



Oversight and Governance

Chief Executive's Department
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CABINET

Monday 20 May 2024
2.00 pm
Warspite Room, Council House

Members:

Councillor Evans OBE, Chair

Councillor Laing, Vice Chair

Councillors Aspinall, Briars-Delve, Coker, Cresswell, Dann, Haydon, Lowry and Penberthy.

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

This meeting will be webcast and available on-line after the meeting. By entering the Warspite room, councillors are consenting to being filmed during the meeting and to the use of the recording for the webcast.

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Tracey Lee

Chief Executive

Cabinet

Agenda

Part I (Public Meeting)

1. Apologies

To receive apologies for absence submitted by Cabinet Members.

2. Declarations of Interest

Cabinet Members will be asked to make any declarations of interest in respect of items on this agenda.

3. Minutes

(Pages 1 - 30)

To sign and confirm as a correct record the minutes of the meeting held on 11 March 2024 and 18 March 2024.

4. Questions from the Public

To receive questions from the public in accordance with the Constitution.

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

5. Chair's Urgent Business

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

Items for decision

6. Cabinet Appointments 2024 - 25

(To Follow)

7. Armada Way Independent Learning Review

(Pages 31 - 42)

Cabinet

Monday 11 March 2024

PRESENT:

Councillor Evans OBE, in the Chair.

Councillor Laing, Vice Chair.

Councillors Aspinall, Briars-Delve, Coker, Cresswell, Dann, Haydon, Lowry and Penberthy.

Also in attendance: Councillor Angela Penrose, Councillor Ian Tuffin, Jonathan Bell (Head of Spatial Planning and Sustainable Development), Paul Barnard (Service Director for SP&I), Liz Bryant (Head of Legal Services), Emma Crowther (Interim Head of Commissioning), David Draffan (Service Director for Economic Development), Kat Deeney (Head of Environmental Planning), Rosie Gage (Housing Delivery Officer), Matt Garrett (Service Director for Community Connections), Sarah Gooding (Policy and Intelligence Advisor), David Haley (Director of Children's Services), Toby Hall (Project Manager for Economic Development), Grant Jackson (Planning Officer), Tracey Lee (Chief Executive), Neil Mawson (Housing Delivery Manager), David Northey (Service Director for Finance), Lauren Paton (Economic Development Officer), Kamal Patel (Public Health Specialty Registrar), Anthony Payne (Strategic Director for Place), Giles Perritt (Assistant Chief Executive), Amanda Ratsey (Head of Economic Enterprise and Employment), Jamie Sheldon (Senior Governance Advisor), and Hannah Whiting (Democratic Advisor).

The meeting started at 2.00 pm and finished at 4.25 pm.

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

118. **Declarations of Interest**

There were no declarations of interest.

119. **Minutes**

The minutes from the meetings held on 12 February 2024 and 19 February 2024 were agreed as a true and accurate record.

120. **Questions from the Public**

There were no public questions.

121. **Chair's Urgent Business**

There were no items of Chair's Urgent Business.

122. **Recommendations from the Water Quality Select Review and Cabinet Response**

Councillor Tuffin (Vice-Chair of Growth and Infrastructure Overview and Scrutiny Committee) introduced the item and highlighted the following points:

- a) The Growth and Infrastructure Overview and Scrutiny Committee identified Water Quality as a subject for a Select Committee review in 2023;
- b) The Select Committee took place in February 2024, during which Councillor Briars-Delve, council officers, representatives from South West Water, the Environment Agency, the Tamar Catchment Partnership, the Ocean Conservation Trust, National Marine Park, Plymouth University and local sea swimmers had a chance to enlighten the committee to the issues and opportunities in relation to Water Quality;
- c) Following evidence, the Committee agreed to the recommendations set out in the report.

Kat Deeney (Head of Environmental Planning) added:

- d) Each recommendation from the Select Committee had a Way Forward;
- e) There was great feedback from all of the organisations who attended the Select Committee which included praise for the proactive and forward looking approach the Committee had.

Councillor Briars-Delve (Cabinet Member for Environment and Climate Change) added:

- f) Local swimmers had shared their lived experience regarding Water Quality;
- g) The discussions at the Select Committee included the challenges and causes of water pollution, discussions with Southwest Water and water companies as well as misconnections, agricultural runoff and industry discharges;
- h) Plymouth becoming one of Europe's most vibrant waterfront cities was at the top of the Corporate Plan;
- i) A Memorandum of Understanding was presented at the Select Committee between Plymouth City Council, the Environment Agency and Southwest Water;
- j) The Memorandum of Understanding included information around maximising programmes of local investment, creating an ambitious Plymouth plan for water to radically and strategically look at water storage options and prioritising green first projects.

Cabinet agreed to the following recommendations:

- I. To thank the Select Committee that reviewed the issues, challenges and opportunities for their work hearing and reviewing information presented and proposing the 16 recommendations;

2. To support the proposed responses to the recommendations made by the Select Committee set out in the Water Quality Select Committee Recommendation Response Report;
3. To support the proposal to enter into a Memorandum of Understanding (MoU) to enable an enhanced relationship with Southwest Water and the Environment Agency and delegate the final review and signing of the MoU to Councillor Briars-Delve (Cabinet Member for Environment and Climate Change).

123. **Our Commitment to Equality and Diversity**

Councillor Penberthy (Cabinet Member for Housing, Cooperative Development and Communities) introduced the item and highlighted the following points:

- a) In the past 12 months the Council had maintained its commitment to promoting equality, reducing inequality, supporting diversity and encouraging community cohesion;
- b) The Labour Administration started working on a Welcoming City Agenda in 2012;
- c) As a public sector organisation there was a duty under the Equality Act 2010 to publish information on equality, diversion and inclusion activity and to exercise due regard to equality when making decisions;
- d) The paper laid out some of the activities that the Council had undertaken during the past year to reduce inequality within the city and the workforce;
- e) The Council had become a White Ribbon Accredited Organisation, seeking to tackle Violence Against Women and Girls (VAWG), delivering training to employees on reporting hate crimes, setting up the Cost of Living Taskforce to coordinate citywide effort to provide support for Plymouth's families impacted by the rising cost of living, and treating care experience as a protected characteristic;
- f) Under the obligations of the public sector, the Council was required to publish one or more equality objectives every four years;
- g) A public consultation was held in February 2024 and the Council consulted with Plymouth's diverse communities and partners;
- h) The paper outlined the suggested equality objectives for 2024 to 2028, with a view to the objectives helping the Council to shape the services they provide to ensure that diversity and inclusion was integral;
- i) Once the objectives were agreed, a live action plan would be developed to illustrate in more detail how the Council intends to deliver the objectives in 2024/25;
- j) The Council had committed to delivering the Welcoming City Programme.

Councillor Penrose (Welcoming City Champion) added:

- k) A network of critical friends organisations had been set up in Plymouth where ideas and good practice would be shared and developed;
- l) There had been a positive response to the public consultation.

Councillor Laing (Deputy Leader and Cabinet Member for Children's Social Care, Culture, Events and Communications) added:

- m) There had been an example of national discrimination towards care leavers regarding accommodation, and although it did not take place in Plymouth, it highlighted the importance of the objectives.

Cabinet agreed to the following recommendations:

1. To note the progress set out in the Our Commitment to Equality and Diversity document;
2. To endorse the new equality objectives for 2024-2028.

124. **Complex Needs Alliance Contract (To Follow)**

Councillor Aspinall (Cabinet Member for Health and Adult Social Care) introduced the item and highlighted the following points:

- a) The Complex Needs Alliance was a partnership of services which Plymouth City Council supported;
- b) The Alliance supported those over the age of 16 who had needs in relation to homelessness and substance misuse, mental health, offending or were at risk of exploitation;
- c) As well as working collaboratively with partners, the Alliance also crossed three areas of the Council: Strategic Commissioning, Public Health and Community Connections.

Councillor Penberthy (Cabinet Member for Housing, Cooperative Development and Communities) added:

- d) Although the contract for the Alliance started in 2019, the work for it started in 2012/13;
- e) In 2012/13, 28 contracts were in place with a variety of organisations which delivered disjointed and often duplicated services to the homelessness sector;
- f) Additional contracts for drugs, alcohol and mental health were also pulled together into the Alliance;
- g) The Alliance was a partnership working to goals and behaviours;

- h) Recognition to Path, The Zone, Shakina Mission, Hamoaze, Bournemouth Churches, Harbour and Livewell Southwest who were at the heart of the Alliance;
- i) The Alliance was focused on collaboration, not competition;
- j) The Alliance had been able to attract nearly £10 million worth of additional funding to the city since 2019 by bidding together for grant funding;
- k) The Alliance was a key pillar which underpinned 'Plan for Homes 4' which worked to tackle homelessness;
- l) Thanks to those members who were retiring from The Alliance.

Matt Garrett (Service Director for Community Connections) added:

- m) This was the largest Alliance delivering this kind of work across England;
- n) The Alliance allowed the response to funding bids to be agile;
- o) The Alliance was able to flex and change depending on demand for services;
- p) The Alliance used appreciative inquiry to better understand people's experiences and how the delivery of services aligned with those experiences to improve outcomes.

Emma Crowther (Interim Head of Commissioning) added:

- q) The paper sought permission to proceed with the first built-in contract extensions for the next two years;
- r) The paper also sought the approval of adding additional Grant Funding to the contract for both 2023/24 and 2024/25 financial years as this would enable The Alliance to support work in relation to substance misuse and rough sleeping;
- s) The paper also sought approval for a Scheme of Delegation for the relevant portfolio holders to be able to proceed with future contract extensions based on their knowledge and understanding of the performance of the service;
- t) The paper also sought for the Strategic Director for People to approve any contract variations up to £3 million in consultation with the relevant Cabinet Member.

Cabinet agreed to the following recommendations:

1. To vary the current contract as set out in the report;
2. To extend the current contract for a further two years (until 31 March 2026) at a core budget value of £6,308,747 per annum;
3. To approve the Rough Sleeping Initiative (RSI) and Supplemental Substance Misuse Treatment and Recovery Grant (SSMTRG) awards for 2023-24 and RSI additional

targeted award for 2024-25;

4. To grant authority to the Cabinet Member for Housing, Cooperative Development and Communities and the Cabinet Member for Health and Adult Social care to extend the core contract before 31 March 2026 for an additional 2 + 1 years (in line with the original tender and Cabinet decision of 15 January 2019);
5. To grant authority to the Strategic Director for People in consultation with the Cabinet Member for Housing, Cooperative Development and Communities and the Cabinet Member for Health and Adult Social Care to aware future individual contract variations up to the value of £3 million per variation, as a result of Grant funding (including, but not limited to, RSI and SSMTRG) within the contract period.

125. **Integrated Sexual Health Contract**

Councillor Aspinall (Cabinet Member for Health and Adult Social Care) introduced the item and highlighted the following points:

- a) The report set out the decision to directly award a new contract for Integrated Sexual and Reproductive Health Services to the existing provider of the services;
- b) The contract would enable University Hospital Plymouth, The Zone and The Eddystone to continue the work they had started in 2017, to collaborate and provide an integrated sexual and reproductive health service;
- c) The full range of service offered included sexually transmitted infections (STI) testing and treatment, online services, self-sampling kits, contraception advice, free condoms for under 25s and outreach settings in other settings for young people;
- d) The overall aim for the service model was to improve sexual and reproductive health outcomes for the population of Plymouth, focusing on young people;
- e) The service model was characterised by the following: a clear focus on prevention and self-management, improving accessibilities to make sure that services were delivered in the most appropriate setting, an integrated Front Door with a central telephone number, online advice, information and appointment bookings, there would be optimisation of new technologies and treatments and a focus on cost effectiveness;
- f) The Partnership would agree to work for up to eight years, providing consistency and insurance for the health system and the young people of Plymouth.

Kamal Patel (Public Health Specialty Registrar) added:

- g) Although the working together of University Hospitals Plymouth, The Zone and The Eddystone was not a formal 'alliance' contract, it was a great example of collaboration in Plymouth which delivered a fully integrated service.

The Cabinet agreed to the following recommendation:

I. That a new contract for Integrates Sexual and Reproductive Health Services (as detailed in the report) was awarded to University Hospitals Plymouth as lead provider of the SHiP partnership.

126. **Plymouth Economic Strategy 2024-2034**

Councillor Evans OBE (Leader of the Council) introduced the item and highlighted the following points:

- a) The previous economic plan for Plymouth was developed in 2014 and was refreshed in 2020;
- b) The 2014 Economic Plan delivered:
 - i) £365 million Capital Programme with a further £600 million of match-funding;
 - ii) a £1 billion development pipeline had been developed;
 - iii) a rolling average of £30 million of grant funding per annum had been secured;
 - iv) £100 would be invested into Economic Development Initiatives by 2026;
 - v) The skyline of Plymouth had been transformed with major developments at the Royal William Yard, Derriford, the City Centre and the Waterfront;
 - vi) Major inward investment, including The Range Head Office, Land Registry HQ, Barcode and Cineworld and Barden's future had been secured;
 - vii) Plymouth had become nationally recognised for its cultural place making with Ocean Studios, The Box and Devonport Market Hall;
 - viii) Inclusive growth had been championed and a new Economic Development Trust in Whitleigh had been created;
 - ix) Tourism had been championed with the launch of Britain's Ocean City, Mayflower 400 events and the development of the cruise business;
 - x) Plymouth had become national recognised for work in the marine sector with Oceansgate, Marine Enterprise Zone, Freeport and the Marine and Maritime Launchpad;
 - xi) More employment land had been developed than ever before with 11 direct development;
- c) The Strategy would be refreshed post COVID19 and in light of national changes such as the demise of Local Enterprise Partnerships (LEPs);
- d) Although there was not a need to radically change course, the Strategy would respond to emerging national trends and the growth of Plymouth's Ports;

- e) The Strategy would continue to build on sectoral strengths such as Marine;
- f) The work would be carried out in two stages, the first being a review of the evidence base and identification of priority areas at this Cabinet meeting, the second was working with The Plymouth Growth Board and Scrutiny to produce four delivery plans during the course of the next 12 months;
- g) The four proposed priority areas and Cabinet Champions were:
 - i) Councillor Tudor Evans OBE (Leader of the Council) – Productivity and High Value Jobs;
 - ii) Councillor Chris Penberthy (Cabinet Member for Housing, Cooperative Development and Communities) – Inclusive Growth;
 - iii) Councillor Tom Briars-Delve (Cabinet Member for Environment and Climate Change) – Sustainable Growth;
 - iii) Councillor Jemima Laing (Deputy Leader and Cabinet Member for Children's Social Care, Culture, Events and Communications) – Civic Pride and Regeneration.
- h) The plan for the new Strategy was as follows:
 - i) Create 1000 new businesses;
 - ii) Create 800 new jobs;
 - iii) Grow the value of the economy by £1 billion;
 - iv) To lift 3000 people out of poverty;
 - v) To help 5000 people get work;
 - vi) Bring 50 vacant buildings back to use;
 - vii) Support Net Zero City by 2030;
 - viii) Build 500 homes;
 - ix) Reduce those without formal qualifications by 50%;
 - x) Increase Council productivity by 10%;
 - xi) The city would have more cultural, heritage and sport.

Councillor Laing (Deputy Leader and Cabinet Member for Children's Social Care, Culture, Events and Communications) added the following in regard to becoming the Champion for Civic Pride and Regeneration:

- i) This part of the plan would build on cultural place-making by working with the city's National Portfolio Organisations and Universities;
- j) The Art's Council had previously published a case study about Plymouth and how the city promotes culture;
- k) The Box would change perceptions of residents and visitors with even more world-class exhibitions and artists;
- l) The Council were working on a new place partnership with the Arts Council following a visit from the Area Director;
- m) The music scene and night-time economy would grow and thrive, which would support hospitality;
- n) The National Marine Park would also improve and grow civic pride;
- o) All sections of this plan would invigorate the Britain's Ocean City brand.

Councillor Penberthy (Cabinet Member for Housing, Cooperative Development and Communities) added the following in regard to becoming the Champion for Inclusive Growth:

- p) Inclusive Growth was a key part of the Economic Strategy as Plymouth wanted everyone in the city to benefit from growth the Strategy would provide;
- q) Taking 3000 people out of poverty in ten years was a small part of a larger piece of work;
- r) A piece of academic research published on Community Wealth identified Plymouth as two of the three models that were currently being used in the country;
- s) The plan would focus on those who had traditionally been left out, and would continue to ensure good growth which benefits everyone;
- t) There would be a focus on skills and Workforce Development so people could get one of the 5000 jobs;
- u) There would be an emphasis on people with caring responsibilities and health challenges;
- v) The plan would build on the Plymouth Charter and push social value, local purchasing and better buying, not only within the Council but across the whole city;
- w) The plan would continue to support Community Economic Development Trusts;
- x) Social Enterprises would be supported;
- y) The Council's agenda as a Cooperative City would be pushed and the strategy for it would be launched in July on International Cooperatives Day.

Councillor Briars-Delve (Cabinet Member for Environment and Climate Change) added the following in regard to becoming the Champion for Sustainable Growth:

- z) Achieving Net Zero as a city would not be possible without having a lower carbon economy;
- aa) Existing businesses could be de-carbonised in a number of ways including, retro-fitting and rethinking procurement routes;
- bb) Plymouth was ambitious about new forms of technology, investment and green jobs;
- cc) The plan included work around Floating Offshore Wind;
- dd) There would be work done around Heat Networks which would change the way homes and businesses in Plymouth are heated;
- ee) The plan would continue to review the emphasis on sustainable modes of transport and clean port developments;
- ff) The National Marine Park, Habitat Bank, Flooding Resilience, and the Community Forest were all included in the Wider Green Agenda;
- gg) The Green Skills Agenda needed to develop to ensure people had the skills to kick-start the future economy of social justice.

Councillor Cresswell (Cabinet Member for Education, Skills and Apprenticeships) also added:

- hh) The theme across all four pillars of the structure was skills and development;
- ii) The Strategy was about inclusive success for everyone.

Toby Hall (Project Manager) added:

- jj) The previous Economic Strategy had been used so the new one could build and improve on it;
- kk) The evidence and data in the newest Strategy had identified key economic opportunities for Plymouth.

Lauren Paton (Economic Development Officer) added:

- ll) The four pillars did not act independently, they overlapped and interlocked;
- mm) Productivity was a good proxy measure for living standards and economic competitiveness.

Councillor Evans OBE (Leader of the Council) added:

nn) Plymouth had recovered well from COVID;

oo) Everybody being included and having their place was fundamental to the next phase of the Strategy.

Cabinet agreed the revised Plymouth Economic Strategy, subject to final approval by the Leader of the Council.

127. **Plymouth and South West Devon Joint Local Plan Five-Year Review Report 2024**

Councillor Coker (Cabinet Member for Strategic Planning and Infrastructure) introduced the item and highlighted the following points:

- a) In March 2019, Plymouth City Council, South Hams and West Devon adopted the first Joint Local Plan (JLP) for Plymouth and Southwest Devon;
- b) Five years, ago, the first JLP for Plymouth and Southwest Devon was only one of five in the country and the only one to fully meet the objectivity assessed needs for housing for an entire plan period;
- c) The JLP had been a success within the three councils and had enabled them to effectively guide and promote development in relevant areas, rather than what was dictated by Government Policy;
- d) It was a legal requirement for Local Planning Authorities to complete a review of their plans at least once every five years;
- e) National Planning Policy assumed that a local plan became out of date on its fifth anniversary unless a local plan review demonstrated that its policies remained effective and up-to-date;
- f) In the absence of an up-to-date plan, National Planning Policy would take precedence and there would be an increased risk of planning by appeal;
- g) The five year review report considered changes to National Policy and Legislation since the JLP was adopted, how the plan had performed against key targets and indicators, changes to economic, environmental and social circumstances and factored in the latest demographic data;
- h) National Policy dictated that after five years, a local plan's housing requirement is out-of-date and would set a new housing requirement for the area based on the Government Standard Method for assessing local housing needs, this would then become the basis for the give year housing, land supply calculation and housing delivery test. The only exception to this was when a Planning Authority could demonstrate their local plan housing requirement was sufficiently close to the numbers generated using the standard method;
- i) The Government's Standard Method was based on 2014 demographic data as a basis for its projection despite the 2021 census, and eight mid-year population estimates since 2014;

- j) The Government's Standard Method also gave a 35% uplift to the top 20 cities in England, including Plymouth;
- k) The JLP was based on evidence, tested and supported by planning inspectors;
- l) The report set out a case for continuing the JLP housing requirements and not applying the Government's Standard Method;
- m) The report addressed the issues of the time-limited Plymouth Airport Safeguarding Policies;
- n) The Plymouth Airport Safeguarding Policy had been pushed back due to unforeseen circumstances since 2019 including COVID-19 pandemic, the Ukraine and Russia war and associated economic shock and therefore more time was needed to allow the complex negotiations and actions relating to land ownership to be concluded;
- o) The report set out Plymouth City Council's position to continue to safeguard the Airport Site through the planning process;
- p) West Devon Borough Council and South Hams District council had approved the JLP five-year review report.

Jonathan Bell (Head of Spatial Planning & Sustainable Development) added:

- q) If the review was not done, it would be difficult to effectively use the local plan.

Councillor Dann (Cabinet Member for Customer Services, Sport, Leisure and HR&OD) added:

- r) The JLP prompted local councillors to ask questions around planning, transport, climate change, growth and economic land.

Councillor Penberthy (Cabinet Member for Housing, Cooperative Development and Communities) added:

- s) The JLP aided with the delivery of housing as it allocated the sites and meant the Council knew strategically where to build and enabled the building of Partnerships.

Cabinet agreed to approve the Plymouth and Southwest Devon Joint Local Plan Five Year Review Report 2024 as a statement of the Council's position in relation to the Joint Local Plan and as a material consideration for planning decisions.

128. **Plan for Homes 4**

Councillor Penberthy (Cabinet Member for Housing, Cooperative Development and Communities) introduced the item and highlighted the following points:

- a) Plan for Homes 1 had started in 2013/14;

- b) There would be a rolling target to build a minimum of 5000 homes in the next five years;
- c) There had been more than 7500 new homes built since 2013;
- d) The Council's priority was to meet the housing needs of people in Plymouth;
- e) More than 8000 people were waiting for a home;
- f) There was not enough suitable accommodation for older people to downsize too, which meant family homes were not being put back on the market;
- g) The housing stock on Plymouth was not well balanced with Band A and B homes outweighing Band E and F homes;
- h) There were six key areas of activity which consisted of: affordable housing, market housing, private rented housing, supported and specialist housing and partnerships;
- i) All of the key areas had a theme of tackling climate change and taking positive climate action;
- j) The Housing Task Force would develop the detailed action plan and would ensure this was deliverable and strong partnerships were in place;
- k) Plymouth City Council had worked alongside the Southwest Landlords Association.

Matt Garrett (Service Director for Community Connections) added:

- l) The Plan would help deal with needs being experienced with regard to temporary accommodation and homelessness.

Paul Barnard (Service Director for Strategic Planning and Infrastructure) added:

- m) Plan for Homes was able to bring forward initiatives within the three growth areas of the city;
- n) The Local Authority stepped into the housing market to delivery some enhanced housing outcomes such as veterans accommodation;
- o) Plan for Homes allowed for innovation.

Tracey Lee (Chief Executive) added:

- p) There had been a large amount of cross Council working on the Plan for Homes;
- q) Although there was a focus on the city centre, there were other growth areas in Plymouth which were as equally important;
- r) The work the plan had set out was integrated with the private sector, public stock and Market Housing.

Councillor Penberthy (Cabinet Member for Housing, Cooperative Development and Communities) concluded:

- s) The resources had been agreed and were ready to start delivering the Plan.

Cabinet agreed to support the development and delivery of Plan for Homes 4 from 2024 through to 2029.

129. **Compulsory Purchase Order Resolution for 1 Holdsworth Street**

Councillor Penberthy (Cabinet Member for Housing, Cooperative Development and Communities) introduced items 13 and 14 and highlighted the following points:

- a) As a city there were not many long-term empty properties, and the properties which were left vacant for long periods of time were 'problem properties';
- b) Empty properties could have potentially caused damp and vermin in private properties;
- c) Empty properties promoted graffiti, vandalism and antisocial behaviour;
- d) 1 Holdsworth Street and 36 Whitsoncross Lane had fallen into extreme disrepair;
- e) The compulsory purchase orders would allow the Council to acquire and release the properties back into the housing market.

Neil Mason (Housing Delivery Manager) added:

- f) Bringing empty properties back into use was part of Plan for Homes 4.

Cabinet agreed to the following recommendations:

1. Approve the making of a Compulsory Purchase Order (CPO) under Section 17 Housing Act 1985 and the Acquisition of Land Act 1981 for the acquisition of 1 Holdsworth Street, Plymouth being the land within the area shown edged red on the plan submitted (appendix 3);

2. Authorise the Head of Legal Services to take all steps and actions necessary to make and progress the CPO including but not limited to the following procedural steps:

- a) Finalising the Statement of Reasons setting out the Council's reasons for making the CPO;
- b) Making the CPO, the publication and service of any press, site and individual notices and other correspondence for such making;
- c) The preparation and presentation of the Council's case at any Public Inquiry which may be necessary;

d) Seeking confirmation of the CPO by the Secretary of State (or, if permitted, by the Council pursuant to Section 14A of the Acquisition of Land Act 1981);

e) Publication and service of notices of confirmation of the CPO and thereafter to execute and serve any general vesting declarations and/or notices to treat and notices of entry, and any other notices or correspondence to acquire those interests within the area, including, if required, High Court Enforcement Officer notices; and

f) Referral and conduct of disputes, relating to compulsory purchase compensation, to the Upper Tribunal (Lands Chamber).

130. **Compulsory Purchase Order Resolution for 36 Whitsoncross Lane**

Cabinet agreed to the following recommendations:

1. Approve the making of a Compulsory Purchase Order (CPO) under Section 17 Housing Act 1985 and the Acquisition of Land Act 1981 for the acquisition of 36 Whitsoncross Lane, Plymouth being the land within the area shown edged red on the plan submitted (appendix 3);

2. Authorise the Head of Legal Services to take all steps and actions necessary to make and progress the CPO including but not limited to the following procedural steps:

a) Finalising the Statement of Reasons setting out the Council's reasons for making the CPO;

b) Making the CPO, the publication and service of any press, site and individual notices and other correspondence for such making;

c) The preparation and presentation of the Council's case at any Public Inquiry which may be necessary;

d) Seeking confirmation of the CPO by the Secretary of State (or, if permitted, by the Council pursuant to Section 14A of the Acquisition of Land Act 1981);

e) Publication and service of notices of confirmation of the CPO and thereafter to execute and serve any general vesting declarations and/or notices to treat and notices of entry, and any other notices or correspondence to acquire those interests within the area, including, if required, High Court Enforcement Officer notices; and

f) Referral and conduct of disputes, relating to compulsory purchase compensation, to the Upper Tribunal (Lands Chamber).

131. **Cost of Living Update** (Verbal Report)

Councillor Dann (Cabinet Member for Customer Services, Sport, Leisure and HR&OD) introduced the item and highlighted the following points:

a) 1174 people accessed the cost-of-living website to look for free activities during February half term and help with food costs;

- b) Although inflation was decreasing, food prices were not;
- c) Free activities would be promoted during the Easter holidays;
- d) There was a campaign for Debt Awareness Week;
- e) Debt in Plymouth was increasing;
- f) A Low Income Family Tracker was being introduced to target low income households and ensure they were getting every benefit they were entitled to;
- g) Although there were reduced National Insurance contributions, due to the freezing of the tax thresholds, low incomes households would be no better off in the new financial year;
- h) There was six months additional support for the Household Support Fund in the 2024/25 budget;
- i) The reduction in Grant Funding from the Government would cause issues for low income families come the winter;
- j) The Council would continue to support people and signpost them to ensure everybody got help as quickly as possible.

Councillor Penberthy (Cabinet Member for Housing, Cooperative Development and Communities) added:

- k) The Council had been working with on a national level with Partners in the volunteering community sector to lobby for the Household Support Fund to be continued for 12 months rather than six;
- l) In September and October 2024 there would be a mass Lobby to get the Household Support Fund extended over the winter;
- m) Although the Council had not had an anti-poverty strategy since 1997, a Building Bridges paper would be brought to Cabinet in June to discuss how the city would tackle poverty;
- n) Poverty had been discussed in the Local Economic Strategy, in Plan for Homes 4 and the Net Zero Action Plan;
- o) Health, education and employment prospects were outcomes of children living in poverty.

132. **Dental Update** (Verbal Report)

Councillor Aspinall (Cabinet Member for Health and Adult Social Care) introduced the item and highlighted the following points:

- a) The fourth meeting of the Dental Task Force (DTF) took place in February;

- b) Within the DTF there were was a focus on three specific priorities which were: delivering a new facility in the city centre which would be run by the dental school and aligned to the oral health needs of the city, providing additional funding to Plymouth City Council to enable the enhancement of the oral health improvement (prevention) offer available within the city and using some of Plymouth's annual NHS underspend to commission new services for the high priority groups and those who did not have access to an NHS dentist;
- c) The Council's communication team had issued a press release to ensure there was significant media interest in the work of the DTF;
- d) NHS Devon ICB had stated they did not know if the 2023/24 Dental budget was ring-fenced;
- e) The new city centre dental school had a new time scale for opening and would now open in early 2025;
- f) It was anticipated that the dental school would be able to bid for funding to cover the revenue costs from the Expression of Interest process that NHS Devon ICB had put in place;
- g) Through the Expression of Interest process, local providers had been contacted and invited to submit proposals to provide dental care for looked after children;
- h) The dental schools offer of registration and free treatment for children attending primary schools in the city had been extended to 10 schools;
- i) The schools in receipt of the offer were: Mount Wise Community Primary School, Riverside Community Primary School, The Cathedral School St Mary's which was twinned with St Joseph's, Marlborough Street Primary School, Morice Town Primary Academy, Whitley Primary School, Laira Green Primary School, Victoria Road, Millbay, Stoke High Street Academy and Knowle Primary School;
- j) The next DTF meeting would take place in April and would look at the Terms of Reference and the new civic year.

133. **Full of Life Update** (Verbal Report)

Councillor Aspinall (Cabinet Member for Health and Adult Social Care) introduced the item and highlighted the following points:

- a) It was agreed in Cabinet in December that the ageing well programme would respond to the growing proportion of older people in society and had an overall vision for Plymouth to be one of Europe's most vibrant waterfront cities where outstanding quality of life was enjoyed by everyone, and age was no barrier;
- b) The programme looked at two groups of people, those who were well and helping them stay well, and those who were impacted by the consequences of aging;

- c) Thrive Plymouth was the programme for addressing health inequalities to support people to live and age healthily, age friendly places, accessibility and welcoming, safe and inclusive spaces and buildings;
- d) The programme had sub-themes of:
 - i) transport;
 - ii) outdoor spaces;
 - iii) buildings participation and inclusion which ensured that activities are financially, culturally and physically accessible;
 - iv) tackling ageism and ableism and considering groups who may feel excluded;
 - v) promoting and celebrating the contribution of older people;
 - vi) ensuring people had the opportunity as they age to develop a new skill and pass on their experience and skills to others;
 - vii) age friendly employers and volunteering opportunities;
 - viii) ensuring communications across the city were inclusive and portrayed positive images of older people;
- e) The programme would link to the Housing Task Force and existing partnerships in health and adult social care;
- f) Membership for the Centre for Aging Better UK Network of Age Friendly Communities had been secured and would provide weekly peer calls, training and bespoke support;
- g) A State of Age Report would be started which would tackle a baseline assessment for Aging in Plymouth that would include data and intelligence;
- h) There would be Asset Mapping of which programmes and initiatives were already in place, and what was working well;
- i) The upcoming Thrive Plymouth Network communications included: Active to Thrive Events with Sports England and Active Devon, well-being systems designed groups with members from health and adult social care and the voluntary sector and information shared from Community Builders from the Community Empowerment Team;
- j) The Steering Group would have membership from Age UK, Improving Lives, Plymouth Elder Tree, and Plymouth Area Disability Action Network;
- k) International Day of the Older Person was 1 October and the State of Ageing report would be published to coincide with this;

- l) Projects such as the Pension Credit Campaign were being progressed;
- m) The Pension Credit Campaign aided people of pension age who were eligible to claim important financial support.

134. **Leader's Announcements** (Verbal Report)

Councillor Evans OBE (Leader of the Council) gave the following announcements:

- a) The following projects were already on site and would be completed over the next two to three years:
 - i) £50 million Civic Centre residential development;
 - ii) £25 million Brickfields sports let regeneration;
 - iii) £80 million Brunel Plaza regeneration scheme;
 - iv) £25 million City Centre Colin Campbell Court Community Diagnostic Hub;
 - v) £26 million Derriford District Centre expansion;
- b) The Council would be working closely with Babcock and the Royal Navy to Maximise the unique opportunity for Plymouth from the most sustained period of defence investment in the City's recent history;
- c) The lottery funded Horizons Programme was underway which capitalised on the National Marine Park;
- d) The Britain's Ocean City brand would be driven through working with Destination Plymouth;
- e) Work would be done for the first time with all four ports, including major announcements on Shore Power and Floating Offshore Wind;
- f) Skills would be a major focus and there would be a major announcement on blue green skills in the near future;
- g) There would be a focus on green jobs and the development of a pipeline of Net Zero Investment including a focus on retrofit, heat networks, hydrogen and green transport;
- h) There would be new employment land opportunities at Oceansgate, Langage, Sherford, Derriford and City Centre;
- i) The Council would continue its work on cultural place-making, with a new focus on Creative Industries;
- j) Prioritisation of the regeneration of the city centre would continue with a commitment to deliver housing delivery, working with Homes England;

- k) The future of Plymouth would be thrilling;
- l) There were very few cities that could boast £2.5 billion of defence investment, £1 billion of regeneration and £200 million of economic development projects over the next few years.

135. **Cabinet Member Updates** (Verbal Report)

Councillor Briars-Delve (Cabinet Member for Environment and Climate Change) provided the following updates:

- a) The social media campaign for the Right Stuff, Right Bin campaign had continued and had amassed 100,000 impressions;
- b) A leaflet with tips and tricks around making the most of recycling bins was delivered to households in Plymouth;
- c) Stickers would be put on bins to ensure the correct waste went in the correct bin.

Councillor Aspinall (Cabinet Member for Health and Adult Social Care) provided the following updates:

- d) Letters would be sent to all of the Council's suppliers in the domiciliary market regarding the provision of the contract for the coming year.

Councillor Penberthy (Cabinet Member for Housing, Cooperative Development and Communities) provided the following updates:

- e) The Council offered an Empty Homes Financial Package to owners of properties that had been empty for at least six months, which consisted of a loan of £50,000 per unit, which would be repaid from rental income, provided the homeowner did the work themselves;
- f) Work had been done with the Auction House Southwest so that referral from the Council's Empty Homes Team to their sales service would get reduced commission rates;
- g) The Repair and Rent Scheme was changed to be made eligible to homes left empty for six months and increased the available money from £20,000 to £50,000 (with 20% as a grant) on the basis the repairs would be programme managed by Plymouth Homes for Let and they would then let at a local housing allowance rate.

136. **LGA Update** (Verbal Report)

Councillor Evans OBE (Leader of the Council) introduced the item and highlighted the following points:

- a) Prior to the Spring Budget there had been success in securing £500-£600 million to help close the £4 billion gap;

- b) The LGA had to produce productivity plans;
- c) Local Services Grant had been cut by £2 million in Plymouth;
- d) This was the sixth year where Plymouth had been granted a one-year funding settlement which created difficulties when planning services;
- e) One in five councils believed they would be issuing Section 14 Notices in the next two years;
- f) Local Government was the most efficient part of the public sector;
- g) Councils had lost 24% of their core spending power since 2010;
- h) New rises and funds for Local Authorities were being eclipsed by rises in statutory minimum wage which caused a gap of £1.6 billion;
- i) Due to the gap of £1.6 billion, there was a warning that neighbourhood services such as waste collection, road repairs, libraries and leisure centres would see severe national cutbacks;
- j) Cost and Demand Pressures had seen £15 billion added to the cost of delivering council services in the past four years;
- k) Almost two thirds of spending for Council with social care responsibilities was spend on services for adults and children alone which was an increase of 56% from seven years ago;
- l) If Local Government collapsed, all public services would suffer detrimentally.

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Cabinet

Monday 18 March 2024

PRESENT:

Councillor Evans OBE, in the Chair.

Councillor Laing, Vice Chair.

Councillors Aspinall, Briars-Delve, Coker, Cresswell, Dann, Haydon, Lowry and Penberthy.

Also in attendance: Paul Barnard (Service Director for Strategic Planning and Infrastructure), David Draffan (Service Director for Economic Development), Sally Farley (Strategic Transport Manager), Jackie Grubb (City College Principal), Philip Heseltine (Head of Transport, Planning and Strategic Infrastructure), Tracey Lee (Chief Executive), Anthony Payne (Strategic Director for Place), Jamie Sheldon (Senior Governance Advisor), Richard Stevens (Chair of City College Board), Matt Ward (Head of Strategic Development Projects), Gary Walbridge (Head of ASC and Retained Functions).

The meeting started at 9.30 am and finished at 10.20 am.

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

137. **Declarations of Interest**

There were no declarations of interest.

138. **Questions from the Public**

There were no questions from members of the public.

139. **Chair's Urgent Business**

There were no items of Chair's urgent business.

140. **Woolwell To The George Transport Improvements: Compulsory Purchase Order & Side Roads Order Resolution**

Councillor Coker (Cabinet Member for Strategic Planning and Transport) introduced the item and highlighted the following points:

- a) The report sought formal approval for the final land requirements for The George Scheme which would enable the Council to progress with the necessary compulsory purchase order (CPO) and side road order to complete the project;
- b) The funding for the scheme was already in place;

- c) The goal was to reach an agreement with affected land owners through negotiation;
- d) The CPO was a last resort;
- e) The scheme would have a direct impact on a number of residents;
- f) Plymouth City Council had received representations from land owners opposing the CPO which had been distributed to Cabinet;
- g) After reviewing the scheme and producing further design work, four properties previously affected by the scheme had been removed and the amount of permanent land required for the scheme had been reduced by a further 21 properties;
- h) The decision Cabinet would come to in this meeting would be carefully considered to ensure that the Council were satisfied that the benefits of the scheme outweighed the interference of the land owned by third parties, and therefore justified the CPO to proceed;
- i) The benefits to the scheme included:
 - i) Transport improvements which would make a difference to everyone who relied on the route, including local businesses, bus passengers, pedestrians and cyclists;
 - ii) More than 30,000 vehicles used Tavistock Road every day and it was regarded as a pinch point in the network; the scheme would help improve this;
 - iii) Journey times for buses and general traffic would be improved which would help improve bus service reliability;
 - iv) Pavements and cycle paths would be new and improved which would ensure the public considered alternative active and sustainable transport options;
- j) The scheme was a critical part of the programme to provide better links to and from the north of Plymouth as it grew and would complement the Derriford Hospital Interchange, the Derriford Hospital Transport Scheme and the Forder Valley Link Road;
- k) The scheme was part of the Council's adapted Statutory Planning Framework for the city;
- l) The Joint Local Plan (JLP) identified the Northern Corridor as one of the three priority growth areas due to its potential to deliver a regionally significant number of new jobs and homes;
- m) The scheme would provide part of the critical infrastructure needed to deliver the new homes that had been identified for the Derriford and Northern Corridor growth area, around 2000 of which would be part of the Woolwell Urban Extension;

- n) The JLP delivering growth in Derriford and the Northern Corridor specifically supported the provision of the transport infrastructure and the scheme directly supported a number of other JLP policies.

Sally Farley (Strategic Transport Manager) added:

- o) The fourth recommendation delegated powers to Paul Barnard (Service Director for Strategic Planning and Infrastructure) the ability to negotiate and make minor amendments;
- p) The scheme had worked to 'design out' four land plots, altogether reducing land plots as a value for money exercise.

Cabinet agreed to the following recommendations:

1. To authorise the making of a compulsory purchase order to be known as The City of Plymouth (A386 Tavistock Road) Compulsory Purchase Order 2024 (CPO) under sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and the Acquisition of Land Act 1981 to secure the compulsory acquisition of the land shown within the red boundary on the CPO Resolution Area plan and shown on the plot plans shaded blue and the new rights over the land shown hatched blue at Appendix E of the report;
2. To authorise the making of a side roads order to be known as The City of Plymouth (A386 Tavistock Road) (Side Roads) Order 2024 (SRO) under sections 14 and 125 of the Highways Act 1980 to construct new highways and public rights of ways, stop up, divert, improve or otherwise deal with a highway including public rights of ways and the closure and creation of private means of access as shown in the SRO Maps at Appendix F to the report;
3. To note, and have due regard to determining whether or not to authorise the making of the Orders, the public sector equality duty contained in section 149 of the Equality Act 2010 and the requirements of the Human Rights Act 1998, as detailed further in section 2.4 of the report;
4. That the Service Director for Strategic Planning and Infrastructure be authorised in consultation with the Head of Legal Services to:
 - i) Finalise and make, if necessary, any minor or technical amendments, modifications and deletions to the CPO Maps and SRO Maps should this be considered appropriate;
 - ii) Agree the precise scope of rights to be acquired over properties that surround the Order Land;
 - iii) Finalise the CPO and SRO (collectively referred to as The Orders), and the Statement of Reasons;
 - iv) To take all necessary steps to make (including any associated or ancillary applications to the Secretary of State under the Acquisition of Land Act 1981) publish, and obtain confirmation of the Orders including (but not limited to) the publication

and service of all statutory notices and presentation of the Council's case at any Public Inquiry or through written representations, to secure the confirmation of the Orders (with or without modifications) by the Secretary of State for Transport and implement the Orders associated with the Scheme;

v) Continue, in accordance with the Cabinet authority dated 9 November 2021, discussions and negotiations with landowners and stakeholders with a view to reaching voluntary agreements with landowners and to purchase and/or reserve land and rights by agreement for the scheme;

vi) Negotiate, agree terms and enter into agreements with affected parties including agreements for the withdrawal of blight notices and/or the withdrawal of objections to the Orders and/or undertakings not to enforce the Orders on specified terms, including (but not limited to) where appropriate seeking exclusion of land from the Orders, making provision for the payment of compensation and/or relocation;

vii) In the event the Orders are confirmed by the Secretary of State or an Inspector in the case of delegation, to advertise and give notice of confirmation and thereafter to take all steps to implement the Orders including, as applicable to execute general vesting declarations and/or to serve notices to treat and notices of entry in respect of interests and rights in the Order Land; and

viii) Take all steps in relation to any legal proceedings relating to the Orders including defending or settling claims referred to the Upper Tribunal and/or applications to the courts and any appeals.

5. To allocate an additional £3,916,433 into the capital programme for the scheme funded by the identified £1,957,433 Section 105 contributions and £1,959,000 Integrated Transport Block grant and remove £755,000 Capital receipts previously anticipated.

141. **City Centre Skills Hub**

Councillor Lowry (Cabinet Member for Finance) introduced the item the highlighted the following points:

- a) It had been 10 years since the Council had left the Civic Centre and relocated to Ballard House, during which time work had been underway with Urban Splash to find a way to bring the listed building back into use;
- b) Urban Splash had secured the planning consent for the conversion and reuse of the Civic Centre for apartments, which aligned to the Council's vision to build 5000 new homes in the city centre;
- c) The Civic Centre opened in 1962 by Her Majesty Queen Elizabeth II;
- d) In 2021, the estimated cost of the development of the 114 new homes in the Civic Centre was £35 million, but due to inflation the current budget estimate was over £50 million, which meant a further £10 million of High Street Finding for the

regeneration would be used for this project;

- e) The Council had secured a further £8.5 million Levelling Up Grant for the regeneration of the Civic Centre which meant the regeneration was now largely a public sector funded project, meaning it was appropriate for the Council to recover the building from the current owners and take on the works;
- f) The Council would now oversee the project and had appointed a consultancy team;
- g) Concrete stabilisation works would commence shortly and needed to be complete by March 2025;
- h) The funding for the external renovation works would, in part, be met by funding secured and income generated from the new leave and the car park;
- i) A report would be brought to Cabinet in Autumn 2024, clarifying the programme and options of the projects going forward, including the conversion and fit out of the internals of the tower.

Councillor Cresswell (Cabinet Member for Education, Skills and Apprenticeships) added:

- j) Through shared vision the Civic Centre would not only be a city centre regeneration project, but a transformational skills project;
- k) Nearly 60% of all employment in Plymouth was in STEM sectors;
- l) Investment in the Freeport and Naval Base would continue to see the growth in highly skills and highly paid roles;
- m) There was an estimate of 8000 new jobs by 2023, 70% of which would require higher level educational qualifications;
- n) The Civic Centre investment would enable City College to have a new city centre campus, focused on blue and green skills;
- o) The Civic Centre investment would also allow City College to deliver 60 new courses to 2000 New Learners per annum, as well as 2500 apprenticeship starts;
- p) At its heart, the Civic Centre project was about inclusive growth; ensuring all residents in St Peter and the Waterfront, Stonehouse, Devonport. Keyham, Ernesettle, Whitleigh, Honicknowle and Ham had the opportunity to get the high value jobs created by Babcock, Oceansgate, and the Freeport;
- q) The investment in the Civic Centre would ensure the workforce is fit for the new jobs of the 21st century, that citizens would have the opportunity to get a job, and it would be a national Centre of Excellence for blue and green skills.

Jackie Grubb (Principal of City College) added:

- r) In terms of deprivation, attainment, and having a civic responsibility to change people's lives, the blue and green skills hub would achieve this;
- s) There would be a positive economic impact on Plymouth by developing and nourishing low level, and higher technical skills in young people;
- t) City College Plymouth was the Anchor Institution for skills;
- u) The introduction of the blue and green skills Hub would make a difference to employers and bridge the skills gap.

Richard Stevens (Chair of City College Board) added:

- v) The vision for the city centre location was born out of an assessment of what City College Plymouth and the city needed;
- w) The Hub would be at the centre of the transport network;
- x) One of the biggest assets in Plymouth was the underutilised work force, and the Hub would equip this work force with opportunities.

Matt Ward (Head of Strategic Development Projects) added:

- y) The Civic Centre Project was part of a much wider regeneration project for the city centre;
- z) The regeneration would have a direct impact on local communities.

Councillor Briars-Delve (Cabinet Member for Environment and Climate Change) also added:

- aa) Achieving Net Zero would be impossible without green skills and jobs;
- bb) There were jobs in the pipeline that would require green skills such as installing heat pumps, transitioning from gas boilers, work being done on EV charging and working on floating offshore wind.

Councillor Laing (Deputy Leader and Cabinet Member for Children's Social Care, Culture, Events and Communications) added:

- cc) The Civic Centre was iconic and associated with Plymouth's past.

Councillor Penberthy (Cabinet Member for Housing, Cooperative Development and Communities) added:

- dd) Plymouth Energy Community (PEC) had been constrained by local supply chain as there were not relevant skills in the city to deliver solar and retrofitting, and the skills Hub would provide these skills from within the city;
- ee) Skills development for local residents would help tackle poverty in Stonehouse.

David Parkes (Principle Surveyor) added:

- ff) The Civic Centre would be wrapped in thermal blanketing to ensure energy efficiency;
- gg) The use of private cars would be discouraged and the bus network and the Adopt a Car Club Scheme would be promoted.

Councillor Evans OBE (Leader of the Council) added:

- hh) The new Economic Plan was talked about at the Plymouth Area Business Council and highlighted how the training and skills element was underpinning green jobs and green skills pillar;
- ii) The Civic Centre was a statement to the citizens of Plymouth after the devastation of World War II;
- jj) The Civic Centre Project would aid young people train for apprenticeships, and would drive economic activity in the city centre.

David Draffan (Service Director for Economic Development) added:

- kk) Nationally, not much of the Levelling Up Fund had been spent due to councils not having retained capacity and capability to undertake levelling up projects and not many councils were in a position to take risks and co-invest;
- ll) The Civic Centre Project was a £55 million project that required care and due diligence;
- mm) The Civic Centre Project would be undertaken in three phases.

Cabinet agreed to the following recommendations:

1. To approve the Council entering into an agreement for lease with City College Plymouth in relation to parts of the Civic Centre;
2. To approve the allocation of £8.5 million of the Levelling Up Fund (LUF) received (L44 23/24) to support future capital works that would enable the occupation of the lower floors of the Civic Centre by City College Plymouth;
3. To note that a further report would be submitted by Autumn 2024 outlining agreed terms for a lease to City College Plymouth and a capital budget, programme and funding options for stage 2 of the works including cladding the building;
4. To approve the strategy as set out in the briefing at Appendices 1 and 2 for the Council to take back ownership and control of the Civic Centre to able the first stage of restoration works to progress within the Future High Streets Fund (FHSF) grant window;
5. To approve the freehold purchase of the Civic Centre from Urban Splash for £1.00;

6. To approve the virement of £2.45 million of FHFS grant from the Civic Centre project to the Guildhall project, therefore releasing corporate borrowing of £2.45 million to be earmarked for a future programme of works at the Civic Centre;

7. To note the financial appraisal at Appendix 2i and the requirement for the Council to provide a financial underwrite until additional gap funding and/or investment has been secured;

8. To grant authority to the Service Director for Economic Development in conjunction with the Section 151 Officer to approve the terms of the property agreements and associated hand over arrangements, as well as any contracts for works, consultant appointments, warranties and any other legal agreements required to progress the skills hub and other works associated with the refurbishment of the Civic Centre, and to seek the most economic funding arrangement from agencies and other relevant partners to support project delivery which would reduce the Council's exposure to financial risk.

Cabinet



Date of meeting:	20 May 2024
Title of Report:	Armada Way Independent Learning Review
Author:	Liz Bryant (Head of Legal Services/Monitoring Officer)
Contact Email:	Liz.bryant@plymouth.gov.uk
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

For Cabinet to approve the Terms of Reference for the Armada Way Independent Learning Review (the ILR) in accordance with the Court Order dated 25 March 2024.

Recommendations and Reasons

Cabinet agrees:

1. That the Terms of Reference included at Appendix I are approved to ensure compliance with the requirements of the Order of the High Court of 25 March 2024 (the Court Order) which states:

“The Terms of Reference for the review will be approved at a meeting of Cabinet scheduled for 20 May 2024”.

2. That the Monitoring Officer proceeds with the commissioning of an Independent Chair and ILR members to conduct the ILR which will identify suitably independent candidates to fulfil the roles required to conduct the ILR.

This will ensure that the ILR is conducted by individuals who have the relevant expertise and are independent of Plymouth City Council and will ensure further compliance with the Court Order which states:

“The commissioning officer for the review will be the Defendant’s Head of Legal Services and Monitoring Officer, Liz Bryant”.

Alternative options considered and rejected

Alternative options would include not undertaking the ILR however this would result in a breach of the Court Order. For that reason, this option is rejected.

Relevance to the Corporate Plan and/or the Plymouth Plan

Conducting the ILR supports the Council’s mission to make Plymouth a fairer city and its beliefs in democracy, responsibility, fairness and co-operation. It will provide an opportunity for the Council to

Sign off:

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Originating Senior Leadership Team member: Liz Bryant (Head of Legal Services/Monitoring Officer)

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CABINET – 20 MAY 2024**ARMADA WAY LEARNING REVIEW CABINET BRIEFING REPORT****1. Purpose of Report**

This report is presented by the Monitoring Officer for the purposes of providing Cabinet with an overview of the relevant issues to assist with final approval of the Terms of Reference for the Armada Way Independent Learning Review.

2. Background and context

During a Cabinet meeting on 20 July 2023, the Leader announced his commitment to conduct an independent learning review into the Armada Way decision taken 14 March 2023 by the Leader at the time (the Decision). In tasking officers with preparing draft Terms of Reference (ToR) for review by Cabinet the Leader stated that:

- i. The review would be truly independent, and would have an independent and senior chair;
- ii. It would look in detail at the decision-making process that took place, both in terms of legality and governance;
- iii. It would examine how well the Council engaged with stakeholders throughout the process and the extent to which feedback was incorporated into the plan;
- iv. It would examine the impact of the project on the local environment;
- v. It would set out the financial implications of what had happened, including the costs directly to the Council;
- vi. It would commence before the end of the year, and it would be presented to Council on its completion;

This commitment was formalised by the court order which dismissed the Judicial Review proceedings as being academic (the Court Order). As part of the Court Order, the Council provided an undertaking as follows:

- to conduct an independent learning review (ILR);
- to approve the ToR for review at the Cabinet meeting on 20 May 2024;
- that the ToR should reflect matters i – vi listed above;
- to commence the review immediately upon the completion of the extant court proceedings, or the finalisation of the ToR (whichever is the soonest);
- to complete the review within 3 months of commencement;
- to present the findings to full Council once complete;
- to publish the details of the Chair on PCC's website; and
- to appoint the Monitoring Officer as the commissioning officer for the review.

The date of commencement of the ILR is presently unknown due to the application for permission to appeal the JR decision and the still unresolved contempt of court proceedings.

3. Terms of Reference (ToR)

The proposed ToR have been drafted by the Monitoring Officer and are included at Appendix B.

Cabinet is asked to note the following key points:

- Whilst the ToR will be agreed by Cabinet in compliance with the Court Order, the Independent Chair will be given an opportunity to consider them and make agreed amendments prior to commencing the ILR;
- The ToR deal with the following points:
 - The principles and purpose of the ILR;
 - The issues for consideration, as per the Court Order; and
 - The way in which the ILR is conducted.
- It is proposed that the ILR will be conducted by an Independent Chair with local government governance expertise, along with two further advisors possessing suitable governance/legal and environmental/regeneration/planning expertise in a local government context.
- The ILR will be supported by an administrative officer and officer advisors who have had no previous involvement with the Decision or the original Armada Way scheme.

4. Officer, Member and Stakeholder Engagement

As set out in the ToR, engagement will be managed as follows:

- The ILR will organise private discussions with relevant Council officers and members, identified following a review of the documentation;
- There will be an opportunity for members of the public and interested parties to make written submissions to the ILR based on its objectives as set out in the ToR.

5. The Independent Chair and ILR Members

- The Monitoring Officer is tasked with commissioning a suitably qualified Independent Chair and ILR members, as discussed above;
- In addition to possessing suitable experience and qualifications, the ILR members will be required to demonstrate independence, effective communication skills and the ability to engender trust;
- The submission of CVs will be invited for consideration by the Monitoring Officer and identification of the most suitably qualified candidates;
- Following the conclusion of this process, the most suitable candidates will be discussed with Cabinet prior to formal appointment.
- The ILR Chair and members will be remunerated for conducting the ILR

6. The ILR Report

- The ILR will produce a draft report which will be finalised once those who have been interviewed have had the opportunity to review their interview transcripts for points of accuracy and factual correctness;
- Once the report has been finalised, it will be presented to full Council and published on the Council's website, in accordance with the Court Order.

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ARMADA WAY REGENERATION LEARNING REVIEW

Terms of Reference



Independent Learning Review into the Armada Way decision of 14 March 2023

Independent Chair: [insert name of Chair]

Independent Legal Advisor: [insert name]

Independent Regeneration and Planning Advisor: [insert name]

Background

The original Armada Way executive decision was published on 14 March 2023 signed by the then Leader of Plymouth City Council (the Original Decision). The decision was to proceed with a redevelopment scheme for Armada Way, the final design for which included the felling of 129 mature trees, the retention of 20 existing trees and the planting of 169 new, sustainable semi-mature trees (“the Original Scheme”). Following the local elections in May 2023, Plymouth City Council’s (PCC) Leader and Cabinet were replaced. The new Leader withdrew the Original Decision and confirmed that the Original Scheme would be progressed no further. Furthermore, the Leader also announced at a Cabinet meeting of 10 July 2023 his commitment to establish an Independent Learning Review into the Original Decision (“the ILR”). That commitment included an outline indication of the format and scope the of ILR and these elements have now been formalised as part of a Court Order arising from Judicial Review proceedings into the Original Decision.

Purpose and Methodology

The principles and purpose of the ILR are:

- a. To provide an opportunity for PCC to receive feedback from interested stakeholders to enable it to objectively analyse areas of good practice and areas of improvement for the organisation moving forward.
- b. To obtain an independent, fair and objective appraisal of all relevant facts and factors pertaining to Original Decision and the implementation of the Original Scheme; and
- c. To provide PCC with learning outcomes from which it can identify improvements to its procedures and processes, particularly in relation to governance, decision making and the management of the Original Scheme as a major project.

In convening the ILR the Council is committed to organisational change through learning and improvement. It is not intended that the ILR will seek to allocate blame or culpability to any of the parties involved for previous actions or events and the process will be a non-adversarial one. The ILR will be conducted in the spirit of openness and fairness that avoids hindsight bias and any bias towards any of those involved. Instead, the focus will be aimed at implementing improvement in processes and procedures moving forward. The ILR will be guided by that focus.

In order to achieve its goals, the ILR will examine what happened and why it happened. It will consider the facts relating to the development and approval of the Original Scheme, alongside any written submissions received under these ToR. This will help to provide a clear picture of what happened and whether there are improvements that could be made to the Council's approach to governance as well as processes and procedures to be implemented in similar circumstances. The ILR will review all

relevant documentation and other forms of information to include a review of Freedom of Information requests (accepted and rejected), issues around disclosure and transparency and recordings of meetings. Commercially sensitive and legally privileged documents will be reviewed on a case-by-case basis to establish whether they can be released to the ILR following legal advice provided to the Council as stakeholder. Redaction may need to be undertaken by an independent party to protect data and any other sensitive or privileged material. The Council has agreed to provide the ILR with all information it holds which the ILR may consider relevant subject to the foregoing considerations.

The ILR will organise private discussions with relevant Council officers and members identified following a review of the documentation. It will provide the opportunity for members of the public and interested parties to make written submissions to the ILR based on the objectives of the review. Any submissions that do not address the purposes and issues for consideration set out in the ToR will not be considered.

The ILR will publish a report at its conclusion, which will be considered at a meeting of the full Council.

Issues for consideration:

The ILR will examine:

- The approach taken by the Council in preparing the Original Decision and associated documentation, to include issues around the wording, accuracy and focus of the Original Decision;
- Details of the decision-making processes from a governance and legal perspective, to include:
 - the use of “urgent” decision-making procedures including
 - the lack of opportunity to “call-in” the decision;
 - the reasoning for urgency, including pre-election period and bird nesting;
- Whether a sufficient consultation process was undertaken to include how well the Council engaged with stakeholders throughout the process and the extent to which feedback was incorporated into the plans for the Original Scheme;
- The eventual implementation of the Original Decision and the events surrounding it, including the stakeholder response and documentation submitted to the injunction hearing by both sides;
- Recording of officer decision making processes and actions, in particular in relation to the implementation and project management of the Original Scheme;
- The impact of the Original Scheme on the local environment, to include reasons why an environmental impact assessment was not undertaken prior to the Original Decision;
- The financial implications of the events and circumstances arising from the Original Decision and the implementation of the Original Scheme, including the costs directly to the Council.

In making any findings in relation to the legality of the decision-making process as set out above, this is expected to be in the context of providing advisory conclusions for best practice in future under similar circumstances where a Local Authority finds itself faced with decision making options in unusual circumstances. Only a court of law can conclude whether the way in which a decision was taken was lawful or unlawful.

Conduct of the ILR

The ILR will not commence until the conclusion of all extant legal proceedings, in accordance with the Court Order.

The ILR will be independent of all stakeholders and will consist of a panel made up of an Independent Chair with local government governance expertise, along with two further advisors possessing suitable governance/legal and environmental/regeneration/planning expertise in a local government context. The ILR members will be remunerated for conducting the ILR.

It will adopt a constructive and inquiring approach; that is to say, it will pose questions and seek information in order to help the Council and others understand what happened and how improvements can be made to the Council's processes and procedures as a result.

The ILR will comply with Freedom of Information, data sharing and confidentiality requirements as set out in the contract between the ILR members and the Council.

The ILR members will be supported by an administrative officer and advisors who have had no prior involvement with the Original Decision or Original Scheme.

The ILR members will be mindful of the need to keep the cost and duration of the ILR within reasonable limits. This will include complying with the requirement of the Court Order to complete the review within 3 months of commencement, as well issues surrounding proportionate use of time and resources.

The Council will publish the details of the ILR on its website and will also provide details of the way in which the members of the public can provide submissions to the ILR at the relevant time.

The ILR will, on the conclusion of its review, produce a draft report. Prior to finalisation of the ILR report, those who have been interviewed will have the opportunity to review the transcript of their interview to ensure accuracy and factual correctness. The draft ILR report will remain confidential until such time as it has been finalised. Upon finalisation of the ILR report, a copy will be made available to all stakeholders, including Plymouth City Council for presentation to its full Council. It will also be published on the Council's website.

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