024.

Alternative options considered and rejected

To not undertake a public consultation. This would mean that the Council would not have the benefit of a formal record of public and stakeholder views about the Council's electoral arrangements to inform future consideration of the matter.

To undertake a public consultation commencing prior to the dates recommended. Decisions have not yet been made as to the scope and design of a public consultation, and the Council is not due to consider the matter until its September 2022 meeting, leaving a somewhat tight timescale for a full consultation, analysis and consideration of the results prior to local elections in May 2023.

Relevance to the Corporate Plan and/or the Plymouth Plan

The Corporate Plan commits the Council to engaging with and listening to our residents, businesses and communities. The Council's values include a commitment to Plymouth being a place where people can have their say about what is important to them, and where they are empowered to make change happen. The recommendations of this report seek to deliver these commitments in respect of a key element of the Council's democratic arrangements.

Implications for the Medium Term Financial Plan and Resource Implications:

The costs associated with a public consultation and analysis of the results, likely to be in the region of £26k will be met from within existing revenue resources.

Carbon Footprint (Environmental) Implications:

Subject to the decision of Council in June 2022, the consultation will take place largely on-line, reducing reliance on printed media, although paper copies will be available where necessary.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

An equalities impact assessment will be undertaken to ensure that the consultation will be carried out with due regard to facilitating participation by those with protected characteristics under the Equality Act 2010. Subject to the recommendations of this report being agreed, this would be considered by the Council in June 2022.

Appendices

**Add rows as required to box below*

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Draft Audit and Governance Committee Minute							

Background papers:

*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable)						
	If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.						
	1	2	3	4	5	6	7

Sign off:

Fin	ba.21. 22.30 0	Leg	EJ/38 851/1 5.7.22	Mon Off		HR		Asset s		Strat Proc	
Originating Senior Leadership Team member: Giles Perritt (Assistant Chief Executive)											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 11/11/2022											

Appendix A

Draft Audit and Governance Committee Minute 19 (5 September 2022)

Public consultation regarding the Council's electoral cycle

Giles Perritt (Assistant Chief Executive) presented the Public Consultation Regarding the Council's Electoral Cycle report.

It was highlighted that –

- a. the purpose of the report was to seek the Committee's endorsement of a public consultation using powers available under Section 116 of the Local Government Act 2003; the consultation would engage with stakeholders across the city on the issue of moving from the current electoral cycle of elections 'by thirds', to whole council elections;
- b. the recommendations contained within the report were purely regarding the public consultation as opposed to any decision as to if the current third system should be retained or changed; the Council would not be bound by the result of the consultation as it was advisory in nature;
- c. in order to add context, the Boundary Commission for England informed the Council they were to undertake an electoral review; this was a statutory process ending with an all-out election. Ordinarily reviews would be undertaken every five years however the Council's last review was undertaken in 2000;
- d. Plymouth City Council currently operated with an elections by thirds approach; for Councils to retain this system the number of Councillors in a ward must be divisible by three – the Council currently had three wards with only two Councillors therefore this did not meet requirements. If the Council was to opt for an all-out election approach then two Member wards could be retained;
- e. an additional proposal in the report, as a result of the discussion on this matter at the previous meeting, was that the Council would recommend an electoral review would result in elections in 2026, during a fallow year.

In response to questions it was reported that –

- f. it was difficult to estimate the impact of inflation and the finances surrounding this subject, however it was highlighted that if local elections coincided with a general election or a Police and Crime Commissioner election then the cost to the council for undertaking a local election was reduced by 50% as the Government took financial responsibility for those elections;
- g. the Council was not bound by the consultation results; the consultation was directed at Plymouth residents as well as local stakeholders and businesses however whilst the Council worked hard to maximise the response rate to previously advertised consultations, the rate of responses in other local authorities regarding the electoral cycle was very low. It was important that the Council demonstrated that the consultation results had been properly considered, however was not bound by it;
- h. the advantages and disadvantages table contained within the report on page nine of the agenda was taken from the Electoral Commission report (this was footnoted in the agenda). The type of information as well as the questions that formed part of the consultation, if agreed by Members, would be a matter for the committee to decide. It was accepted that the potential savings to the Council by moving to an all-out election approach, whilst referred to in the report as 'substantial', were an extremely small multiple of the Council's overall budget however were a significant part of the elections budget within the council;

- i. the Council had complete discretion over its election cycle; its only duty was to inform the Electoral Commission of its election cycle. Ward boundaries and the number of Councillors were the subject of a report produced by the Electoral Commission and laid before Parliament. The one condition set by the Electoral Commission specified that Councils that elected by thirds must have wards divisible by three;
- j. there was not a legal requirement for the Council to undertake the electoral cycle consultation however it was considered that if there was a challenge raised upon the Council's decision to either retain its current approach or move to all-out elections then evidence from the public consultation might be relied upon. It was highlighted that the decision might be more vulnerable to successful challenge if a consultation was not undertaken;
- k. Section 116 of the Local Government Act 2003 enabled Councils to design an appropriate approach to the consultation; the expenditure of the consultation would be dependent upon the means of undertaking, however a mindful approach would be appropriately considered when designed. The Chair did suggest the committee adopted a 'hands on' approach to consultation design and suggested setting up a working committee/sub-committee for this purpose;
- l. the consultation would be designed following a Council decision in December and the period of consultation carried out would be June to August 2023; there would be a period of analysis following that; it was acknowledged that the consultation could be advertised or sent out with the scheduled Council election paperwork – this would be considered;
- m. it was recommended that a new report was submitted to Council from the Audit and Governance Committee specifying that the committee were to be involved in the development of the material associated with the consultation, and that the report would detail issues raised by Members at the meeting, specifying concerns raised. It was offered that the previous 10 years' worth of data relating to election costs could also be provided in the report. This was offered in response to Councillor Evans OBE concerns that the basis in which the Council was consulting on the electoral cycle was based on incorrect data and misinformation. It was later acknowledged that a revised report would be sent to Council only providing information relevant to the recommendations contained within it.

Audit and Governance Committee recommends to Council that –

- 1. a public engagement consultation is undertaken using powers under Section 116 of the Local Government Act 2003 between June and August 2023 on the issue of moving from the current electoral cycle of elections to 'whole council' elections once every four years.
- 2. the Audit and Governance Committee oversees and agrees the design and implementation of the consultation, in particular who will be consulted/engaged with and how;
- 3. the council confirms that the Boundary Commission Review commences in December 2023 and is conducted across 2024/25 with resulting arrangements implemented in 2026.

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City Council



Date of meeting: 21 November 2022
Title of Report: **Constitutional Amendments**
Lead Member: Cllr James Stoneman (Cabinet Member for Climate Change)
Lead Strategic Director: Giles Perritt (Assistant Chief Executive)
Author: Giles Perritt (Assistant Chief Executive)
Contact Email: Giles.perritt@plymouth.gov.uk
Your Reference:
Key Decision: No
Confidentiality: Part I - Official

Purpose of Report

To seek to two amendments to the Constitution.

Recommendations and Reasons

That Council Approve:

1. The amendment to the Licensing Committee Terms of Reference as set out in Appendix 1 to this report to delegate to the responsibility to approve Animal Licensing Policy;
Reason: The requirements of an animal of policy accords closely with legislation and closely relates to the setting of fees and conditions which are a function of the Committee. As such it is appropriate it sets the policy under which it will operate.
2. The amendment to the Appointment of Proper Officers Table as set out in Appendix 2 to this report
Reason: to reflect a change in national bodies with responsibilities in relation to the reporting and functions concerning the Control of Infectious diseases.

Alternative options considered and rejected

Not to make the amendments as set out in the report which would mean:

Recommendation 1- that the Animal Licensing function is not properly delegated, remaining an issue which would require full Council decisions, hindering the speed of decision making. It also properly aligns the responsibilities to a Committee already skilled in dealing with similar functions.

Recommendation 2 - that the constitution does not accurately reflect what we are required to do in practice

Relevance to the Corporate Plan and/or the Plymouth Plan

Effective decision and good governance impacts upon all aspects of the Corporate Plan. Proposed changes to the constitution ensure clarity of committee and officer roles.

Implications for the Medium Term Financial Plan and Resource Implications:

There are none arising from this report.

Carbon Footprint (Environmental) Implications:

Subject to the decision of Council in June 2022, the consultation will take place largely on-line, reducing reliance on printed media, although paper copies will be available where necessary.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

None.

Appendices

**Add rows as required to box below*

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Amendment to the Licensing Terms of Reference							
B	Amendment to the table of Proper Officer appointments							

Background papers:

**Add rows as required to box below*

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

Sign off:

Fin		Leg		Mon Off	EJ.388 51/11 .11.22 (1)	HR		Asset s		Strat Proc	
Originating Senior Leadership Team member: Giles Perritt (Assistant Chief Executive)											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 11/11/2022											

APPENDIX I

Amendment to the Licensing Terms of Reference:

At the end of paragraph 2.1 of the Terms of Reference the following text will be inserted:

“(h) to set policy in relation to the Animal Licensing Functions of the Council to the extent they do not fall within the Budget and Policy Framework”

APPENDIX 2**Amendment to the table of Proper Officer Appointments:**

To agree the amendments to the Constitution table of Proper Officer Appointments (Section 5 – Roles and Responsibilities) as follows:

Public Health Act 1936	Section 84	Cleansing of filthy and verminous articles	<p>Strategic Director of Public Health</p> <p>Consultant in Health Protection, as designated by the UKHSA South West Region Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit</p>
Public Health Act 1936	Section 85(2)	Cleansing of filthy and verminous persons and their clothing	<p>Director of Public Health</p> <p>Consultant in Health Protection, as designated by the UKHSA South West Region Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public</p>

			Health England Centre or by any successor agency or unit
Public Health Act 1961	Section 37	Controlling verminous things	<p>Strategic Director of Public Health</p> <p>Consultant in Health Protection, as designated by the UKHSA South West Region Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically-qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit</p>
Public Health (Aircraft) Regulations 1979	Regulation 5 and including all subsequent reference to medical officers		<p>Strategic Director of Public Health</p> <p>Consultant in Health Protection, as designated by the UKHSA South West Region Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically-qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any</p>

			successor agency or unit-
Public Health (Ships) Regulations 1979	Regulation 5 and including all subsequent reference to medical officers		<p>Strategic Director of Public Health</p> <p>Consultant in Health Protection, as designated by the UKHSA South West Region Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit-</p>
Public Health (Control of Disease Act) 1984 as amended	Section 61 and 62	Powers to enter premises for health protection purposes, and supplementary powers of entry	<p>Strategic Director of Public Health</p> <p>Consultant in Health Protection, as designated by the UKHSA South West Region Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit- Consultant in</p>

		<p>Health Protection, as designated by the UKHSA South West Region Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit- Consultant in Health Protection, as designated by the UKHSA South West Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit- Consultant in Health Protection, as designated by the UKHSA South West Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently</p>
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		<p>medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit- Consultant in Health Protection, as designated by the UKHSA South West Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit- Consultant in Health Protection, as designated by the UKHSA South West Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit- Consultant in Health Protection, as designated by the</p>
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		<p>UKHSA South West Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit- Consultant in Health Protection, as designated by the UKHSA South West Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit- Consultant in Health Protection, as designated by the UKHSA South West Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated</p>
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		<p>by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit- Consultant in Health Protection, as designated by the UKHSA South West Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically-qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit- Consultant in Health Protection, as designated by the UKHSA South West Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically-qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit- Consultant in Health Protection, as designated by the UKHSA South West Region or by any</p>
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			<p>successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically-qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit- Consultant in Health Protection, as designated by the UKHSA South West Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically-qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit- Consultant in Health Protection, as designated by the UKHSA South West Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically-qualified officer as designated by the Devon,</p>
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			<p>Cornwall and Somerset Public Health England Centre or by any successor agency or unit- Consultant in Health Protection, as designated by the UKHSA South West Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically-qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit-</p>
Public Health (Control of Disease Act) 1984 as amended	Section 48	Certification for removal of bodies to mortuary or for burial.	<p>Strategic Director of Public Health</p> <p>Consultant in Health Protection, as designated by the UKHSA South West Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically-qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit-</p>

Health Protection (Local Authority Powers) Regulations 2010	Regulations 8 (1) and 8 (2)		<p>Strategic Director of Public Health</p> <p>Consultant in Health Protection, as designated by the UKHSA South West Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit</p>
Health Protection (Notification Regulations) 2010	Regulations 2, 3, and 6	Receipt and disclosure of notification of suspected notifiable disease, infection or contamination in patients and dead persons	<p>Strategic Director of Public Health</p> <p>Consultant in Health Protection, as designated by the UKHSA South West Region or by any successor agency or unit</p> <p>Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit</p>

City Council

Urgent Decisions to be reported



Date of meeting: 21 November 2022
Title of Report: **Urgent Decisions**
Lead Member: Councillor Richard Bingley
Lead Strategic Director: Giles Perritt (Assistant Chief Executive)
Author: Ross Jago, Head of Governance, Performance and Risk
Contact Email: Ross.jago@plymouth.gov.uk
Your Reference: UD 02 22/23
Key Decision: No
Confidentiality: Part I - Official

Purpose of Report

As set out in section 4.5 of Part C and section 14 of Part F of the Constitution, urgent decisions are required to be reported to the next ordinary Council meeting after they were taken. This report sets out the urgent decisions taken since the last meeting of Council on 21 March 2022. Copies of the decisions are provided as appendices.

Recommendations and Reasons

Council is requested to note the following decisions taken in line with due process:

- **Bereavement Infrastructure Project – Main Contract Award (Officer Decision 22/07/2022)**
Reason for urgency: The contract price provided by Kiers is only valid until the 17 June 2022. By which point prices quoted with the contract package will have changed and will be required to be re-priced. This small time scale for valid prices is the current conditions faced by all contractors and is as a result of Covid, Brexit, the ongoing war in the Ukraine and other current market conditions such as the cost of living, fuel prices etc.
- **Suspension of Domestic Garden Waste Collection (11/08/2022)**
Reason for urgency: To help reduce the Council's budget pressure for 2022/23. The urgency is to ensure we can give residents clear information on when the service will be ending. Also, as per section 7, if this decision is delayed it is likely that we will not have enough staff to provide the service thus resulting in failure to meet our service standards and increased missed collections.
- **Acceptance of the Grant Award from the National Institute of Health Research for health inequalities research funding (28/09/2022)**
Reason for urgency: The decision must be made in order to accept the funding available before the 1 October 2022. The decision had been delayed in the hope that the full details of the funding could be disclosed.

- **Household Support Fund: Food Vouchers (05/10/2022)**

This decision comes under Regulation 32(2)c of the Public Contract regulations 2015 for extreme urgency. The reason for this is the extremely late confirmation of funding by the Government (September 23rd 2022). There is an urgent need to mobilise a company able to deliver food vouchers to Plymouth families for the October half term, which starts on 24th October 2022. This will require the company to make arrangements for the delivery of vouchers and for the Council to ensure that communications are in place with schools and families. It is important to have a single provider for all school holidays within this academic year to avoid disruption and confusion for schools and families.

- **Household Support Fund Round 3 (27/10/2022)**

This decision is urgent because of the late confirmation of funding by the Government (September 22nd 2022). There is an urgent need to approve and submit a delivery plan for the funding to the DWP by the 28th October 2022 and to ensure that communications are in place for the general public who are anticipating this funding being available

Alternative options considered and rejected

None. Urgent decisions are required to be reported to the next ordinary Council meeting after they were taken.

Relevance to the Corporate Plan and/or the Plymouth Plan

- **Bereavement Infrastructure Project – Main Contract Award (Officer Decision 22/07/2022)**

The Council is committed to delivering quality public services and as part of that commitment the Bereavement Service seeks to ensure it provides high quality remembrance and cremation service fit for the future. The Bereavement Service delivers on the Corporate Plan values and priorities in the following ways:

- It is Democratic by engaging with the funeral industry and increasing community engagement opportunities through open days and events as well as strengthening work with local schools and charities.
- It is Responsible by caring about its impact on the customers and the funeral industry retaining the choice of funeral service locations.
- It is Fair by creating a variety of opportunities for remembrance across a range of locations and costs
- It demonstrates Plymouth City Council's is committed to being Collaborative by working with our partners in the funeral industry and developing stronger ties with local bereavement charities
- It is a Caring Council that reduces health inequality by providing a modern facility that is fit for purpose meeting the needs of the whole city with sensitivity to differing faith requirements
- The project supports economic growth as part of a Unlocking the City's Potential that benefits as many people as possible
- It will also supports Unlocking the City's Potential by investing in facilities that we can be proud to offer and become a destination of choice for remembrance
- A crematorium that is green and sustainable by providing modern cremators with the latest abatement technology that meets the current emissions requirements is key contribution to

- **Unlocking the City's Potential.** The service will also provide alternative memorialisation offers such as green burial, all of which will support a green, sustainable city that cares about the environment.

The Plymouth Plan sets out a single vision for the city to 2034 with a clearly stated ambition to grow Plymouth's population to 300,000 as well as new developments on our urban fringes such as Sherford Community, crematoria and burial capacity are recognised as a key infrastructure requirement for a growing city.

- **Suspension of Domestic Garden Waste Collection (11/08/2022)**

This decision links to our core value set out in the Corporate Plan that we are responsible and our commitment to provide value for money.

- **Acceptance of the Grant Award from the National Institute of Health Research for health inequalities research funding (28/09/2022)**

The Corporate Plan and Plymouth Plan are very clear on the need to tackle health inequalities and reduce the numbers of people who are living more of their shorter lives in ill health. This funding will support those aims.

- **Household Support Fund: Food Vouchers (05/10/2022)**

This proposal links to the Child Poverty agenda for the city and also A Bright Future 2021 – 26 in supporting children to stay safe and well, through the provision of adequate nutrition.

- **Household Support Fund Round 3 (27/10/2022)**

This proposal links to the Child Poverty agenda for the city and also A Bright Future 2021 – 26 in supporting children to stay safe and well, through the provision of adequate nutrition.

Implications for the Medium Term Financial Plan and Resource Implications:

- **Bereavement Infrastructure Project – Main Contract Award (Officer Decision 22/07/2022)**

This contract is for £21,463,474 which includes the already agreed total of £7,917,673 which is covered by approvals for enabling works packages and PCSA design fees. Costs related to this are to be met from the approved capital virement agreed at Cabinet on the 7 July 2022 for the new Crematorium facility.

- **Suspension of Domestic Garden Waste Collection (11/08/2022)**

On the basis that an urgent decision is made and collections are suspended after the 26th August then a total saving of £200k for the 2022/23 budget will be achieved. This will reduce by approximately £30k for each additional 2 week collection cycle we deliver, however as Agency staff are only required to provide 1 week of notice many are likely to leave the Council much sooner leaving us unable to fully resource the service leading to delays in collections.

- **Acceptance of the Grant Award from the National Institute of Health Research for health inequalities research funding (28/09/2022)**

There are no financial implications to the Council since this is a fully funded project.

- **Household Support Fund: Food Vouchers (05/10/2022)**

The funding for this contract is provided by the Department for Work and Pensions. The total grant for the Council is £2,294,796.82, to cover the winter of 2022/23. £1m is estimated to be needed to provide food vouchers for families for the October half term, Christmas holidays, February half term and Easter holidays – a total of 6 weeks.

- **Household Support Fund Round 3 (27/10/2022)**

The funding for this contract is provided by the Department for Work and Pensions. The total grant for the Council is £2,294,796.82, to cover the winter of 2022/23. £930,000 has already been allocated for food vouchers for FSM families for the school holidays:

Carbon Footprint (Environmental) Implications:

None arising from this report.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.

None associated with this report

Appendices

*Add rows as required to box below

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
	Bereavement Infrastructure Project – Main Contract Award			X				
	Suspension of Domestic Garden Waste Collection							
	Acceptance of the Grant Award from the National Institute of Health Research for health inequalities research funding			X				
	Household Support Fund: Food Vouchers							
	Household Support Fund Round 3							

Background papers:

*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>

	1	2	3	4	5	6	7

Sign off:

Fin	N/A	Leg		Mon Off	EJ/38 851/1 1.11.2 2(2)	HR		Assets		Strat Proc	
Originating Senior Leadership Team member: Giles Perritt											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 09/11/2022											

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EXECUTIVE DECISION

made by a Council Officer



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL COUNCIL OFFICER

Executive Decision Reference Number – COD15 22/23

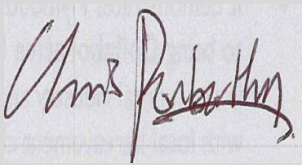
Decision	
1	Title of decision: Bereavement Infrastructure Project – Main Contract Award
2	Decision maker (Council Officer name and job title): Ruth Harrell, Director of Public Health
3	Report author and contact details: Sandra Pentney, 305939 or Sandra.Pentney@plymouth.gov.uk
4a	Decision to be taken: To appoint Kier Construction Ltd the main contract award for the new Plymouth Crematorium at the Park), Kier Construction Ltd are to be awarded under a NEC4 contract which was procured through the Southern Construction Framework demonstrating competition and value for money.
4b	Reference number of original executive decision or date of original committee meeting where delegation was made: Executive Decision Ref L10 18/19 dated 23 July 2018
5	Reasons for decision: The existing cremators at Weston Mill and Efford are at the end of their life, do not meet current abatement requirements and do not have space for the new cremators. In addition the ceremony spaces are poor and dated but have served the city well over the last 100 years. In addition the burial space is filling up and the public demand is changing to more memorialisation. A new facility provides solutions to all those problems but also provides a site that could serve the City for the next 100 years.
6	Alternative options considered and rejected: The option to do nothing was rejected on the basis that a city the size of Plymouth needs to be able to have its own bereavement facilities and that offer should be available to all the people of the City. The option of expanding the existing facilities to make space for the new cremators and improve ceremony spaces was rejected on the basis that no space is available, burial is very close to the existing buildings which means expansion isn't possible and the existing cremator halls are insufficient to take new cremators and the latest abatement technology.
7	Financial implications and risks: This contract is for £21,463,474 which includes the already agreed total of £7,917,673 which is covered by approvals for enabling works packages and PCSA design fees. Costs related to this are to

be met from the approved capital virement agreed at Cabinet on the 7 July 2022 for the new Crematorium facility. A detailed breakdown of the cost is provided below.


Categories	£
1) Contractors Costs	21,463,474
2) Client Direct Costs	
Project Design Team Fees	1,846,424
Utilities	709,033
Internal staffing	336,180
Surveys	82,272
External Consultants	329,263
FF&E	671,038
Land	1,886,000
Cremators	1,187,880
Reimbursement and Misc	76,602
WWA	353,143
Contingency (adjusted)	439,838
Sub-total	7,917,673
Total	29,381,147

8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which:
		X		in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			X	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million
			X	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
8b	If yes, date of publication of the notice in the Forward Plan of Key Decisions	29 June 2020 and subsequently updated in May 2021.		
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	<p>The Council is committed to delivering quality public services and as part of that commitment the Bereavement Service seeks to ensure it provides high quality remembrance and cremation service fit for the future.</p> <p>The Bereavement Service delivers on the Corporate Plan values and priorities in the following ways:</p> <ul style="list-style-type: none"> It is Democratic by engaging with the funeral industry and increasing community engagement opportunities through open days and events as well as strengthening 		

		<p>work with local schools and charities.</p> <ul style="list-style-type: none"> • It is Responsible by caring about its impact on the customers and the funeral industry retaining the choice of funeral service locations. • It is Fair by creating a variety of opportunities for remembrance across a range of locations and costs • It demonstrates Plymouth City Council's is committed to being Collaborative by working with our partners in the funeral industry and developing stronger ties with local bereavement charities • It is a Caring Council that reduces health inequality by providing a modern facility that is fit for purpose meeting the needs of the whole city with sensitivity to differing faith requirements • The project supports economic growth as part of a Unlocking the City's Potential that benefits as many people as possible • It will also supports Unlocking the City's Potential by investing in facilities that we can be proud to offer and become a destination of choice for remembrance • A crematorium that is green and sustainable by providing modern cremators with the latest abatement technology that meets the current emissions requirements is key contribution to Unlocking the City's Potential. The service will also provide alternative memorialisation offers such as green burial all of which will support a green, sustainable city that cares about the environment <p>The Plymouth Plan sets out a single vision for the city to 2034 with a clearly stated ambition to grow Plymouth's population to 300,000 as well as new developments on our urban fringes such as Sherford Community, crematoria and burial capacity are recognised as a key infrastructure requirement for a growing city.</p>
10	Please specify any direct environmental implications of the decision (carbon impact)	<p>The current and future cemetery and crematoria provision can contribute to Policy 25 Reducing Carbon Emissions by replacing old cremators with modern technology. Furthermore the cemeteries maintained by the Bereavement Service total 40 hectares of green space and are integral to the achievement of Policy 24 Delivering Plymouth's Natural Network providing for the needs of people, wildlife and businesses from funeral directors, florists and masons and their associated supply chains.</p>

Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes	x	(If yes, please contact Democratic Support for advice)
		No		(If no, go to section 13a)
12a	Reason for urgency: The contract price provided by Kiers is only valid until the 17 th June 2022. By which point prices quoted with the contract package will have changed and will be required to be re-priced. This small time scale for valid prices is the current conditions faced by all contractors and is as a result of Covid, Brexit, the ongoing war in the Ukraine and other current market conditions such as the cost of living, fuel prices etc.			
12b	Scrutiny Chair signature:			Date
				21 July 2022
	Scrutiny Committee name:	Performance, Finance and Customer Focus Overview and Scrutiny Committee		
	Print Name:	Councillor Chris Penberthy		
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes	x	
		No		(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Pat Patel, Cabinet member for Customer Services, Culture, Leisure and Sport		
13c	Date Cabinet member consulted	09/06/2022		
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	x	
15	Which Corporate Management Team member has been consulted?	Name	Ruth Harrell	
		Job title	Director of Public Health	
		Date consulted	19/05/22	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS25 22/23	
		Finance (mandatory)	ba.22.23.74	
		Legal (mandatory)	EJ/38551/13.7.22	

		Human Resources (if applicable)	N/A					
		Corporate property (if applicable)	N/A					
		Procurement (if applicable)	SN/PS/643/ED/07 22					
Appendices								
17	Ref.	Title of appendix						
	A	Bereavement Briefing Paper – Main Contract Award (Part I)						
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below.				
		No	x					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
	Plymouth Bereavement Centre Contract Award Report (Part II)			x				
	Bereavement Capital Investment BC Update (Part II)			x				
	Bereavement Cost Movement Report and Breakdown (Part II)			x				
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Council Officer Signature								

20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.		
Signature		Date of decision	14/07/2022
Print Name	Ruth Harrell		

EXECUTIVE DECISION

made by a Cabinet Member



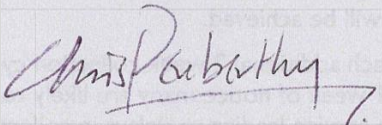
REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – DL02 22/23


Decision	
1	Title of decision: Suspension of Domestic Garden Waste Collection
2	Decision maker (Cabinet member name and portfolio title): Councillor Mark Shayer, Deputy Leader of the Council (On behalf of the Leader)
3	Report author and contact details: Philip Robinson, Service Director. Philip.Robinson@plymouth.gov.uk
4	Decision to be taken: To suspend Garden Waste Collections for the remainder of the 2022 season.
5	Reasons for decision: This decision has been taken to help mitigate the £13.6m shortfall in Council budget for the 2022/23 financial year.
6	Alternative options considered and rejected: Collections could continue but this would not achieve the identified financial saving. Collections could be suspended immediately resulting in a slightly higher saving, however this would leave residents with fully or part filled wheelie bins and would contradict our previous communication that Services will restart on the 15 August 2022. The collection frequency could be reduced, i.e monthly collections, but again this would not achieve significant savings as the Agency staff used to deliver the service would still need to be retained.
7	Financial implications and risks: On the basis that an urgent decision is made and collections are suspended after the 26 th August then a total saving of £200k for the 2022/23 budget will be achieved. This will reduce by approximately £30k for each additional 2 week collection cycle we deliver, however as Agency staff are only required to provide 1 week of notice many are likely to leave the Council much sooner leaving us unable to fully resource the service leading to delays in collections.

8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which:
			X	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			X	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million
		X		is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions	N/A		
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	This decision links to our core value set out in the Corporate Plan that we are responsible and our commitment to provide value for money.		
10	Please specify any direct environmental implications of the decision (carbon impact)	<p>Mileage by refuse lorries will reduce considerably thus reducing emissions and use of fuel. However, there will likely be an increase in private car journeys made to the Recycling Centres as residents dispose of Garden Waste.</p> <p>Garden Waste also contributes towards the Council's Recycling statistics and therefore if more residents home compost this will lead to a reduction in our Recycling proportions.</p>		

Urgent decisions

11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes	X	(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No		(If no, go to section 13a)
12a	Reason for urgency: To help reduce the Council's budget pressure for 2022/23. The urgency is to ensure we can give residents clear information on when the service will be ending. Also, as per section 7, if this decision is delayed it is likely that we will not have enough staff to provide the service thus resulting in failure to meet our service standards and increased missed collections.			
12b	Scrutiny Chair Signature:			Date: 11 th August 2022

	Scrutiny Committee name:	Performance, Finance and Customer Experience Overview and Scrutiny Committee		
	Print Name:	Chris Penberthy		
Consultation				
I3a	Are any other Cabinet members' portfolios affected by the decision?	Yes	<input checked="" type="checkbox"/>	
		No	<input type="checkbox"/>	(If no go to section I4)
I3b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Bill Wakeham, Cabinet Member for Environment and Street Scene		
I3c	Date Cabinet member consulted	08 August 2022		
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes	<input type="checkbox"/>	If yes, please discuss with the Monitoring Officer
		No	<input checked="" type="checkbox"/>	
I5	Which Corporate Management Team member has been consulted?	Name	Anthony Payne	
		Job title	Strategic Director for Place	
		Date consulted	08 August 2022	
Sign-off				
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS34 22/23	
		Finance (mandatory)	djn.22.23.96	
		Legal (mandatory)	EJ/38851/11.8.22	
		Human Resources (if applicable)		
		Corporate property (if applicable)		
		Procurement (if applicable)		
Appendices				
I7	Ref.	Title of appendix		
	A	Briefing Report: Garden Waste Suspension 2022		
	B	Equalities Impact Assessment: Garden Waste Suspension 2022		
Confidential/exempt information				
I8a	Do you need to include any			(Keep as much information as possible in the

	confidential/exempt information?	No	briefing report that will be in the public domain)					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
19	<p>Please list all unpublished, background papers relevant to the decision in the table below.</p> <p>Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	<p>I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.</p>							
Signature					Date of decision		11/08/2022	
Print Name		Councillor Mark Shayer, Deputy Leader.						

EXECUTIVE DECISION

made by a Cabinet Member



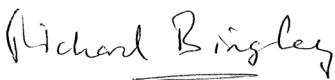
REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – L12 22/23

Decision				
1	Title of decision: Acceptance of the Grant Award from the National Institute of Health Research for health inequalities research funding			
2	Decision maker (Cabinet member name and portfolio title): Cllr Richard Bingley, Leader			
3	Report author and contact details: Ruth Harrell, Director of Public Health			
4	Decision to be taken: Accept the grant through signing the NIHR contract			
5	Reasons for decision: <p>Plymouth City Council, along with its partners the University of Plymouth, have been successful in the award of funding to support research into tackling health inequalities.</p> <p>This offers an opportunity for Plymouth (both the Council and wider partners) to further our understanding of understanding what can be done to prevent people from dying earlier than they should, and leading more of their lives in poor health, through considering the places and circumstances that people lead their lives.</p> <p>The Council is not able to release full details at this present time due to a restriction on publication. A decision is required however to ensure that the Council is in a position to sign the agreements required by NIHR by the 30 September. Further details on the award will be available in the near future.</p>			
6	Alternative options considered and rejected: <p>Plymouth City Council could decide to reject the grant offer. This would be a significant opportunity lost.</p>			
7	Financial implications and risks: <p>There is no financial risk to the Council since this is a fully funded project.</p>			
8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which:
			x	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
		x		in the case of revenue projects when the decision involves entering into new commitments and/or making new

				commitments and/or making new savings in excess of £1million
		x		is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions		NA	
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:		The Plymouth Plan and the corporate plan are very clear on the need to tackle health inequalities and reduce the numbers of people who are living more of their shorter lives in ill health. This funding will support those aims.	
10	Please specify any direct environmental implications of the decision (carbon impact)		None	
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes	x	(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No		(If no, go to section 13a)
12a	Reason for urgency: The decision must be made in order to accept the funding available before 1 st October 2022. The Decision had been delayed in the hope that the full details of the funding could be disclosed.			
12b	Scrutiny Chair Signature:	<i>M. Aspinall</i>	Date	23/9/2022
	Scrutiny Committee name:	Health and Adult Social Care		
	Print Name:	Cllr Mary Aspinall		
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes	x	
		No		(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	Cllr Mahony as portfolio holder for public health.		
13c	Date Cabinet member consulted	07/09/2022		

14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer				
		No	x					
15	Which Corporate Management Team member has been consulted?	Name	Ruth Harrell					
		Job title	Director of Public Health					
		Date consulted	August 2021					
Sign-off								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS52 22/23					
		Finance (mandatory)	ba 22.23.227					
		Legal (mandatory)	EJ/38851/21.9.22/2					
		Human Resources (if applicable)						
		Corporate property (if applicable)						
		Procurement (if applicable)						
Appendices								
17	Ref.	Title of appendix						
	A							
	B							
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes	x	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No						
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title: NIHR briefing note part 2			x				

Background Papers								
19	<p>Please list all unpublished, background papers relevant to the decision in the table below.</p> <p>Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	<p>I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.</p>							
Signature				Date of decision		26 September 2022		
Print Name		Councillor Richard Bingley, Leader Plymouth City Council						

EXECUTIVE DECISION

made by a Cabinet Member

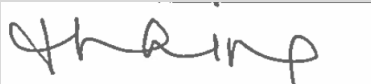


REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER


Executive Decision Reference Number – L07 22/23

Decision	
1	Title of decision: Household Support Fund: Food Vouchers
2	Decision maker: Councillor Richard Bingley, Leader of the Council
3	Report author and contact details: Rachel Silcock, Community Empowerment Operational Lead, 01752 307176
4	<p>Decision to be taken:</p> <p>To approve the award of a contract to Wonde Limited to deliver eVoucher codes (food vouchers for supermarkets) at an estimated total cost of £1million, to cover the October 2022 half term, Christmas 2022 school holidays, February 2023 half term and Easter 2023 school holidays.</p>
5	<p>Reasons for decision:</p> <p>Funding from central government for the Household Support Fund (HSF) was confirmed on the 22nd September, to support vulnerable households during the winter months including with food and energy costs. Whilst the grant guidance does not require support to be provided to families with children, recent research into food insecurity in the city (March 2022) has highlighted that families with children on low incomes are very vulnerable to food insecurity.</p> <p>The most effective way of distributing funds to vulnerable families to support with food costs is via e-vouchers and this method has been tried and tested over previous school holidays in Plymouth.</p> <p>Wonde Limited were identified as the preferred provider for Plymouth City Council in October 2021 through a procurement process under a Crown Commercial Services framework for voucher schemes and they provided this service during the previous round of HSF. This call-off contract under the CCS Framework ended in March 2022, however the CCS Framework continues and can be accessed until March 2023.</p> <p>The government has recently confirmed that there will be a third round of HSF. An urgent decision is required due to the late confirmation of funding by the Government (September 23rd 2022). It is important that a contract is let to cover the period up to and including the Easter holidays to ensure there is a single provider for every school holiday and to avoid disruption and confusion for both Council and school staff. The process has to be well understood and in place in plenty of time before the school holidays to allow good communications between the schools and parents</p> <p>Having used Wonde Limited previously with a good level of service, the recommendation is that an urgent contract award is made to Wonde Limited to enable the provider to mobilise in time</p>

	for the delivery of vouchers for the October half term holiday.			
6	Alternative options considered and rejected: Option 1: Do Nothing This is not an option as the Council has been awarded grant funding to support vulnerable households, of which families with children on low incomes are a target group based on local intelligence. To not use or accept this funding would be to the detriment of Plymouth families. Option 2: Deliver food parcels Food parcels - PCC (CATERed) does not have the capacity or capability to deliver a cost effective solution due to the practicalities that would be required to produce and distribute food parcels. Option 3: Provide cash payments or post office vouchers This option would require a significant amount of preparatory work which couldn't be carried out in time for October half-term. Additionally, the procurement of pre-payment cards would incur service charges.			
7	Financial implications: The funding for this contract is provided by the Department for Work and Pensions. The total grant for the Council is £2,294,796.82, to cover the winter of 2022/23. £1m is estimated to be needed to provide food vouchers for families for the October half term, Christmas holidays, February half term and Easter holidays – a total of 6 weeks.			
8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which:
			√	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			√	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million
		√		is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions	The Monitoring Officer has confirmed that this can be considered to be an Urgent Key Decision, due to the need to ensure there are arrangements in place for the October half term for families. As central government funding was not announced until the 23rd September, it has not been practicable to include the decision in the Forward Plan.		
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	This proposal links to the Child Poverty agenda for the city and also A Bright Future 2021 – 26 in supporting children to stay safe and well, through the provision of adequate nutrition.		
10	Please specify any direct	None		

	environmental implications of the decision (carbon impact)			
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes	√	(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No		(If no, go to section 13a)
12a	Reason for urgency: This decision comes under Regulation 32(2)c of the Public Contract regulations 2015 for extreme urgency. The reason for this is the extremely late confirmation of funding by the Government (September 23 rd 2022). There is an urgent need to mobilise a company able to deliver food vouchers to Plymouth families for the October half term, which starts on 24 th October 2022. This will require the company to make arrangements for the delivery of vouchers and for the Council to ensure that comms are in place with schools and families. It is important to have a single provider for all school holidays within this academic year to avoid disruption and confusion for schools and families.			
12b	Scrutiny Chair Signature:			Date 05/10/2022
	Scrutiny Committee name:	Education and Children's Social Care, Overview and Scrutiny Committee		
	Print Name:	Jemima Laing		
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	√	(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	n/a		
13c	Date Cabinet member consulted			
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	√	
15	Which Corporate Management Team member has been consulted?	Name	Sharon Muldoon	
		Job title	Director of Children's Services	
		Date consulted	30/09/2022	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS55 22/23	

		Finance (mandatory)	djn.22.23.237						
		Legal (mandatory)	EJ/38851/5.10.22/1						
		Human Resources (if applicable)	N/A						
		Corporate property (if applicable)	N/A						
		Procurement (if applicable)	SS/TSHI/015/ED/102 2						
Appendices									
17	Ref.	Title of appendix							
	A	Food Vouchers briefing report							
	B	Equalities Impact Assessment							
Confidential/exempt information									
18a	Do you need to include any confidential/exempt information?		Yes		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No	√						
			Exemption Paragraph Number						
			1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:								
Background Papers									
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.								
Title of background paper(s)			Exemption Paragraph Number						
			1	2	3	4	5	6	7

Cabinet Member Signature			
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.		
Signature		Date of decision	05/10/2022
Print Name	Councillor Richard Bingley, Leader of Plymouth City Council		

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EXECUTIVE DECISION

made by a Cabinet Member




REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – L16 22/23

Decision	
1	Title of decision: Household Support Fund Round 3
2	Decision maker (Cabinet member name and portfolio title): Councillor Richard Bingley
3	Report author and contact details: Rachel Silcock, Community Empowerment Operational Lead, 01752 307176
4	Decision to be taken: To approve the distribution of Household Support Fund monies through the proposed Framework for Round 3
5	<p>Reasons for decision:</p> <p>Funding from central government for the Household Support Fund (HSF) round 3 was confirmed on the 22nd September, to support vulnerable households during the winter months including with food and energy costs. This funding round has been publicised to start from October 1st 2022 to March 31st 2023. The previous round of funding ended on 30th September 2022. The DWP require a delivery plan to be submitted by the 28th October 2022. In order to meet deadlines for half-term a decision has already been taken to fund food vouchers for free school meals families during the school holidays. An urgent decision now needs to be approved for the remaining spend to allow the delivery plan to be submitted on time.</p>
6	<p>Alternative options considered and rejected:</p> <p>Option 1: Do Nothing This is not an option as the Council has been awarded grant funding to support vulnerable households during the winter. To not use or accept this funding would be to the detriment of Plymouth households at a time of rising energy costs.</p> <p>Option 2: Deliver food parcels Food parcels - PCC (CATERed) does not have the capacity or capability to deliver a cost effective solution due to the practicalities that would be required to produce and distribute food parcels on the scale required.</p> <p>Option 3: Provide cash payments or post office vouchers directly to claimants This option would require a significant amount of staff capacity which wouldn't be in place in time to deliver the funding. Additionally, the procurement of pre-payment cards would incur service charges.</p>
7	<p>Financial implications:</p> <p>The funding for this contract is provided by the Department for Work and Pensions. The total grant for the Council is £2,294,796.82, to cover the winter of 2022/23.</p> <p>£930,000 has already been allocated for food vouchers for FSM families for the school holidays:</p>

	October half term, Christmas holidays, February half term and Easter holidays – a total of 6 weeks.			
8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which:
			✓	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			✓	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million
		✓		is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions		The Monitoring Officer has confirmed that this can be considered to be an Urgent Key Decision, due to the need to submit the delivery plan to the DWP by the 28 th October. As central government funding was not announced until the 22nd September, it has not been practicable to include the decision in the Forward Plan.	
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:		This proposal links to the Child Poverty agenda for the city and also A Bright Future 2021 – 26 in supporting children to stay safe and well, through the provision of adequate nutrition.	
10	Please specify any direct environmental implications of the decision (carbon impact)		None	
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes	✓	(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No		(If no, go to section 13a)
12a	Reason for urgency: This decision is urgent because of the late confirmation of funding by the Government (September 22 nd 2022). There is an urgent need to approve and submit a delivery plan for the funding to the DWP by the 28 th October 2022 and to ensure that comms are in place for the general public who are anticipating this funding being available.			
12b	Scrutiny Chair Signature:	Councillor Laing (agreed via email)	Date	27 October 2022
	Scrutiny Committee name:	Chair of the Education and Children's Social Care OSP		

Print Name:		Councillor Jemima Laing		
Consultation				
I3a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	√	(If no go to section I4)
I3b	Which other Cabinet member's portfolio is affected by the decision?	n/a		
I3c	Date Cabinet member consulted			
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	√	
I5	Which Corporate Management Team member has been consulted?	Name	Ruth Harrell	
		Job title	Office of the Director of Public Health	
		Date consulted	14/10/2022	
Sign-off				
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS65 22/23	
		Finance (mandatory)	DJN22.23.230	
		Legal (mandatory)	EJ/38851/26.10.22	
		Human Resources (if applicable)	N/A	
		Corporate property (if applicable)	N/A	
		Procurement (if applicable)		
Appendices				
I7	Ref.	Title of appendix		
	A	Household Support Fund Framework Round 3: October 2022 to March 2023		
	B	Equalities Impact Assessment		
Confidential/exempt information				
I8a	Do you need to include any confidential/exempt information?	Yes		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for

		No	✓	publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
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		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
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Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
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Signature				Date of decision		27 October 2022		
Print Name		Councillor Richard Bingley, Leader of Plymouth City Council						