



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>

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 Officer decision detailed below may be implemented immediately.

Delegated Decisions

I. Officer Decision - Liz Bryant (Head of Legal Services and Monitoring Officer):

- I.a Armada Way Independent Learning Review - Commissioning of Chair and Learning Review Members **(Pages 1 - 6)**

EXECUTIVE DECISION

made by a Council Officer



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

Executive Decision Reference Number – *COD31 24/25*

Decision				
1	Title of decision: Armada Way Independent Learning Review – Commissioning of Chair and Learning Review Members			
2	Decision maker (Council Officer name and job title): Liz Bryant – Head of Legal Services and Monitoring Officer			
3	Report author and contact details: Liz Bryant (liz.bryant@plymouth.gov.uk)			
4a	Decision to be taken: Appointment of the Learning Review Chair, Legal/Governance expert and Planning and Regeneration expert.			
4b	Reference number of original executive decision or date of original committee meeting where delegation was made: Authority delegated to the Monitoring Officer by Cabinet on 20 May 2024.			
5	Reasons for decision: On 20 July 2023 the Leader of the Council 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 Order dismissing the subsequent Judicial Review proceedings confirmed this commitment and made directions around the conduct of the learning review. This included the commissioning of independent reviewers. An appropriate Independent Chair and learning review members have now been selected and this decision appoints those members.			
6	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			
7	Financial implications and risks: None as a direct result of this report other than the cost of the ILR itself which remains unknown at this time.			
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.
8b	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:		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 hear what others have to say and demonstrate an understanding of the impact of its decisions and actions.	
10	Please specify any direct environmental implications of the decision (carbon impact)		It is not anticipated that the proposed action will cause any adverse environmental impacts.	

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 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	Which Cabinet Member's portfolio does this decision relate to?	N/A		
13b	Date Cabinet Member consulted	N/A		
13c	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	x	(If no go to section 14)

I3d	Which other Cabinet member's portfolio is affected by the decision?		
I3e	Date other Cabinet member(s) consulted		
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes	If yes, please discuss with the Monitoring Officer
		No	
I5	Which Corporate Management Team member has been consulted?	Name	Liz Bryant
		Job title	Head of Legal and MO
		Date consulted	13 November 2024
Sign-off			
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	JS69 24/25
		Finance (mandatory)	DJN.24.25.126
		Legal (mandatory)	LS/00003626/5/LB/14/11/24
		Human Resources (if applicable)	
		Corporate property (if applicable)	
		Procurement (if applicable)	
Appendices			
I7	Ref.	Title of appendix	
	A	Armada Way Independent Learning Review Appointment Briefing Note	
Confidential/exempt information			
I8a	Do you need to include any confidential/exempt information?	Yes	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in I8b below.
		No	
		Exemption Paragraph Number	

		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
19	<p>Please list all unpublished, background papers relevant to the decision in the table below.</p> <p>Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Report 20 May 2024								
Council Officer 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						
					14/11/2024			
Print Name	Liz Bryant							

Armada Way Independent Learning Review Appointment Briefing Note



I. Background and context

On 20 July 2023, the Leader of Plymouth City Council committed to undertake an independent learning review into the Armada Way decision taken by the former Leader on 14 March 2023. 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 ToR were subsequently drafted by the Monitoring Officer and approved by Cabinet on 20 May 2024.

2. The Independent Chair and ILR Members

The Monitoring Officer was tasked with commissioning a suitably qualified Independent Chair and ILR members, as set out in the ToR. Such members would be assessed on the following criteria:

- Possessing demonstrable local government experience, along with suitable experience and qualifications in their subject area (Governance, Legal, Planning and Regeneration);
- Demonstrate independence, effective communication skills and the ability to engender trust;
- Scrupulous fairness in assessing complex information and competing interests, sound judgment and a willingness to accept scrutiny and challenge;

- The ability to command respect quickly and to build mutually supportive relationships and networks;
- Comfortable operating in a political environment, whilst also being tenacious and robust.

The process of sourcing potential candidates meeting the above criteria was undertaken by SOLACE who provided a number of CVs for consideration by the Monitoring Officer. Candidates were interviewed and assessed against the criteria by the Monitoring Officer, the newly appointed Interim Director for Growth and the Service Director for Finance (s151 Officer). The three most suitable candidates have now been offered roles appropriate to their experience and expertise through SOLACE and each has accepted the role offered. The contract for the services being provided by the ILR members for the review is between PCC and SOLACE. PCC is not directly contracting with the ILR members.

The ILR members selected are as follows:

Chair

David Williams – former Chief Executive of Portsmouth City Council, Gosport Borough Council and Guildford Council, with experience in leading major regeneration projects.

Planning and Regeneration

Sue Foster OBE – former Strategic Director who has worked in a number of local authorities – including Hackney, Lambeth and Kensington and Chelsea Councils, leading on areas such as Planning, Place, Regeneration and Neighbourhoods.

Legal and Governance

Jeanette McGarry – Monitoring Officer at the Royal Borough of Kingston upon Thames and West Lyndsey District Council, with extensive experience in carry out reviews – specifically looking at governance, legal services and decision making.

3. The ILR Process

The ILR members will now proceed with commencing their review. This will include finalising the ToR and then proceeding with the actions as set out in the ToR. The ILR members will be supported by an internal team consisting of the Monitoring Officer, a democratic services officer and administrative and legal support officers who have not been involved with the Armada Way judicial review or contempt of court proceedings.