



Oversight and Governance

Chief Executive's Department

Plymouth City Council

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Delegated Decisions

Delegated Executive/Officer Decisions

Delegated Executive and Officer decisions are published and are available at the following link - <https://tinyurl.com/ms6umor>

Cabinet decisions subject to call-in are published at the following link - <http://tinyurl.com/yddrql6>

Notice of call-in for non-urgent decisions must be given to the Democratic Support Unit by 4.30 pm on Wednesday 26 July 2023. Please note – urgent decisions and non-key Council Officer decisions cannot be called in. Copies of the decisions together with background reports are available for viewing as follows:

- on the Council's Intranet Site at <https://modgov/mgDelegatedDecisions.aspx>
- on the Council's website at <https://tinyurl.com/jhnax4e>

The decisions detailed below may be implemented on Thursday 27 July 2023 if they are not called-in.

Delegated Decisions

1. Councillor Tudor Evans OBE, Leader of the Council:

- 1.1. Loan to Young Devon for Settled Housing **(Pages 1 - 20)**
- 1.2. School Condition Summer Works Programme **(Pages 21 - 48)**

2. Councillor Mark Coker, Cabinet Member for Strategic Planning and Transport:

- 2.1. THE CITY OF PLYMOUTH (TRAFFIC REGULATION ORDERS) (AMENDMENT ORDER NO. 2023.2137300 – MILLBAY & FERRY ROAD) ORDER **(Pages 49 - 62)**

EXECUTIVE DECISION

made by a Cabinet Member




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

Executive Decision Reference Number – L07 23/24

Decision	
1	Title of decision: Loan to Young Devon for Settled Housing
2	Decision maker: Councillor Tudor Evans OBE, Leader of the Council
3	Report author and contact details: Matt Garrett, Service Director for Community Connections
4	<p>Decision to be taken:</p> <ul style="list-style-type: none"> • Approve the Business Case for a loan to Young Devon • Allocate £210,000 for the project into the Capital Programme funded by Corporate Borrowing and repaid through a loan to Young Devon • Delegates the finalisation of the terms of the loan and allows them to enter into it to the Service Director for Community Connections where they would not already have the authority to do so.
5	<p>Reasons for decision:</p> <p>Access to good quality and affordable settled accommodation remains challenging in Plymouth. With LHA rates tied to the CPI rather than market rents and there is a growing gulf between LHA rates and the market.</p> <p>Plymouth has very high numbers of people in temporary accommodation, in B&B's, hostels, and shared house type temporary accommodation, accessed through the Plymouth Alliance.</p> <p>In order to continue to be able to move people through the system we need to have move-on accommodation that is offered as settled accommodation, with an assured shorthold tenancy for people to move into.</p> <p>Young Devon is using some of its own financing for this but require a top-up loan to enable them to buy a property in Plymouth to offer as settled accommodation for homeless Young People.</p>
6	<p>Alternative options considered and rejected:</p> <p>Taking on more temporary accommodation, is causing blockages in the system and preventing move on into permanent accommodation.</p>
7	<p>Financial implications and risks:</p> <p>There are no financial implications for the Council from this decision.</p>

	<p>The loan will be secured by way of legal charge against the property acquired by Young Devon and in the event of default of the loan repayments the Council would be able to enforce a sale of the property to recover the loan amount. The interest paid by Young Devon will cover any interest payments that the Council will have to make as well as any legal costs incurred, if the property needed to be sold.</p> <p>The interest rate is set at 6.1% and the loan will be secured by way of legal charge on the property.</p>			
8	<p>Is the decision a Key Decision? (please contact Democratic Support for further advice)</p>	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.	
	<p>If yes, date of publication of the notice in the Forward Plan of Key Decisions</p>			
9	<p>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>			<p>Caring for people and communities – Reduced Health Inequalities and Focus on Prevention and Early intervention. This Executive Decision will help meet both priorities by supporting the Council to reduce homelessness and the use of Bed and Breakfast which will in turn help to tackle health inequalities.</p>
10	<p>Please specify any direct environmental implications of the decision (carbon impact)</p>			<p>Young Devon will ensure that the property is brought up to an EPC level C by 2025, if not sooner.</p>
Urgent decisions				
11	<p>Is the decision urgent and to be implemented immediately in the interests of the Council or the public?</p>	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			

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 Chris Penberthy, Cabinet Member for Housing, Cooperative Development and Communities	
I3c	Date Cabinet member consulted	01 June 2023	
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes	<input type="checkbox"/>
		No	<input checked="" type="checkbox"/>
		If yes, please discuss with the Monitoring Officer	
I5	Which Corporate Management Team member has been consulted?	Name	Gary Walbridge
		Job title	Head of ASC and Retained Functions
		Date consulted	11 July 2023
Sign-off			
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS19 23/24
		Finance (mandatory)	DJN.23.24.39 5/6/2023
		Legal (mandatory)	LS/00001312/AC/08/ 06/23
		Human Resources (if applicable)	N/A
		Corporate property (if applicable)	N/A
		Procurement (if applicable)	N/A
Appendices			
I7	Ref.	Title of appendix	
	A	Briefing report for publication	
	B	Business Case	
	C	Equalities Impact Assessment	
Confidential/exempt information			
I8a	Do you need to include any confidential/exempt information?	Yes	<input type="checkbox"/>
		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for	

		No	<input checked="" type="checkbox"/>	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)				
		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 1 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	13/07/2023			
Print Name	Cllr Tudor Evans OBE							

YOUNG DEVON LOAN REQUEST

Community Connections



1. EXECUTIVE SUMMARY

Plymouth City Council to provide financial support Young Devon to purchase 4 units of accommodation for young people who are homeless in Plymouth to move into as settled housing, through the provision of a capital loan.

- Young Devon will buy 1 property totalling £300,000 which will be refurbished into 4 units.
- Young Devon requires £210,000 capital investment and has agreed to an interest rate of 6.1%
- Loan will be secured by way of legal charge on the property

2. BACKGROUND

Access to good quality and affordable settled accommodation remains challenging in Plymouth. With LHA rates tied to the CPI rather than market rents; means there is a growing gulf between LHA rates and the market. Our data shows that there is a lack of affordable settled accommodation for young people within the City.

3. ALTERNATIVE OPTIONS

Other forms of finance and funding has been considered by Young Devon and the Council:

- Capital funding through the Department of Levelling Up, Housing and Communities has only recently become available and is not suitable for this funding stream as this project is well advanced and Young Devon has just exchanged contracts in the last week.
- Young Devon has considered finance from the open mortgage market, but prefers to work in partnership with the Council. This means that the Council has influence over how this service will be tenanted and managed by Young Devon.

4. FINANCIAL IMPLICATIONS AND RISK

<i>Potential Risks Identified</i>		<i>Likelihood</i>	<i>Impact</i>	<i>Overall Rating</i>
Risk	Not being able to find properties at a reasonable price	Medium	Low	Low
Mitigation	We will not go ahead it is unaffordable	Low	Low	Low
Risk	Ability to repay the loan	Low	Low	Low
Mitigation	Property could be sold and capital repaid	Low	Low	Low
Risk	If PCC cannot sell the property	Low	High	Medium
Mitigation	Develop an arrangement where the property is given to PCC to cover the capital loan repayment	Low	Low	Low
Risk	Bad debts (maintenance, voids and arrears exceeds overall rent and service charge income)	Medium	Low	Low
Mitigation	Costs can be managed by Young Devon with contingency in place	Low	Low	Low

- The key risks are around Young Devon being able to purchase the property at a reasonable cost and that the rental income stream does not exceed budgeted costs. These risks have been considered and are considered low in impact as Young Devon has secured a reasonable price for this property.

5. TIMESCALES

Young Devon has exchanged contracts and building will need to be refurbished. This process could take 12-18 weeks

CAPITAL INVESTMENT BUSINESS CASE

Young Devon – Capital Loan



EXECUTIVE SUMMARY

The Executive Summary is a short summary of the Business Case and should be the last section you complete, this will enable you to extract or only the key facts from relevant sections i.e. 'project on a page'. The summary is a 'snapshot' of the business case which will need to tell the story and sell the proposal.

Access to good quality and affordable settled accommodation remains challenging in Plymouth. With LHA rates tied to the CPI rather than market rents; means there is a growing gulf between LHA rates and the market.

Plymouth City Council will support Young Devon to purchase 5 units of accommodation for people who are homeless in Plymouth to move into as settled housing, through the provision of a capital loan.

- Young Devon will buy 1 property totalling £300,000
- Young Devon requires £210,000 capital investment
- This will provide up to 4 units of accommodation for young people who are homeless in Plymouth for settled housing
- Loan will be secured by way of legal charge on the property

The key risks are around Young Devon being able to buy the property at a reasonable cost and that that the rental income stream does not exceed budgeted costs. These risks have been considered and are considered low in impact.

SECTION I: PROJECT DETAIL

Project Value (indicate capital or revenue)	£210,000 Capital Loan	Contingency (show as £ and % of project value)	N/A
Programme	Housing	Directorate	People
Portfolio Holder	Councillor Chris Penberthy	Service Director	Matt Garrett
Senior Responsible Officer (client)	Andy Moreman Young Devon Chief Exec	Project Manager	N/A
Address and Post Code	10 Erme Road, Ivybridge, PL21 OAB	Ward	Sutton and Mount Gould

Current Situation: *(Provide a brief, concise paragraph outlining the current situation and explain the current business need, problem, opportunity or change of circumstances that needs to be resolved)*

Access to good quality and affordable settled accommodation remains challenging in Plymouth. With LHA rates tied to the CPI rather than market rents there is a growing gulf between LHA rates and the market.

Plymouth has very high numbers of people in temporary accommodation, in B&B's, hostels, and shared house type temporary accommodation, accessed through the Plymouth Alliance.

In order to continue to be able to move people through the system we need to have move-on accommodation that is offered as settled accommodation, with an assured shorthold tenancy for people to move into.

Young Devon is using some of its own financing for this but require a top-up loan to enable them to buy the property to offer as settled accommodation for homeless Young People.

Proposal: *(Provide a brief, concise paragraph outlining your scheme and explain how the business proposal will address the current situation above or take advantage of the business opportunity) and (What would happen if we didn't proceed with this scheme?)*

Plymouth City Council is committed to reducing homelessness in Plymouth and through the Homelessness Prevention Partnership is working on a number of schemes to support additional provision across the City.

This scheme will support Young Devon in its commitment to support more young people out of homelessness.

It is clear that overall affordability of any scheme is better through outright purchase when seen against leasing alone. The income margin for leased houses is much tighter, at a time when it's harder to negotiate lower lease prices due to the property market including in large part due to the stamp duty exemption fuelling a property price boom.

For that reason support from PCC to enable Young Devon to achieve its aim to purchase properties will support the City to increase the range of affordable housing in the City and make sure that we continue to have accommodation available for vulnerable people to move into.

The loan will be repaid over a period of 240 months and will be secured by way of legal charge over the properties. Interest is payable on the loan repayments at a rate of 6.1% pa.

In the event of default the Council will be able to enforce the legal charge to force the sale of the properties to recover the charge.

Milestones and Date:

Contract Award Date	Start On Site Date	Completion Date
	N/A	November 2023

SECTION 2: PROJECT RISK, OUTCOMES AND BENEFITS

Risk Register: *The Risk Register/Risk Log is a master document created during the early stages of a project. It includes information about each identified risk, level of risk, who owns it and what measures are in place to mitigate the risks (cut and paste more boxes if required).*

Potential Risks Identified		Likelihood	Impact	Overall Rating
Risk	Not being able to find properties at a reasonable price	Medium	Low	Low
Mitigation	We will not go ahead it is unaffordable	Low	Low	Low
Risk	Ability to repay the loan	Low	Low	Low
Mitigation	Property could be sold and capital repaid	Low	Low	Low
Risk	If PCC cannot sell the property	Low	High	Medium
Mitigation	Develop an arrangement where the property is given to PCC to cover the capital loan repayment	Low	Low	Low
Risk	Bad debts (maintenance, voids and arrears exceeds overall rent and service charge income)	Medium	Low	Low
Mitigation	Costs can be managed by Young Devon with contingency in place	Low	Low	Low
Calculated risk value in £ (Extent of financial risk)	£0			

Outcomes and Benefits

List the outcomes and benefits expected from this project.

(An **outcome** is the result of the change derived from using the project's deliverables. This section should describe the anticipated outcome)

(A **benefit** is the measurable improvement resulting from an outcome that is perceived as an advantage. Benefits are the expected value to be delivered by the project, measurable whenever possible)

Financial outcomes and benefits:	Non-financial outcomes and benefits:
Young Devon is able to purchase a property with the help of a loan from PCC.	Vulnerable young people supported out of homelessness into long term permanent homes
Reduce spend on temporary accommodation.	Reducing time spent in temporary accommodation

Low Carbon

What is the anticipated impact of the proposal on carbon emissions	Young Devon will ensure that the property will be brought up to an EPC level C by 2025, if not sooner.	
How does it contribute to the Council becoming Carbon neutral by 2030		
Have you engaged with Procurement Service?	No	
Procurement route options considered for goods, services or works	N/A	
Procurements Recommended route.		
Who is your Procurement Lead?		
Is this business case a purchase of a commercial property	No	
If yes then provide evidence to show that it is not 'primarily for yield'		
Which Members have you engaged with and how have they been consulted (including the Leader, Portfolio Holders and Ward Members)		

SECTION 4: FINANCIAL ASSESSMENT

FINANCIAL ASSESSMENT: In this section the robustness of the proposals should be set out in financial terms. The Project Manager will need to work closely with the capital and revenue finance teams to ensure that these sections demonstrate the affordability of the proposals to the Council as a whole. Exact amounts only throughout the paper - not to be rounded.

CAPITAL COSTS AND FINANCING

Breakdown of project costs including fees surveys and contingency	Prev. Yr.	23/24	24/25	25/26	26/27	27/28	Future Yrs.	Total
	£	£	£	£	£	£	£	£
Provide Loan for Property Purchase		210,000						210,000

Total capital spend		210,000						210,000
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Provide details of proposed funding: Funding to match with Project Value								
Breakdown of proposed funding	Prev. Yr. £	23/24 £	24/25 £	25/26 £	26/27 £	27/28 £	Future Yrs. £	Total £
Corporate Borrowing		210,000						210,000
Total funding		210,000						210,000

Which external funding sources been explored	Young Devon will be putting in £90k of capital funding towards the project. Young Devon also have funding towards development of the project from a combination of income and a charitable grant
Are there any bidding constraints and/or any restrictions or conditions attached to your funding	No
Tax and VAT implications	The payment to Young Devon relating to the granting of a loan by the Council, and the subsequent loan repayments, are outside the scope of VAT. Since the project will not generate any VAT-exempt income for the Council, there will be no adverse impact on the Council's partial exemption position
Tax and VAT reviewed by	Sarah Scott

REVENUE COSTS AND IMPLICATIONS

Cost of Developing the Capital Project (To be incurred at risk to Service area)

Total Cost of developing the project	
Revenue cost code for the development costs	
Revenue costs incurred for developing the project are to be included in the capital total, some of the expenditure could be capitalised if it meets the criteria	
Budget Managers Name	

Ongoing Revenue Implications for Service Area

	Prev. Yr. £	23/24 £	24/25 £	25/26 £	26/27 £	27/28 £	Future Yrs. £
Service area revenue cost							
Other (eg: maintenance, utilities, etc)							
Loan repayment (terms agreed with Treasury Management)							
Total Revenue Cost (A)		0	0	0	0	0	0

Service area revenue benefits/savings							
Annual revenue income (eg: rents, etc)							
Total Revenue Income (B)			0				
Service area net (benefit) cost (B-A)							
Has the revenue cost been budgeted for or would this make a revenue pressure							
Which cost centre would the revenue pressure be shown		n/a	Has this been reviewed by the budget manager			Y	
Name of budget manager							
Loan value	£210,000	Interest Rate	6.1%	Term Years	20	Annual Repayment	£18,199.74
Revenue code for annual repayments							
Service area or corporate borrowing		Corporate Borrowing					
Revenue implications reviewed by							

Version Control: (The version control table must be updated and signed off each time a change is made to the document to provide an audit trail for the revision and update of draft and final versions)

Author of Business Case	Date	Document Version	Reviewed By	Date
Jackie Kings	30/05/2023	v 1.0		00/00/2023

SECTION 6: RECOMMENDATION AND ENDORSEMENT

Recommended Decision

It is recommended that the Leader of the Council:


- Approve the Business Case for a loan to Young Devon
- Allocate £210,000 for the project into the Capital Programme funded by Corporate Borrowing and repaid through a loan to Young Devon
- Delegates the finalisation of the terms of the loan and allows them to enter into it to the Service Director for Community Connections where they would not already have the authority to do so.

Cllr Penberthy, Cabinet Member Homes and Communities		Service Director	
Either email dated:	Date: 01/06/2023	Either email dated:	date
Or signed:		Signed:	
Date:		Date:	
		Service Director for People	
		Matt Garrett	
Either email dated:		Date	11/07/2023
		Signed:	

Date:

EQUALITY IMPACT ASSESSMENT – COUNCIL LOAN SUPPORT YOUNG DEVON: SETTLED HOUSING

SECTION ONE: INFORMATION ABOUT THE PROPOSAL

Author(s): This is the person completing the EIA template.	Jackie Kings	Department and service:	Community Connections	Date of assessment:	11/05/2022
Lead Officer: Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	Matt Garrett	Signature:		Approval date:	11/07/2023
Overview:	<p>The Council has a statutory duty to support people who are homeless or threatened with homelessness.</p> <p>Access to good quality and affordable settled accommodation remains challenging in Plymouth. With LHA rates tied to the CPI rather than market rents; means there is a growing gulf between LHA rates and the market.</p> <p>Plymouth has very high numbers of young people in temporary accommodation, in B&B's, hostels, and shared house type temporary accommodation, accessed through the Plymouth Alliance.</p> <p>Plymouth City Council will support Young Devon to purchase 4 units of accommodation for people who are homeless in Plymouth to move into as settled housing, through the provision of a capital loan.</p> <ul style="list-style-type: none"> • Young Devon will buy 1 property totalling £300,000 • Young Devon requires £210,000 capital investment • This will provide up to 4 units of accommodation for young people who are homeless in Plymouth for settled housing • Loan will be secured by way of legal charge on the property 				
Decision required:	To approve the EIA as part of the overall Young Devon Loan approval				

SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL

<p>Potential external impacts: Does the proposal have the potential to negatively impact service users, communities or residents with protected characteristics?</p>	Yes		No	x
<p>Potential internal impacts: Does the proposal have the potential to negatively impact Plymouth City Council employees?</p>	Yes		No	x
<p>Is a full Equality Impact Assessment required? (if you have answered yes to either of the questions above then a full impact assessment is required and you must complete section three)</p>	Yes	x	No	
<p>If you do not agree that a full equality impact assessment is required, please set out your justification for why not.</p>				

SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT

Protected characteristics (Equality Act, 2010)	Evidence and information (e.g. data and consultation feedback)	Adverse impact	Mitigation activities	Timescale and responsible department
Age	<p>Plymouth</p> <ul style="list-style-type: none"> 16.4 per cent of people in Plymouth are children aged under 15. 65.1 per cent are adults aged 15 to 64. 18.5 percent are adults aged 65 and over. 2.4 percent of the resident population are 85 and over. <p>South West</p>	<p>No adverse impact</p> <p>Accommodation will be available for young people between 18-25 years</p> <p>Younger people are recognised as potentially vulnerable groups.</p>	<p>This will be monitored through letting arrangements</p>	<p>Ongoing, Community Connections</p>

	<ul style="list-style-type: none"> • 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64. • 22.3 per cent are aged 65 and over. <p>England</p> <ul style="list-style-type: none"> • 17.4 per cent of people are aged 0 to 14. • 64.2 per cent of people are aged 15 to 64. • 18.4 per cent of people are aged 65 and over. <p>(2021 Census)</p>			
<p>Care experienced individuals</p> <p>(Note that as per the Independent Review of Children’s Social Care recommendations, Plymouth City Council is treating care experience as though it is a protected characteristic).</p>	<p>It is estimated that 26 per cent of the homeless population in the UK have care experience. In Plymouth there are currently 7 per cent of care leavers open to the service (6 per cent aged 18-20 and 12 per cent of those aged 21+) who are in unsuitable accommodation.</p> <p>The Care Review reported that 41 per cent of 19-21 year old care leavers are not in education, employment or training (NEET) compared to 12 per cent of all other young people in the same age group.</p> <p>In Plymouth there are currently 50 per cent of care leavers aged 18-21 Not in Education Training or Employment (54 per cent of all those care leavers aged 18-24 who are open to the service).</p> <p>There are currently 195 care leavers aged 18 to 20 (statutory service) and 58 aged 21 to 24 (extended offer). There are more care leavers</p>	<p>No adverse impact</p>	<p>This will be monitored through letting arrangements</p>	<p>Ongoing, Community Connections</p>

	aged 21 to 24 who could return for support from services if they wished to.			
Disability	9.4 per cent of residents in Plymouth have their activities limited 'a lot' because of a physical or mental health problem. 12.2 per cent of residents in Plymouth have their activities limited 'a little' because of a physical or mental health problem (2021 Census)	No adverse impact	This will be monitored through letting arrangements	Ongoing, Community Connections
Gender reassignment	0.5 per cent of residents in Plymouth have a gender identity that is different from their sex registered at birth. 0.1 per cent of residents identify as a trans man, 0.1 per cent identify as non-binary and, 0.1 per cent identify as a trans women (2021 Census).	No adverse impact	Not applicable	Not applicable
Marriage and civil partnership	40.1 per cent of residents have never married and never registered a civil partnership. 10 per cent are divorced, 6 percent are widowed, with 2.5 per cent are separated but still married. 0.49 per cent of residents are, or were, married or in a civil partnerships of the same sex. 0.06 per cent of residents are in a civil partnerships with the opposite sex (2021 Census).	No adverse impact	Not applicable	Not applicable
Pregnancy and maternity	The total fertility rate (TFR) for England was 1.62 children per woman in 2021. The total fertility rate (TFR) for Plymouth in 2021 was 1.5.	No adverse impact anticipated	Not applicable	Not applicable

<p>Race</p>	<p>In 2021, 94.9 per cent of Plymouth’s population identified their ethnicity as White, 2.3 per cent as Asian and 1.1 per cent as Black (2021 Census) People with a mixed ethnic background comprised 1.8 per cent of the population. 1 per cent of the population use a different term to describe their ethnicity (2021 Census) 92.7 per cent of residents speak English as their main language. 2021 Census data shows that after English, Polish, Romanian, Chinese, Portuguese, and Arabic are the most spoken languages in Plymouth (2021 Census).</p>	<p>No adverse Impact.</p>	<p>This will be monitored through letting arrangements</p>	<p>Ongoing, Community Connections</p>
<p>Religion or belief</p>	<p>48.9 per cent of the Plymouth population stated they had no religion. 42.5 per cent of the population identified as Christian (2021 Census). Those who identified as Muslim account for 1.3 per cent of Plymouth’s population while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2021 Census).</p>	<p>No adverse Impact.</p>	<p>This will be monitored through letting arrangements</p>	<p>Ongoing, Community Connections</p>
<p>Sex</p>	<p>51 per cent of our population are women and 49 per cent are men (2021 Census).</p>	<p>No adverse impact</p>	<p>This will be monitored through letting arrangements</p>	<p>Ongoing, Community Connections</p>
<p>Sexual orientation</p>	<p>88.95 per cent of residents aged 16 years and over in Plymouth describe their sexual orientation as straight or heterosexual. 2.06 per cent describe their sexuality as bisexual, 1.97 per cent of people describe their sexual orientation as gay or lesbian. 0.42 per cent of</p>	<p>No adverse impact</p>	<p>This will be monitored through letting arrangements</p>	<p>Ongoing, Community Connections</p>

	residents describe their sexual orientation using a different term (2021 Census).			
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SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	<p>Plymouth City Council recognises Article 14 of the Human Rights Act – The right to receive Equal Treatment and prohibits discrimination including sex, race, religion and economic and social status in conjunction with the Equalities Act which includes age and disability.</p> <p>All staff and service users will be treated fairly and their human rights will be respected.</p> <p>No adverse impact on human rights has been identified.</p>	Not applicable	Not applicable

SECTION FIVE: OUR EQUALITY OBJECTIVES

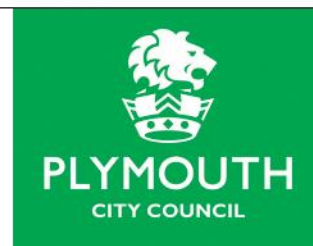
Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
Celebrate diversity and ensure that Plymouth is a welcoming city.	No implications	Not applicable	Not applicable
Pay equality for women, and staff with disabilities in our workforce.	No implications	Not applicable	Not applicable
Supporting our workforce through the implementation of Our People Strategy 2020 – 2024	No implications	Not applicable	

<p>Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.</p>	<p>No implications</p>	<p>Not applicable</p>	<p>Not applicable</p>
<p>Plymouth is a city where people from different backgrounds get along well.</p>	<p>This housing provision will be parts of the community. They will be managed by Young Devon. People will live in them as their permanent homes and will become part of the local community. Young Devon will ensure they have a management plan for this housing provision</p>	<p>Community cohesion will be monitored by Young Devon</p>	<p>Ongoing, Andrew Moreman, CEO of Young Devon</p>

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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 – L06 23/24

Decision				
1	Title of decision: School Condition Summer Works Programme			
2	Decision maker: Councillor Tudor Evans OBE, Leader of the Council			
3	Report author and contact details: Ian Baker, T +441752307320, E ian.baker@plymouth.gov.uk			
4	Decision to be taken: <ol style="list-style-type: none"> To approve the Business Case; To delegate the awarding of contracts to the Service Director of Education, Participation and Skills where they would not have the authority to do so; Allocates the Condition Programme of £223,511.59 to the Capital Programme, financed by DfE School Condition Grant (90%) and Schools Contributions (10%); Allocates a further £200,000.00 to the Capital Programme, financed by DfE School Condition Grant for Emergency School Condition Works. 			
5	Reasons for decision: To carry out the proposed Programme of Summer Condition Works, removing / reducing the H & S issues to increase the life expectancy of the school building by reducing condition damage and making the schools watertight. The schools require maintenance which is sometimes unaffordable, as the LEA we are responsible for ensuring that the schools are maintained to a safe standard which ensure public, staff and students' health and safety, enabling them to work in appropriately maintained buildings.			
6	Alternative options considered and rejected: <p>Option 1 Do Nothing. This option was discounted for all sites because of the Health and Safety issues.</p> <p>Option 2 Close the school and transport children to other schools. This option was discounted because of the increased transport cost and the disruption in education this would cause for all pupils. It would also have an adverse effect on staff employed at the various sites.</p>			
7	Financial implications and risks: The funding for the proposed works is currently in the budget (and does not require capital borrowing) and is for maintaining the condition of the school premises. The risks of not undertaking the proposed works is that schools would have to close part of their buildings, leading to a loss of education for some pupils. Other risks are that the pupils, staff and general public would be at risk when using the buildings, potential health & safety risks.			
8	Is the decision a Key Decision?	Yes	No	Per the Constitution, a key decision

	(please contact Democratic Support for further advice)			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:	<p>Celebrate diversity and ensure that Plymouth is a welcoming city. The proposal supports the diversity of Plymouth, ensuring that all pupils, regardless of gender or disability have access to suitable buildings supporting a brilliant start in education:</p> <p>Supporting our workforce through the implementation of Our People Strategy 2020 – 2024. These proposals contribute to the right to all of our staff to deliver education in suitable premises.</p> <p>The proposal utilises the Education Condition funding from the DfE to ensure suitable facilities, reducing financial risk to the Council, with no Financial Borrowing.</p>		
10	Please specify any direct environmental implications of the decision (carbon impact)	<p>Well maintained buildings reduce the overall carbon emissions.</p> <p>Reduces energy usage and costs.</p> <p>Providing an environmentally friendly solution. Reducing pupil travel to outside city locations.</p>		
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	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee			

	name:	
	Print Name:	
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 Cresswell, Cabinet Member for Education, Skills and Apprenticeships
I3c	Date Cabinet member consulted	06 July 2023
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		If yes, please discuss with the Monitoring Officer
I5	Which Corporate Management Team member has been consulted?	Name Sharon Muldoon
		Job title Director of Children's Services
		Date consulted 06 July 2023
Sign-off		
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory) DS18 23/24
		Finance (mandatory) DJN23.24.64
		Legal (mandatory) iw/05.07.23/1941
		Human Resources (if applicable)
		Corporate property (if applicable)
		Procurement (if applicable)
Appendices		
I7	Ref.	Title of appendix
	A	Briefing report for publication
	B	Equalities Impact Assessment
	C	School Condition Business Case
Confidential/exempt information		
I8a	Do you need to include any	Yes <input type="checkbox"/> No <input type="checkbox"/>
		If yes, prepare a second, confidential ('Part II')

	confidential/exempt information?	No	<input checked="" type="checkbox"/>	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)				
		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 (2010) and those who do not. For further details please see the EIA attached.							
Signature			Date of decision	17/07/23				
Print Name	Cllr Tudor Evans OBE							

SCHOOL CONDITION WORKS

Education Participation & Skills



Please note, you are not required to use the headings below, they are suggested headings, and you can change/alter these depending on the content needed for your brief.

1. EXECUTIVE SUMMARY

PCC receives a Central Government Capital Grant each year, to support Major Works to the school estate, although this funding is limited and has to be strategically targeted at the worst elements of the Estate.

PCC do have legacy elements of the wider estate that are in need of repair and/or replacement of a specific element(s) of the Estate, although this is accurately prioritised/rated and will, going forward, form part of an annual maintenance programme funded by the Capital Grant.

PCC/EPS actively review the overall condition of the school estate and monitor triggers/threshold that could lead to a refurbishment or replacement of a specific element of a school, or in an extreme case, the school in its entirety school, however this will also be linked to suitability issues as well as condition and viability elements. All Condition Works identified then form elements of a package of works/Programme.

There are some elements of the Estate in need of major works or replacement and outside of their Life Expectancy or Obsolete, however PCC/EPS ensure that in these instances that there are no Health and Safety, Safeguarding, Wind and Watertight Issues. This ensures that there are no building with issues that would reasonably be expected to be unsafe, at risk of collapse or present an imminently danger to the users.

LA Schools are responsible for Minor Works and the general day to day maintenance of their estate, although PCC/EPS do offer ongoing support and guidance to these schools as required.

2. BACKGROUND

Previously between 2013 and 2015, works were carried out on a **'bid'** basis, however this was not without issues and the schools that 'shouted the loudest' often won out by engaging Councillors/MP's to pressure the LA on their behalf. In order to avoid this, the Condition Surveys and Reports were developed with the intent that works would be identified along with an estimated cost and that the data would make it possible to produce **1, 3 and 5** year maintenance plans which PCC could monitor. Some of the works needs to be sequential and phased. This was however based on the premise that there was a blended approach by the Government which meant that potentially schools would be allowed to remain with the Local Authority and not be forced to transfer to Academy. In light of the Government White Paper, it may be unwise to formally draw up **3** and **5** year plans as this could be seen potentially as 'commitments' by the Authority to undertake future works on a school that may, in the intervening period, choose to become an Academy or been Academised.

After 2015, the only Condition Works that were carried were on a 'one off' basis for **Wind, Watertight, Safeguarding and H&S issues.**

We had **68** school at the outset of the current contract which was roughly **22** schools surveyed per year. We now have **18** schools in total, including the **4** PFI Schools (these are serviced as part of the PFI contract). **PFI** will have no maintenance costs until the end of the concession (roughly 11 years left). This only leaves **14** Schools that we are currently required to survey. The present number (**14**) breaks down to approximately 5 schools surveyed per year.

Quantifying the Condition and Liabilities of the Current Estate

EPS have developed a data base containing the RAG Rated individual survey reports that records all of the current estate condition reports.

There are two tables attached in the Appendices. The following data is extracted from the Master Condition spread sheet and narratives have been added to explain the various permutations of the data that explain the condition elements and the indicative basic estimated costs, excluding Design and Professional fees, any Enabling Works Scaffolding, legal, planning, professional, building control, project management etc. and Inflation. The costs identified are basic costs, excluding any associated costs such as it should be noted that Condition funding only became available during the Pandemic. The Pandemic severely curtailed both the surveyor's ability to survey and PCC's ability to draw up and deliver achievable programmes of work. We have to remember that lock downs and restrictions were still in place at the beginning of this year and there are still material and contractor shortages that are still causing delays and inflating prices, although this is outside of our control. We did however, deal with a significant asbestos issue at Lipson Vale and boiler replacement at Longcause throughout the lockdowns. Surveys which are currently 2 or 3 years old may have already had some of the issues addressed directly by the schools. The surveys are all visual, none intrusive. This can for example mean that a Facia or Soffit may be identified in the survey, however on removal this could necessitate the replacement of other components such as joists or joist ends, which could be considerably more than the original works. No account for asbestos is factored in. Issues not addresses by the school will continue to deteriorate.

Condition Funding is not intended to replace or undertake maintenance of a routine nature that the schools would be expected to undertake as part of a planned preventative maintenance programme of works, this would include cyclical and annual routine lifecycle replacements and procedures.

3. FINANCIAL IMPLICATIONS AND RISK – School Condition

3.1. The table below shows the overall school property condition rating and has then been RAG rated based on the overall condition of the schools constituent components.

			Total Amount
			£ 2,979,232.75
School	Status	Overall Property Score	Total Cost of ALL Works
Compton	Voluntary Controlled	B	£ 211,500.00
Mill Ford	Community	D	£ 582,976.00
Mary Deans	Voluntary Controlled	B	£ 284,650.00
Ham Drive Nursery	Community	C	£ 88,900.00
Laira Green	Community	A	£ 122,950.00
Longcause	Community	B	£ 135,550.00
Plym Bridge Nursery	Community	B	£ 46,100.00
Pennycross	Community	B	£ 107,000.00
Yealmpstone Farm	Community	B	£ 192,500.00
Brook Green	Community	A	£ 39,550.00
College Road	Trust	C	£ 589,400.00
Lipson Vale	Community	B	£ 235,950.00
St Andrews CE	Voluntary Aided	B	£ 73,500.00
Cann Bridge	Community	A	£ 30,050.00

From the previous table, the following schools have condition elements which need to be urgently addressed in the 2023 school holiday period, in advance of the winter months. The Business Case addresses these issues.

School	Condition Business Case 2023	Indicative Cost	Contingency	
			11%	Total
Cann Bridge	Hydrotherapy Pool	£ 42,500.00	£ 4,675.00	£ 47,175.00
Laira Green	Floors - Foundation Classroom	£ 15,972.00	£ 1,756.92	£ 17,728.92
Laira Green	Floors - Kitchen	£ 8,552.00	£ 940.72	£ 9,492.72
Longcause	Lift	£ 36,995.00	£ 4,069.45	£ 41,064.45
Mary Dean's	Roof	£ 34,330.35	£ 3,776.34	£ 38,106.69
Yealmpstone F	Boiler	£ 48,325.14	£ 5,315.77	£ 53,640.91
Yealmpstone F	Roof	£ 14,687.30	£ 1,615.60	£ 16,302.90
Total		£ 201,361.79	£ 22,149.80	£ 223,511.59

Failure to address the above school condition elements could lead to full or partial school closures due to health and safety issues which impact on the welfare of staff and pupils.

It is proposed that the schools will pay a percentage of the quoted indicative costs, based on a sliding scale to keep it affordable (see Business Case for a detailed breakdown). The table below indicates a 10% school contribution which would be deducted from the project payment once the works have been invoiced and paid, if the proposed model is approved.

School	Condition Business Case 2023	School Contrib
		10%
Cann Bridge	Hydrotherapy Pool	£ 4,250.00
Laira Green	Floors (Kitchen & Foundation)	£ 2,452.40
Longcause	Lift	£ 3,699.50
Mary Dean's	Roof	£ 3,433.04
Yealmpstone F	Boiler	£ 4,832.51
Yealmpstone F	Roof	£ 1,468.73
Total		£ 20,136.18

4. TIMESCALES

It is suggested that the schools condition works are now carried out as individual 1 year programme of works as opposed to individual projects with a reactive maintenance budget of £200k in reserve to deal with any major incidents or failures which are currently unforeseeable. This allows for fluctuations in costs or scope of the works to be adjusted as necessary without the repeated need to seek additional approvals.

Approval of the proposed Condition Works identified to be carried out in summer 2023 and the associated reactive maintenance budget to deal with urgent/emergency health safety wind and watertight building issues.

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CAPITAL INVESTMENT BUSINESS CASE

Schools Condition Works Programme



EXECUTIVE SUMMARY

The Executive Summary is a short summary of the Business Case and should be the last section you complete, this will enable you to extract or only the key facts from relevant sections i.e. 'project on a page'. The summary is a 'snapshot' of the business case which will need to tell the story and sell the proposal.

key notes

Plymouth City Council receives a Central Government Capital Grant each year from the Department for Education, to support Major Works to the school estate, although this funding is limited and has to be strategically targeted at the worst elements of the School Estate.

Plymouth City Council have legacy and future elements within the wider estate that are in need of repair and/or replacement, although this is accurately prioritised/rated and will, going forward, form part of an annual yearly maintenance programme funded by the Capital Grant.

Plymouth City Council/Education Participation & Skills actively review the overall condition of the school estate and monitor triggers/thresholds that could lead to a refurbishment or replacement of a specific element of a school, or in an extreme case, the school in its entirety, however this will also be linked to suitability issues, as well as condition and viability elements. All Condition Works identified then form elements of a package of works/Programme.

There are elements of the Estate in need of major works, or replacement and or outside of their Life Expectancy/Obsolete, however PCC/EPS ensure that in these instances that there are no Health and Safety, Safeguarding, Wind and Watertight Issues. This ensures that there are no buildings with issues that would reasonably be expected to be unsafe, at risk of collapse, or present an imminently danger to the users or public.

LA Schools are responsible for Minor Works and the general day to day maintenance of their estate, although PCC/EPS do offer ongoing support and guidance to these schools as required.

The pandemic, together with shortages of certain trades and materials in the area disrupted our ability to deliver structured work programmes. However, the schools have Delegated Authority over their budgets and, as such, should therefore manage their basic estate maintenance through their own planned programmes of works.

During the period from 2010-2015 PCC operated a Condition Bid process, however from 2015 to the present day, due to the Recession and Austerity measures PCC/EPS were forced to adopt an Estate Management Policy of only addressing Wind, Water Tight, Heating or Health and Safety/Safeguarding issues. This was undertaken by way of individual Business Cases and was only able to address major component failure(s) that the school could not afford to address from their own maintenance/devolved budget(s). The Policy was intended to keep the schools operational. During this period a significant number of maintained schools have transferred to Academies. Currently PCC/EPS has 18 maintained schools remaining, however some of these are currently undergoing, or investigating, an academisation options for themselves. This process for managing urgent defects/issues was slow and cumbersome and often ineffective when trying to respond to urgent issues.

Where Condition Works are deemed necessary, EPS will assist the schools in obtaining the necessary quotes, evaluate the quotations received and the appointment of the contractor. EPS will monitor and evaluate the ongoing works as required, will sign off the works on completion.

Larger project may have to go to Tender, although none in this year's batch reach the de-minimis to go out to tender.

Approval is now sought for funding to carry out urgent Health and Safety/condition works on the following schools:

Establishment Number	Establishment Name	Type Of Establishment (name)	School Capacity	Number Of Pupils	Administrative Ward (name)
7063	Cann Bridge School	Community special school	92	93	Moor View
2640	Laira Green Primary School	Community school	315	262	Efford and Lipson
7068	Longcause Community Special School	Community special school	116	116	Plympton Erle
3161	Mary Dean's CofE Primary School	Voluntary controlled school	350	334	Southway
2707	Yealmpstone Farm Primary School	Community school	240	221	Plympton Erle

This Business Case will concentrate on the following schools, all of which have costly condition works which need to be resolved in order to maintain the schools as operational.

School	Condition Business Case 2023	Indicative Costs	11%	Total
Cann Bridge	Hydrotherapy Pool Floors (Kitchen & Foundation)	£ 42,500.00	£ 4,675.00	£ 47,175.00
Laira Green	Lift	£ 24,524.00	£ 2,697.64	£ 27,221.64
Longcause	Roof	£ 36,995.00	£ 4,069.45	£ 41,064.45
Mary Dean's	Boiler	£ 34,330.35	£ 3,776.34	£ 38,106.69
Yealmpstone Farm	Roof	£ 48,325.14	£ 5,315.77	£ 53,640.91
Yealmpstone Farm	Roof	£ 14,687.30	£ 1,615.60	£ 16,302.90
Total		£ 201,361.79	£ 22,149.80	£ 223,511.59

key risks

The residual risks are :-

- Partial/full closure of a school premises, if no actions are taken.
- Potential claims due to accidents or ill health, if no actions are taken.
- Timing, the programme of works needs to be carried out where possible during the major 6 week school closure period to avoid major disruption and health and safety issues.
- Failure to achieve the above could leave pupils without a safe or adequate learning environment.
- Time is required to obtain quotations and award works to various contractors during their major busy period on various sites.
- We are still feeling the impacts of Covid on manufacturing along with cost inflation and uncertainties associated to the economy. Due to the markets there is cost uncertainty and only when orders are placed will the final outturn costs be fully confirmed.

- Two schools (Mary Dean and Laira Green) included in the programme are now indicating they intend to transfer post September 2023. They have however made EPS aware of major component failure that would be Summer Works, prior to notification of the intention to transfer and thus it is arguably works that we would have to undertake as part of the transfer and is thus included in the programme of works process. Mary Dean is transferring under its own volition, however Laira Green is forced transfer due to a poor Ofsted.

SECTION I: PROJECT DETAIL

Project Value (indicate capital or revenue)	£223,511.59	Contingency (show as £ and % of project value)	£22,149.80 (11%)
	Condition Funding (capital) + £200,000.00 for Reactive Works (no contingency)		
Programme	Condition Works Programme at identified Schools	Directorate	Childrens Services
Portfolio Holder	Cllr Sally Cresswell	Service Director	Annie Gammon
Senior Responsible Officer (client)	Amanda Paddison	Project Manager	Ian Baker
Address and Post Code	Various	Ward	Citywide

Current Situation: *(Provide a brief, concise paragraph outlining the current situation and explain the current business need, problem, opportunity or change of circumstances that needs to be resolved)*

It is proposed, in order to deal with the condition issues at the maintained schools identified, that a programme is utilised in order to facilitate the undertaking and completion of the various works at multiple locations, together with any associated works, in order to remove the most serious condition elements.

EPS (School Investment & Organisational Manager) will oversee the programme of works as the Client. Monitoring the Quality and Cost during the lifetime of the various school projects and overseeing the delivery of the projects to the expected standards contained within the Programme of works.

The schools will raise the necessary orders and will only be reimbursed, in full, following full and satisfactory completion of the works, which will be approved by EPS on completion. The schools will be responsible for providing all financial information requests throughout the project and any subsequent queries that may arise post contract.

The schools for the proposed programme of works currently are:-

School	Condition Business Case 2023
Cann Bridge	Hydrotherapy Pool
Laira Green	Floors (Kitchen & Foundation)
Longcause	Lift
Mary Dean's	Roof
Yealmpstone Farm	Boiler
Yealmpstone Farm	Roof

The cost of not doing anything to reduce the poor condition elements of the estate could potentially lead to partial, or whole school closure(s), due to Health and Safety or Safeguarding issues.

Condition works:

It is proposed that the individual school projects identified above are carried out as part of a phased Programme of Works, making full use of the long school breaks to accomplish the works whilst minimising the disruption to the operation of the schools.

Proposal: *(Provide a brief, concise paragraph outlining your scheme and explain how the business proposal will address the current situation above or take advantage of the business opportunity) and (What would happen if we didn't proceed with this scheme?)*

The proposal addresses the 2023/2024 School Condition Work(s) related elements.

If the programme doesn't proceed, this will lead to Health and Safety and Safeguarding issues due to the schools being either severely dilapidated or potentially unsafe in operation, alongside any safeguarding concerns that this may present or manifest.

Condition Element: The proposed programme of works aims to remove the greatest dilapidations currently within the maintained school estate as identified for 2023/2024.

The Condition Budget currently has circa £1.9m available.

The proposed Programme of Works would provide the basic minimum standard expected for the safe and effective operation of the schools.

The schools will all need to function alongside building works on the site, making the programme of works being carried out during the summer break the most suitable solution. The Client and EPS, School Investment & Organisational Manager, will work closely with the Senior Management Team of the schools to ensure that all works and operations are managed and supervised accordingly. The day to day running of the school would not be adversely affected and the project team(s) would make full use of holiday periods to carry out the majority of the works required.

The approval of this Business Case will allow the Condition works to be completed as a Programme of Works for the aforementioned projects, during the 2023 summer holiday period.

EPS (School Investment & Organisational Manager) have reviewed and evaluated the quotations from the various contractors.

It is further proposed that we include a reserve sum for 'Reactive Maintenance' of £200K, this would be delegated to the Service Director and would be used to deal with significant condition elements as they arise. This will allow EPS to react to critical incidents without the delay, for instance a boiler failure, damaged roof, collapsed sewer, flood, alarm or services failure etc. This would then allow EPS to react as necessary and resolve/mitigate the issue in a timely manner.

This would mean that PCC/EPS have the ability to deliver a Planned Programme of Summer Works and also be able to deal with Reactive Condition Works.

Condition Surveys have been carried out on the various sites to identify the extent of the issue. Surveyors, and PCC representatives and contractors have visited the sites to complete evaluations of the works required and to provide technical guidance and quotations for the works.

Option 1

Do Nothing. This option was discounted for all sites because of the Health and Safety issues or the potential closure of parts or all of a school building.

Option 2

Close the school or part of the school and transport children to other schools. This option was discounted because of the increased transport cost and the disruption in education this would cause for all pupils. Further the places are unlikely to be available.

Option 3,

(Preferred Option).

Carry out the proposed Programme of Summer Condition Works, removing / reducing the H & S issues to increase the life expectancy of the school building by reducing condition damage and making the schools watertight Allow a further sum of £200K for Reactive Maintenance as and when critical issues occur.

If the Planned projects are carried out or commenced during the school holidays, this eliminates or reduces disruption to pupils and parents whilst enabling the various contractors to have full site access to carry out works and ensuring materials could be delivered and stored safely on the school grounds, minimising the impact on the local community.

Milestones and Date:

Contract Award Date	Start On Site Date	Completion Date
Order's to be raised as soon as possible to secure work slots with various contractors	Mid July 2023	Initially Phased for September 2023 (programme)

SECTION 2: PROJECT RISK, OUTCOMES AND BENEFITS

Risk Register: *The Risk Register/Risk Log is a master document created during the early stages of a project. It includes information about each identified risk, level of risk, who owns it and what measures are in place to mitigate the risks (cut and paste more boxes if required).*

Potential Risks Identified		Likelihood	Impact	Overall Rating
Risk	Failure to provide safe teaching and learning environment.	High	High	High
Mitigation	Undertake programme of works as described.	Low	Low	Low
Calculated risk value in £ (Extent of financial risk)	£ Unlimited		An accident, injury or Occupational Health claim, associated to a Health & Safety incident, can be unlimited. Loss of reputation within the City.	

Outcomes and Benefits

List the outcomes and benefits expected from this project.

*(An **outcome** is the result of the change derived from using the project's deliverables. This section should describe the anticipated outcome)*

*(A **benefit** is the measurable improvement resulting from an outcome that is perceived as an advantage. Benefits are the expected value to be delivered by the project, measurable whenever possible)*

Financial outcomes and benefits:

Non-financial outcomes and benefits:

<ul style="list-style-type: none"> • Schools remain operational (and Fit for Purpose), without the school or PCC incurring any negative publicity or incurring costs for temporary accommodation due to partial or full school closures for health and safety / safeguarding issues. • Assets are maintained to a good standard, benefiting staff, pupils and the local community. • Proper maintenance can prevent further issues from developing while maintaining buildings in good condition can help save money on repairs. 	<ul style="list-style-type: none"> • Schools remain operational without the school or PCC incurring any negative publicity due to Health and Safety and or Safeguarding issues. • Schools, including staff and pupils safety has been maintained • The school condition improved, providing better working and learning environments. • Poorly maintained schools are not popular with pupils, parents or teachers and can affect Health, Safeguarding and Wellbeing, thus pupil numbers and School Condition are inextricably linked • The maintenance of a school building is essential for the environment. Assisting to keep the building healthy and functioning properly, while also reducing environmental impact. • The LA has a statutory duty to provide pupil places and to maintain school buildings. • The LA has a statutory duty of care for the health, safety and wellbeing for staff, pupils and the general public. • If PCC decides not to proceed there could be a significant accident or incident which could either lead to; <ul style="list-style-type: none"> • potential prosecution, • negative press and loss of reputation, • personal loss or injury, risk of fatality • Address health and Safety condition issues at the existing school • Reduces maintenance costs for the school • Prevent further building deterioration caused by water ingress and causing internal damage • Improve the safety of the school building users by eliminating known hazards • Prevent school closure due to health and safety risks identified above if inspected by a Health & Safety Officer (HSO).
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Low Carbon	
What is the anticipated impact of the proposal on carbon emissions	Compliance with all Building Regulations and ACOPS. It is an environmentally friendly solution as well maintained buildings reduce the overall carbon emissions and reduces overall energy consumption.
How does it contribute to the Council becoming Carbon neutral by 2030	If sustainability and environmental elements are added to units this promotes further carbon savings and works towards carbon neutrality.

	Carrying out condition works on schools will improve the overall energy efficiency of the existing buildings by replacing old systems with more energy-efficient ones, such as better boilers. Responsible condition works also means that occupants will use less energy day-to-day, but it also means more embodied carbon as more material is added to the building and older dilapidated and inefficient systems are updated. These improvements can extend the lifespan of the building and so they help avoid the embodied carbon needed to replace an old building with a new one.
Have you engaged with Procurement Service?	No
Procurement route options considered for goods, services or works	N/A
Procurements Recommended route.	N/A
Who is your Procurement Lead?	N/A
Is this business case a purchase of a commercial property	No
If yes then provide evidence to show that it is not 'primarily for yield'	N/A
Which Members have you engaged with and how have they been consulted (<i>including the Leader, Portfolio Holders and Ward Members</i>)	Service Director for Education, Head of Services for EPS and SEND have consulted with Portfolio Holder for Education

SECTION 4: FINANCIAL ASSESSMENT

FINANCIAL ASSESSMENT: *In this section the robustness of the proposals should be set out in financial terms. The Project Manager will need to work closely with the capital and revenue finance teams to ensure that these sections demonstrate the affordability of the proposals to the Council as a whole. Exact amounts only throughout the paper - not to be rounded.*

CAPITAL COSTS AND FINANCING

Breakdown of project costs including fees surveys and contingency	Prev. Yr.	23/24	24/25	25/26	26/27	27/28	Future Yrs.	Total
	£	£	£	£	£	£	£	£
Capital (DfE Condition Funding Grant.) (90% of indicative costs)			181,225.61					
Schools Contribution (10% of indicative costs)			20,136.18					
Contingency including design, survey and fees (DfE Condition Funding Grant.) (11% of total indicative costs)			22,149.80 (Does not include Reactive Maintenance element)					

Reactive Condition Maintenance			200,000					
Total capital spend Capital (DfE Condition Funding Grant.)			423,511.59					

Provide details of proposed funding: Funding to match with Project Value								
Breakdown of proposed funding	Prev. Yr. £	23/24 £	24/25 £	25/26 £	26/27 £	27/28 £	Future Yrs. £	Total £
DfE Condition Funding Grant.			403,375.41					
School Contribution			20,136.18					
Total funding			423,511.59					

Which external funding sources have been explored	<p>Allocated funding from School Condition Funding Budget to carry out the works.</p> <p>It is proposed that schools contribute to the costs of the condition works on a sliding scale, as identified below:</p> <p>The proposed school contributions are based on a sliding scale:- For projects up to £100K Requires a 10% School's contribution up to the £100k threshold. Equals a contribution of £100 per thousand. Making the schools maximum contribution £10K</p> <p>Example:- A £50K project would require schools contribution of £5,000</p> <p>For projects over £100K up to £250K Requires a 10% School's contribution for the initial £100K = £10k (as above) plus an additional 5% contribution of £50 per thousand from £100k to £250k. Making the schools maximum contribution £17.5K</p> <p>Example:- A £175K project would require schools contribution of £13,750</p> <p>For projects in excess of £250k Requires a 10% School's contribution for the initial £100K = £10k plus the additional 5% contribution of £50 per thousand from £100k to £250k = £17.5K (as above) plus a further 2.5% contribution of £25 per thousand over £250K</p> <p>Example 1:- A £275K project would require schools contribution of £18,125</p> <p>Example 2:- A £350K project would require schools contribution of £20,000</p>
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	<p>A review of each school previous 5 year capital spend prior to works being agreed / carried out in order to ensure they have been carrying out a maintenance Programme and committing their maintenance budget.</p> <p>A minimum project value of £10,000 must be exceeded before a project is considered for a condition project and it must be a major component/element failure not decorative or cosmetic. Condition projects are also not for improvement, expansion or Capital works. Only in exceptional cases will lower values be considered and must be approved by the Head of Service and Service Director. The schools contribution is to be recovered post works (deducted from the final payment to the school) and added back into Condition Budget for future years, works programmes.</p> <table border="1"> <thead> <tr> <th>School</th> <th>Condition Business Case 2023</th> <th>School Contribution 10%</th> </tr> </thead> <tbody> <tr> <td>Cann Bridge</td> <td>Hydrotherapy Pool</td> <td>£ 4,250.00</td> </tr> <tr> <td>Laira Green</td> <td>Floors (Kitchen & Foundation)</td> <td>£ 2,452.40</td> </tr> <tr> <td>Longcause</td> <td>Lift</td> <td>£ 3,699.50</td> </tr> <tr> <td>Mary Dean's Yealmpstone</td> <td>Roof</td> <td>£ 3,433.04</td> </tr> <tr> <td>Farm Yealmpstone</td> <td>Boiler</td> <td>£ 4,832.51</td> </tr> <tr> <td>Farm</td> <td>Roof</td> <td>£ 1,468.73</td> </tr> <tr> <td>Total</td> <td></td> <td>£ 20,136.18</td> </tr> </tbody> </table>	School	Condition Business Case 2023	School Contribution 10%	Cann Bridge	Hydrotherapy Pool	£ 4,250.00	Laira Green	Floors (Kitchen & Foundation)	£ 2,452.40	Longcause	Lift	£ 3,699.50	Mary Dean's Yealmpstone	Roof	£ 3,433.04	Farm Yealmpstone	Boiler	£ 4,832.51	Farm	Roof	£ 1,468.73	Total		£ 20,136.18
School	Condition Business Case 2023	School Contribution 10%																							
Cann Bridge	Hydrotherapy Pool	£ 4,250.00																							
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Farm Yealmpstone	Boiler	£ 4,832.51																							
Farm	Roof	£ 1,468.73																							
Total		£ 20,136.18																							
Are there any bidding constraints and/or any restrictions or conditions attached to your funding	Condition funding is provided annually by the DfE for the maintenance of the maintained school buildings. Academy schools are funded directly by the ESFA for their condition works and therefore are not eligible to be funded by PCC. There are no bidding constraints attached to this funding.																								
Tax and VAT implications	<p>VAT Implications</p> <p>The project relates to urgent Health and Safety/Condition works on a number of primary and special schools. Since the provision of statutory education is a non-business activity of the Council, the VAT incurred on the project will be fully recoverable and there will be no adverse impact on the Council's partial exemption position.</p>																								
Tax and VAT reviewed by	Sarah Scott (Service Accountant, Finance)																								

REVENUE COSTS AND IMPLICATIONS

Cost of Developing the Capital Project (To be incurred at risk to Service area)

Total Cost of developing the project	N/A
Revenue cost code for the development costs	N/A

Revenue costs incurred for developing the project are to be included in the capital total, some of the expenditure could be capitalised if it meets the criteria	N/A
Budget Managers Name	Amanda Paddison (Head of SEND Services) v

Ongoing Revenue Implications for Service Area							
	Prev. Yr. £	23/24 £	24/25 £	25/26 £	26/27 £	27/28 £	Future Yrs. £
Service area revenue cost							
Other (eg: maintenance, utilities, etc)		0	0	0	0	0	0
Loan repayment (terms agreed with Treasury Management)		0	0	0	0	0	0
Total Revenue Cost (A)		0	0	0	0	0	0
Service area revenue benefits/savings							
Annual revenue income (eg: rents, etc)		0	0	0	0	0	0
Total Revenue Income (B)		0	0	0	0	0	0
Service area net (benefit) cost (B-A)		0	0	0	0	0	0
Has the revenue cost been budgeted for or would this make a revenue pressure	N/A						
Which cost centre would the revenue pressure be shown					Has this been reviewed by the budget manager	Y/N	
Name of budget manager	Amanda Paddison(Head of SEND Services)						
Loan value	£0	Interest Rate	%	Term Years		Annual Repayment	£
Revenue code for annual repayments	N/A						
Service area or corporate borrowing	N/A						
Revenue implications reviewed by	Louise Jenkins (Lead Accountancy Manager)						

Version Control: (The version control table must be updated and signed off each time a change is made to the document to provide an audit trail for the revision and update of draft and final versions)


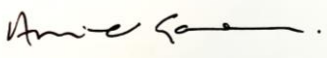
Author of Business Case	Date	Document Version	Reviewed By	Date
Ian Baker (School Investment & Organisational Manager)	22/05/2023	2	S.Scott	24/05/2023
Ian Baker (School Investment & Organisational Manager)	05/06/2023	3	A.Selvester, L.Jenkins,	13/06/2023 16/06/2023
Ian Baker (School Investment & Organisational Manager)	20/06/2023	4		

SECTION 6: RECOMMENDATION AND ENDORSEMENT

Recommended Decision

It is recommended that the Leader of the Council:

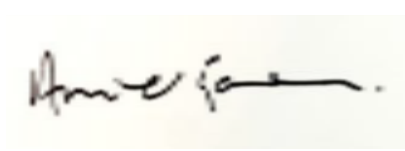
- Approves the Business Case
- To delegate the awarding of contracts to the Service Director for Education, Participation and Skills where they would not have the authority to do so;
- Allocates the Condition Programme of £223,511.59 to the Capital Programme, financed by DfE School Condition Grant (90%) and Schools Contributions (10%);
- Allocates a further £200,000.00 to the Capital Programme, financed by DfE School Condition Grant for Emergency School Condition Works.

[Name, Portfolio]		Service Director	
Either email dated:	date	Either email dated:	
Or signed:		Signed:	
Date:	17 July 2023	Date:	11/07/2023

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EQUALITY IMPACT ASSESSMENT – SCHOOL CONDITION WORKS

SECTION ONE: INFORMATION ABOUT THE PROPOSAL

Author(s): This is the person completing the EIA template.	Ian Baker	Department and service:	Education, Participation & Skills	Date of assessment:	05/06/23
Lead Officer: Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	Annie Gammon	Signature:		Approval date:	07/07/2023
Overview:	To carry out the proposed Programme of Summer Condition Works, removing / reducing the H & S issues to increase the life expectancy of the school building by reducing condition damage and making the schools watertight. The schools require maintenance which is sometimes unaffordable, as the LEA we are responsible for ensuring that the schools are maintained to a safe standard which ensure public, staff and students health and safety, enabling them to work in appropriately maintained buildings.				
Decision required:	To approve the School Condition Business Case, Executive Decision and award Delegated Authority to Annie Gammon to approve the various contractors for the Schools Condition Summer Works Programme.				

SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL

Potential external impacts: Does the proposal have the potential to negatively impact service users, communities or residents with protected characteristics?	Yes		No	x
Potential internal impacts: Does the proposal have the potential to negatively impact Plymouth City Council employees?	Yes		No	x

Is a full Equality Impact Assessment required? (if you have answered yes to either of the questions above then a full impact assessment is required and you must complete section three)	Yes		No	x
If you do not agree that a full equality impact assessment is required, please set out your justification for why not.	Due to the nature of the project, no adverse impacts are anticipated.			

SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT

Protected characteristics (Equality Act, 2010)	Evidence and information (e.g. data and consultation feedback)	Adverse impact	Mitigation activities	Timescale and responsible department
Age	<p>Plymouth</p> <ul style="list-style-type: none"> • 16.4 per cent of people in Plymouth are children aged under 15. • 65.1 per cent are adults aged 15 to 64. • 18.5 percent are adults aged 65 and over. • 2.4 percent of the resident population are 85 and over. <p>South West</p> <ul style="list-style-type: none"> • 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64. • 22.3 per cent are aged 65 and over. <p>England</p> <ul style="list-style-type: none"> • 17.4 per cent of people are aged 0 to 14. 	No adverse impact anticipated.	Not Applicable	Not Applicable

	<ul style="list-style-type: none"> • 64.2 per cent of people are aged 15 to 64. • 18.4 per cent of people are aged 65 and over. <p>(2021 Census)</p>			
<p>Care experienced individuals (Note that as per the Independent Review of Children’s Social Care recommendations, Plymouth City Council is treating care experience as though it is a protected characteristic).</p>	<p>It is estimated that 26 per cent of the homeless population in the UK have care experience. In Plymouth there are currently 7 per cent of care leavers open to the service (6 per cent aged 18-20 and 12 per cent of those aged 21+) who are in unsuitable accommodation.</p> <p>The Care Review reported that 41 per cent of 19-21 year old care leavers are not in education, employment or training (NEET) compared to 12 per cent of all other young people in the same age group.</p> <p>In Plymouth there are currently 50 per cent of care leavers aged 18-21 Not in Education Training or Employment (54 per cent of all those care leavers aged 18-24 who are open to the service).</p> <p>There are currently 195 care leavers aged 18 to 20 (statutory service) and 58 aged 21 to 24 (extended offer). There are more care leavers aged 21 to 24 who could return for support from services if they wished to.</p>	<p>No adverse impact anticipated.</p>	<p>Not Applicable</p>	<p>Not Applicable</p>
<p>Disability</p>	<p>9.4 per cent of residents in Plymouth have their activities limited ‘a lot’ because of a physical or mental health problem.</p> <p>12.2 per cent of residents in Plymouth have their activities limited ‘a little’ because of a</p>	<p>No adverse impact anticipated.</p>	<p>Not Applicable</p>	<p>Not Applicable</p>

	physical or mental health problem (2021 Census)			
Gender reassignment	0.5 per cent of residents in Plymouth have a gender identity that is different from their sex registered at birth. 0.1 per cent of residents identify as a trans man, 0.1 per cent identify as non-binary and, 0.1 per cent identify as a trans women (2021 Census).	No adverse impact anticipated	Not Applicable	Not Applicable
Marriage and civil partnership	40.1 per cent of residents have never married and never registered a civil partnership. 10 per cent are divorced, 6 percent are widowed, with 2.5 per cent are separated but still married. 0.49 per cent of residents are, or were, married or in a civil partnerships of the same sex. 0.06 per cent of residents are in a civil partnerships with the opposite sex (2021 Census).	No adverse impact anticipated.	Not Applicable	Not Applicable
Pregnancy and maternity	The total fertility rate (TFR) for England was 1.62 children per woman in 2021. The total fertility rate (TFR) for Plymouth in 2021 was 1.5.	No adverse impact anticipated.	Not Applicable	Not Applicable
Race	In 2021, 94.9 per cent of Plymouth's population identified their ethnicity as White, 2.3 per cent as Asian and 1.1 per cent as Black (2021 Census) People with a mixed ethnic background comprised 1.8 per cent of the population. 1 per cent of the population use a different term to describe their ethnicity (2021 Census) 92.7 per cent of residents speak English as their main language. 2021 Census data shows that after English, Polish, Romanian, Chinese,	No adverse impact anticipated.	Not Applicable	Not Applicable

	Portuguese, and Arabic are the most spoken languages in Plymouth (2021 Census).			
Religion or belief	48.9 per cent of the Plymouth population stated they had no religion. 42.5 per cent of the population identified as Christian (2021 Census). Those who identified as Muslim account for 1.3 per cent of Plymouth’s population while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2021 Census).	No adverse impact anticipated.	Not Applicable	Not Applicable
Sex	51 per cent of our population are women and 49 per cent are men (2021 Census).	No adverse impact anticipated.	Not Applicable	Not Applicable
Sexual orientation	88.95 per cent of residents aged 16 years and over in Plymouth describe their sexual orientation as straight or heterosexual. 2.06 per cent describe their sexuality as bisexual, 1.97 per cent of people describe their sexual orientation as gay or lesbian. 0.42 per cent of residents describe their sexual orientation using a different term (2021 Census).	No adverse impact anticipated.	Not Applicable	Not Applicable

SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
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	No adverse impacts are anticipated. These proposals contribute to the right to an education in suitable premises.	The project will be managed by PCC at the end of the current 2023-24 academic years.	2023-24 academic years.
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SECTION FIVE: OUR EQUALITY OBJECTIVES

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
Celebrate diversity and ensure that Plymouth is a welcoming city.	The proposal supports the diversity of Plymouth, ensuring that all pupils, regardless of gender or disability have access to suitable buildings supporting a brilliant start in education: - People should be able to access opportunity whatever their circumstances - Things that make the biggest difference to people's lives should get priority when deciding where limited resources go - Preventing inequalities is more effective than trying to eliminate them - Services should be provided 'with' people, not 'for' them.	We provide parents, staff and governors at the schools, local residents and other stakeholders with the opportunity to participate in the decision making on the proposals, and provide children with improved facilities that will promote diversity and independence and reduce social inequality.	The project will be managed by PCC at the end of the current 2023-24 academic years.
Pay equality for women, and staff with disabilities in our workforce.	These proposals contribute to the right to of our staff to deliver education in suitable premises	Provides improved facilities that ensure that staff, children and young people are safe and confident in their communities, by providing suitable education accommodations	The project will be managed by PCC at the end of the current 2023-24 academic years.
Supporting our workforce through the implementation of Our People Strategy 2020 – 2024	No implications	Not Applicable	Not Applicable
Supporting victims of hate crime so they feel confident to report incidents, and working with, and	No implications	Not Applicable	Not Applicable

<p>through our partner organisations to achieve positive outcomes.</p>			
<p>Plymouth is a city where people from different backgrounds get along well.</p>	<p>The schools maintain good links with their communities, going out into the community and bringing the community in. The schools have a warm and friendly family atmosphere, where dedicated staff; governors and parents provide a stimulating and challenging learning environment which helps pupils thrive; everyone is respected and works in partnership with each other.</p>	<p>Provides improved facilities that ensure that staff, children and young people are safe and confident in their communities, by providing suitable education accommodations.</p>	<p>The project will be managed by PCC at the end of the current 2023-24 academic years.</p>

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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 – SPT02 23/24

Decision				
1	Title of decisions: THE CITY OF PLYMOUTH (TRAFFIC REGULATION ORDERS) (AMENDMENT ORDER NO. 2023.2137300 – MILLBAY & FERRY ROAD) ORDER			
2	Decision maker: Councillor Mark Coker, Cabinet Member for Strategic Planning and Transport			
3	Report author and contact details: Amy Neale, Senior Traffic Management Technician, email: trafficmanagementinbox@plymouth.gov.uk			
4	<p>Decision to be taken:</p> <p>To implement the following amendments to The City of Plymouth (Traffic Regulation and Street Parking Places) (Consolidation) Order 2004</p> <p>The effect of the order shall be add/amend to add/amend No Waiting At Any Time, Pay & Display, Limited Waiting & Limited Waiting except for Loading on lengths of the following roads:</p> <p>Millbay Road & Ferry Road (Brittany Ferries Access Road)</p> <p>As set out in the briefing report</p>			
5	Reasons for decision:			
	The Traffic Orders are required to allow for short stay parking and loading around a new shop for the community.			
6	Alternative options considered and rejected:			
	The alternative option would be to do nothing. This option was discounted on the basis that the changes are needed to support the local community.			
7	Financial implications and risks:			
	The Traffic Regulation Orders (TRO's) and associated works are being funded by The One Stop shop that is currently on Millbay Road.			
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
			x	

				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.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions			
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 Local Transport Plan (LTP) details the transport strategies and policies that the City Council has adopted and will be key in helping the city meet its Corporate Plan priorities, and growth agenda.	
10	Please specify any direct environmental implications of the decision (carbon impact)		n/a	
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	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	x	(If no go to section 14)

13b	Which other Cabinet member's portfolio is affected by the decision?			
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	x	
15	Which Corporate Management Team member has been consulted?	Name	Anthony Payne	
		Job title	Strategic Director for Place	
		Date consulted	06.06.2023	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS 10 23/24	
		Finance (mandatory)	DJN.23.24.40	
		Legal (mandatory)	LS/01748/JP/060 623.	
		Human Resources (if applicable)	N/A	
		Corporate property (if applicable)	N/A	
		Procurement (if applicable)	N/A	
Appendices				
17	Ref.	Title of appendix		
	A	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	x	
		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 I 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	11/07/2023			
Print Name	Councillor Mark Coker, Cabinet Member for Strategic Planning and Transport							



MILLBAY & FERRY ROAD

I. INTRODUCTION

This report seeks delegated authority to implement amendments to The City of Plymouth (Traffic Regulation and Street Parking Places) (Consolidation) Order 2004 in association with the Millbay & Ferry Road TRO.

2. TRAFFIC REGULATION ORDERS REQUIRED

2.1 The elements that need a Traffic Regulation Order are as follows:

No Waiting At Any Time

- (i) Ferry Road (Brittany Ferries Access Road), the north side from its junction with Millbay Road for a distance of 27 metres in a westerly direction
- (ii) Ferry Road (Brittany Ferries Access Road), the north side from a point 50 metres west of its junction with Millbay Road westwards for its entirety
- (vi) Ferry Road (Brittany Ferries Access Road), the south side for its entirety

Limited Waiting To 20 Minutes No Return for 2 Hours

Millbay Road, the south side from a point 27 metres west of its junction with Ferry Road (Brittany Ferries Access Road) for a distance of 17 metres in a westerly direction

Limited Waiting To 20 Minutes No Return for 2 Hours Except for Loading

Ferry Road (Brittany Ferries Access Road), the north side from a point 27 metres west of its junction with Millbay Road for a distance of 23 metres in a westerly direction

REVOCATIONS

Items to be revoked from:

THE CITY OF PLYMOUTH (TRAFFIC REGULATION AND STREET PARKING PLACES) (CONSOLIDATION) ORDER 2004

No Waiting At Any Time

Dockyards Access (Millbay Road), both sides, from the junction with Millbay Road to the junction with East Quay

Items to be revoked from:

THE CITY OF PLYMOUTH (TRAFFIC REGULATION ORDERS) (AMENDMENT ORDER NO. 2019.2137214 MILLBAY) ORDER 2019

Pay and Display Maximum Stay 3 Hours No Return Within 2 Hours to that zone boundary 9am-6pm Permit And Visitor Ticket Holders Are Exempt

Millbay Road, the south side, from a point 27 metres west of its junction with Brittany Ferries Access Road (Millbay Road) for a distance of 17 metres in a westerly direction

3. STATUTORY CONSULTATION

Proposals

The proposals for the Millbay & Ferry Road TRO were advertised on street, in the Herald and on the Plymouth City Council website on 22nd March 2023. Details of the proposals were sent to the Councillors representing the affected wards and statutory consultees on 17th March 2023.

There has been 1 representation received relating to the proposals included in the Traffic Regulation Order.

Consultation responses	Comments
<p>I write to express my objections in part to the above proposal, I object to the removal of the residents parking in the layby outside of number 43 Millbay road.</p> <p>These are the only residents parking places available close to number 43 on the same side of the road. And they are utilised by the residents of number 43, not all residents of this property have an allocated space, and even though we pay yearly for a residents parking permit, parking is already at a premium in our area (I have on numerous occasions had to use a nearby pay and display car park to park near my own home), I put this down to the provision of 3 hours of free city centre parking, the lack of overnight restrictions and the close proximity of Millbay Academy, it is impossible to park near my house between the hours of 1500 and 1600. And the amount of people double parking, parking on double yellow lines and even parking on zig zag lines leads me to believe that the 20 minute waiting period is futile, especially as parking is rarely enforced in this area.</p> <p>Quite often I have to unload heavy items from my car and carry them to my home, as do other residents of number 43 I worry that this will become dangerous for us if these spaces become utilised as shop parking spaces. I am in possession of the official speed monitoring statistics for Millbay road, from 2019-2021 and I worry that somebody will be hurt unloading things from their car and carrying them across the road. Particularly as nothing seems to have been done about the constant speeding. I also worry about my wife potentially having to park in Sawrey street late at night and walk home from there.</p> <p>I think that the creation of 5 space for the One Stop Shop is a little excessive. Especially when people can park on the east side of Phoenix Street for free and all along the East side of Bath Street or even in the 2 nearby pay and display car parks on Brunel Way and Bath Street. By all means the creation of three new spaces on Ferry Road is a sensible plan, but I feel if these spaces were</p>	<p>The Parking Bays outside the premises were originally installed as a loading bay and formed part of the planning approval for the premises and not as Residents Parking Bays. When the unit was unoccupied for an extended period the opportunity was taken to convert the bays into Residents Parking. When the unit was re-let the loading bay became a planning requirement again. However, as part of the development loading is now to be accommodated on Ferry Rd with customer parking, also a planning requirement, accommodated in the former loading bay and on Ferry Rd. The bays created on Ferry Rd are the maximum number that could be accommodated safely.</p> <p>The 20 min turnaround ensures that the bays should be available some of the time for residents needing to unload bulkier items and it is understood that residents already have access to a car park integral to the building. The residents parking bays also within the scheme on the northern side of Mill Bay Rd are available and the Pay and Display bays are also free to use for Residents Permit Holders without time limit including in Phoenix St. The Zone N Residents Parking area is not regarded as oversubscribed and there is usually ample parking available for residents in the residents bays or Pay and Display Bays from which they are exempt. Parking on Bath St is in the region of 200 yards away from the site and is tailored to service parking demand on Bath St itself ie Disabled parking, Drop off for the Hotel and EV Changing.</p> <p>In addition, significant investment in Crossing Facilities has been made at this location as part of a Road Safety Scheme in the last year and crossing Mill Bay Rd is not regarded as challenging in Road Safety terms.</p>

<p>perpendicular to Ferry Road rather than parallel and if the trees were slightly moved (you are replacing one anyway) then you could get all five of the required spaces on ferry road and leave the Millbay Road layby as it is.</p> <p>Please, I would urge you to consider all of the following before taking away the 2 safe spaces in Millbay road.</p> <ol style="list-style-type: none"> 1. Create 5 spaces instead of 3 on Ferry Road. 2. Remove the three hours free parking on the east side of Phoenix Street and put it to Residents Parking. 3. Place a caveat on the Millbay Road Layby of 20 minutes waiting but resident permit holders exempt. 4. Allow residents holding N permit to park in the Bath Street pay and display if necessary. <p>I feel that One Stop knew of the parking arrangements in the area when they took on the lease, and I feel that in this case the residents who are paying (the incorrectly banded) council tax, should take priority over the shop, as we all know that customers are going to flaunt the rules anyway.</p>	<p>The results of a Speed Survey undertaken in August 2021 indicated that speeds were compliant with the 30mph speed limit. Since that time it is expected that speeds will have dropped further since completion of the Road Safety Scheme.</p>
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4. RECOMMENDATION

It is recommended to proceed as advertised.

5. LEGAL CONSIDERATIONS

The lawful implications and consequences of the proposal have been considered and taken into account in the preparation of this report.

When considering whether to make a traffic order it is the Council's responsibility to ensure that all relevant legislation is complied with. This includes Section 122 of the Road Traffic Regulation Act 1984 (as amended) that sets out that it is the duty of a local authority, so far as practicable subject to certain matters, to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. It is considered that the proposals comply with Section 122 of the Act as they practically secure the safe and expeditious movement of traffic in and around Plymouth and provide for suitable and adequate associated parking facilities.

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EQUALITY IMPACT ASSESSMENT – [TRO REVIEW 10]

SECTION ONE: INFORMATION ABOUT THE PROPOSAL

Author(s): This is the person completing the EIA template.	Amy Neale	Department and service:	Plymouth Highways, Traffic Management	Date of assessment:	24/04/2023
Lead Officer: Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	Mike Artherton	Signature:	<i>M. Artherton</i>	Approval date:	06/06/2023
Overview:	To create loading bays and limited waiting bays to Ferry Road & Millbay Road, to allow for the community to have a place to park when visiting the shop, along with delivery vehicles being able to stop in a safe place. It is recommended to proceed as advertised				
Decision required:	<p>THE CITY OF PLYMOUTH (TRAFFIC REGULATION ORDERS) (AMENDMENT ORDER NO. 2023.2137300 – MILLBAY & FERRY ROAD) ORDER</p> <p>To implement the following amendments to The City of Plymouth (Traffic Regulation and Street Parking Places) (Consolidation) Order 2004.</p> <p>The effect of the order shall be add/amend to add/amend No Waiting At Any Time, Pay & Display, Limited Waiting & Limited Waiting except for Loading on lengths of the following roads:</p> <p>Millbay Road & Ferry Road (Brittany Ferries Access Road)</p> <p>As set out in the briefing report.</p>				

SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL

Potential external impacts: Does the proposal have the potential to negatively impact service users, communities or residents with protected characteristics?	Yes		No	√
Potential internal impacts: Does the proposal have the potential to negatively impact Plymouth City Council employees?	Yes		No	√
Is a full Equality Impact Assessment required? (if you have answered yes to either of the questions above then a full impact assessment is required and you must complete section two)	Yes		No	√
If you do not agree that a full equality impact assessment is required, please set out your justification for why not.	No adverse impacts will take place if these proposals go ahead.			

SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT

Protected characteristics (Equality Act, 2010)	Evidence and information (e.g. data and consultation feedback)	Adverse impact	Mitigation activities	Timescale and responsible department
Age	<p>All data is from the 2011 Census except for age and sex which has been updated with 2021 data. Data will be updated with the 2021 Census data as it becomes available.</p> <p>Plymouth</p> <ul style="list-style-type: none"> • 16.4 per cent of people in Plymouth are children aged under 15. • 65.1 per cent are adults aged 15 to 64. • 18.5 percent are adults aged 65 and over. • 2.4 percent of the resident population are 85 and over. <p>South West</p> <ul style="list-style-type: none"> • 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64. • 22.3 per cent are aged 65 and over. <p>England</p> <ul style="list-style-type: none"> • 17.4 per cent of people are aged 0 to 14. • 64.2 per cent of people are aged 15 to 64. • 18.4 per cent of people are aged 65 and over. <p>(2021 Census)</p>	No adverse impact anticipated		

<p>Care experienced individuals</p> <p>(Note that as per the Independent Review of Children's Social Care recommendations, Plymouth City Council is treating care experience as though it is a protected characteristic).</p>	<p>It is estimated that 26 per cent of the homeless population in the UK have care experience. In Plymouth there are currently 7 per cent of care leavers open to the service (6 per cent aged 18-20 and 12 per cent of those aged 21+) who are in unsuitable accommodation.</p> <p>The Care Review reported that 41 per cent of 19-21 year old care leavers are not in education, employment or training (NEET) compared to 12 per cent of all other young people in the same age group.</p> <p>In Plymouth there are currently 50 per cent of care leavers aged 18-21 Not in Education Training or Employment (54 per cent of all those care leavers aged 18-24 who are open to the service).</p> <p>There are currently 195 care leavers aged 18 to 20 (statutory service) and 58 aged 21 to 24 (extended offer). There are more care leavers aged 21 to 24 who could return for support from services if they wished to.</p>	<p>No adverse impact anticipated</p>		
<p>Disability</p>	<p>9.4 per cent of residents in Plymouth have their activities limited 'a lot' because of a physical or mental health problem.</p> <p>12.2 per cent of residents in Plymouth have their activities limited 'a little' because of a physical or mental health problem (2021 Census)</p>	<p>No adverse impact anticipated</p>		

Gender reassignment	0.5 per cent of residents in Plymouth have a gender identity that is different from their sex registered at birth. 0.1 per cent of residents identify as a trans man, 0.1 per cent identify as non-binary and, 0.1 per cent identify as a trans women (2021 Census).	No adverse impact anticipated		
Marriage and civil partnership	40.1 per cent of residents have never married and never registered a civil partnership. 10 per cent are divorced, 6 percent are widowed, with 2.5 per cent are separated but still married. 0.49 per cent of residents are, or were, married or in a civil partnerships of the same sex. 0.06 per cent of residents are in a civil partnerships with the opposite sex (2021 Census).	No adverse impact anticipated		
Pregnancy and maternity	The total fertility rate (TFR) for England was 1.62 children per woman in 2021. The total fertility rate (TFR) for Plymouth in 2021 was 1.5.	No adverse impact anticipated		
Race	In 2021, 94.9 per cent of Plymouth's population identified their ethnicity as White, 2.3 per cent as Asian and 1.1 per cent as Black (2021 Census) People with a mixed ethnic background comprised 1.8 per cent of the population. 1 per cent of the population use a different term to describe their ethnicity (2021 Census) 92.7 per cent of residents speak English as their main language. 2021 Census data shows that after English, Polish, Romanian, Chinese,	No adverse impact anticipated		

	Portuguese, and Arabic are the most spoken languages in Plymouth (2021 Census).			
Religion or belief	48.9 per cent of the Plymouth population stated they had no religion. 42.5 per cent of the population identified as Christian (2021 Census). Those who identified as Muslim account for 1.3 per cent of Plymouth's population while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2021 Census).	No adverse impact anticipated		
Sex	51 per cent of our population are women and 49 per cent are men (2021 Census).	No adverse impact anticipated		
Sexual orientation	88.95 per cent of residents aged 16 years and over in Plymouth describe their sexual orientation as straight or heterosexual. 2.06 per cent describe their sexuality as bisexual, 1.97 per cent of people describe their sexual orientation as gay or lesbian. 0.42 per cent of residents describe their sexual orientation using a different term (2021 Census).	No adverse impact anticipated		

SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	No adverse impact has been identified.		

SECTION FIVE: OUR EQUALITY OBJECTIVES

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
Celebrate diversity and ensure that Plymouth is a welcoming city.	No adverse impact has been identified.		
Pay equality for women, and staff with disabilities in our workforce.	No adverse impact has been identified.		
Supporting our workforce through the implementation of Our People Strategy 2020 – 2024	No adverse impact has been identified.		
Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.	No adverse impact has been identified.		
Plymouth is a city where people from different backgrounds get along well.	No adverse impact has been identified.		