

**Oversight and Governance**

Chief Executive's Department

Plymouth City Council

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Delegated Decisions

Delegated Executive/Officer Decisions

Notice of call-in for non-urgent decisions must be given to the Democratic Support Team by 4.30 pm on Friday 29 August 2025. 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/3hwmppzp>

The decisions detailed below may be implemented from 5pm on Friday 29 August 2025, if they are not called-in.

Delegated Decisions

1. Councillor Mark Lowry - Cabinet Member for Finance:

1a. F01 25/26 Income and Credit Management Policy

(Pages 1 - 40)

2. Councillor Chris Penberthy - Cabinet Member for Housing, Cooperative Development and Communities:

2a. HCD01 25/26 - Approval to proceed with disposal of public open space land adjacent to Pounds House, 162 Outland Road, Plymouth, PL2 3PX after consideration of objections received following notice of the intention to dispose of the land

(Pages 41 - 56)

EXECUTIVE DECISION

made by a Cabinet Member




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

Executive Decision Reference Number – F01 25/26

Decision				
1	Title of decision: Income and Credit Management Policy			
2	Decision maker (Cabinet Member): Councillor Mark Lowry (Cabinet Member for Finance)			
3	Report author and contact details: Paul Walshe (Head of Revenues, Benefits and Service Centre) paul.walshe@plymouth.gov.uk			
4	Decision to be taken: To approve the Income and Credit Management Policy.			
5	Reasons for decision: The policy is required to support Plymouth City Council's (PCC) approach to Income and Credit Management, across collectable debt, providing clear guidance for staff, and providing consistency and clarity regarding decision-making.			
6	Alternative options considered and rejected: A policy is required to support debt collecting activities, the alternative of which is to not have an agreed policy and has been rejected as introduces risk and ambiguity around Council's approach to income and credit management..			
7	Financial implications: The policy will; <ul style="list-style-type: none"> - maximise collectable debt through prudent credit extension, risk balancing, and efficient income collection. - Apply to all income sources and both statutory and non-statutory services. - Include minimising bad debt, ensuring affordability checks, and promoting upfront payments. - Emphasises customer care, flexible payment options, and signposting to debt support services. - Establish clear thresholds and authorisation levels for bad debt write-offs. 			
8	Legal Implications: (For completion by Legal Officers) None arising from this report.			
9	Is the decision a Key Decision? (please contact Democratic Support for further advice) Please type an X into the relevant boxes	Yes	No	Per the Constitution, a key decision is one which:
			X	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			X	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million annually

			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		
I0	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:	Maximising income collection to support provision of quality public services and enabling the Council to spend money wisely.		
I1	Please specify any direct environmental implications of the decision (carbon impact)	None identified.		
Urgent decisions				
I2a	Is the decision urgent and to be implemented immediately in the interests of the Council or the public? Please type an X into the relevant box	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No	X	(If no, go to section I3a)
I2b	Reason for urgency:			
I2c	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
I3a	Are any other Cabinet members' portfolios affected by the decision? Please type an X into the relevant box	Yes		
		No	X	(If no go to section I4)
I3b	Which other Cabinet member's portfolio is affected by the decision?	N/A		
I3c	Date Cabinet member consulted	N/A		
I4		Yes		

	Has any Cabinet member declared a conflict of interest in relation to the decision? Please type an X into the relevant box	No	X	If yes, please discuss with the Monitoring Officer				
15	Which Corporate Management Team member has been consulted?	Name		Ian Trisk-Grove				
		Job title		Service Director for Finance and I51 Officer				
		Date consulted		18 July 2025				
Sign-off								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)			JS25 25/26			
		Finance (mandatory)			ITG.25.26.054			
		Legal (mandatory)			LS/00001312/2/AC/5/8/25			
		Procurement (if applicable)			N/A			
		Corporate property (decisions involving Council owned land or facilities) (if applicable)			N/A			
		Human Resources (if applicable)			N/A			
Appendices								
17	Ref.	Title of appendix						
	A	Briefing report for publication						
	B	Equalities Impact Assessment						
	C	Income and Credit Management Policy						
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information? Please type an X into the relevant box	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 (2010) and those who do not. For further details please see the EIA attached.</p>							
Signature				Date of decision		21/08/2025		
Print Name	Cllr Mark Lowry							

BRIEFING REPORT - INCOME AND CREDIT MANAGEMENT POLICY (FINANCE)



Request for Approval – Income and Credit Management Policy

To: Portfolio Holder / Senior Leadership Team

From: Paul Walshe, Head of Revenues, Benefits and Service Centre

Date: July 2025

Subject: Approval Request (Executive Decision) – Income and Credit Management Policy

1. Purpose of the Report

This report seeks formal approval for the **Income and Credit Management Policy**. The policy outlines Plymouth City Council's approach to managing income and credit across all departments and services, ensuring financial sustainability, legal compliance, and customer sensitivity.

2. Background

Income from Council Tax, Business Rates, rents, fees, and charges, form a significant portion of the Council's funding. Effective credit and income management is essential to maintain service delivery and financial resilience. The policy has been produced to reflect current legislation, operational practices, and strategic priorities.

3. Key Features of the Policy

- **Purpose:** To maximise collectable debt through prudent credit extension, risk balancing, and efficient income collection.
- **Scope:** Applies to all income sources and both statutory and non-statutory services.
- **Objectives:** Includes minimising bad debt, ensuring affordability checks, and promoting upfront payments.
- **Responsibilities:** Clearly defined roles for the S151 Officer, Chief Officers, and departmental staff.
- **Systems:** Utilises corporate systems such as Civica, Capita Academy, and Parking Gateway for debt management.
- **Customer Focus:** Emphasises customer care, flexible payment options, and signposting to debt support services.
- **Legal Compliance:** Aligns with relevant legislation including the Care Act 2014, Late Payment of Commercial Debt Act 1998, and associated financial regulations.
- **Debt Recovery:** Details processes for Council Tax, Business Rates, Adult Social Care, and general income, including use of legal action and external agents.
- **Write-Offs:** Establishes clear thresholds and authorisation levels for bad debt write-offs.

4. Strategic Alignment

The policy supports the Council's:

- **Medium Term Financial Strategy** – by protecting and increasing income.
- **Sustainable Community Strategy** – by ensuring access to services for all residents.
- **Charging Policy** – with relevance in Adult Social Care.
- **Financial Regulations** – ensuring accountability and integrity in financial management.

5. Recommendation

It is recommended that the Finance portfolio holder:

1. **Approve by Executive Decision** the Income and Credit Management Policy as the Council's formal policy.
2. **Delegate** authority to the S151 Officer to implement and monitor the policy, and to approve minor amendments as required.

3. **Ensure** that all departments are informed and trained on the policy to ensure consistent application.


6. Appendices

- Appendix A: Income and Credit Management Policy
- Appendix B: Equalities Impact Assessment - Income and Credit Management
- Appendix C: Executive Decision – Income and Credit Management

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EQUALITY IMPACT ASSESSMENT – INCOME AND CREDIT MANAGEMENT POLICY

SECTION ONE: INFORMATION ABOUT THE PROPOSAL

Author(s): The person completing the EIA template.	Paul Walshe	Department and service:	Finance	Date of assessment:	31 July 2025
Lead Officer: Head of Service, Service Director, or Strategic Director.	Paul Walshe, Head of Revenues, Benefits and Service Centre	Signature:		Approval date:	31 July 2025
Overview:	A policy is required 'Income and Credit Management Policy' to ensure the council is maximising its ability to recover collectable debt across its debt recovery activities, including council tax, business rates and sundry debts. This policy will provide guidance for PCC staff in collecting debt, helping to provide consistency and removing ambiguity				
Decision required:	Approval of the Income and Credit Management Policy				

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	X	No	
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.

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 14.64.2 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>The Income and Credit Management Policy proposes that where it is deemed appropriate, that Adult Social Care debt cases be referred to an Enforcement Agent to recover debt on the council's behalf.</p>	<p>The ability to refer debt to an Enforcement Agent will be an additional option when all other recovery action has been exhausted. The decision on such action will be taken on a case-by-case basis, and based on the customers individual circumstances.</p>	<p>The monitoring of debt levels will be ongoing. The Service Centre is responsible for recovering Adult Social Care debt (within Finance).</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 aged 21 to 24 who could return for support from services if they wished to.</p>	<p>The Income and Credit Management Policy provides a framework for collecting debt, which may include individuals with care experience.</p>	<p>The council does not hold Care Experience data within the same systems which manage debt collection. If a customer is identified as care experienced in the process of debt recovery, then teams will engage with the customer to signpost and support as required.</p>	<p>The monitoring of debt levels will be ongoing.</p> <p>Finance teams are responsible for recovering debt across Council Tax, Business Rates and Sundry Debts.</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>Plymouth City council does not hold data for this protected characteristic in relation to income and credit management.</p> <p>There will be no adverse impacts as Plymouth City Council does not discriminate on the basis of disability.</p>	<p>N/A</p>	<p>N/A</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).	Plymouth City council does not hold data for this protected characteristic in relation to income and credit management. There will be no adverse impacts as Plymouth City Council does not discriminate on the basis of gender reassignment.	N/A	N/A
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).	Plymouth City council does not hold data for this protected characteristic in relation to income and credit management.	N/A	N/A
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.	Plymouth City council does not hold data for this protected characteristic in relation to income and credit management.	N/A	N/A

Race	<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)</p> <p>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)</p> <p>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>Plymouth City council does not hold data for this protected characteristic in relation to income and credit management.</p> <p>There will be no adverse impacts as Plymouth City Council does not discriminate on the basis of race.</p>	N/A	N/A
Religion or belief	<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).</p> <p>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>Plymouth City council does not hold data for this protected characteristic in relation to income and credit management.</p> <p>There will be no adverse impacts as Plymouth City Council does not discriminate on the basis of religion and/or belief.</p>	N/A	N/A
Sex	<p>51 per cent of our population are women and 49 per cent are men (2021 Census).</p>	<p>Plymouth City council does not hold data for this protected characteristic in relation to income and credit management.</p> <p>There will be no adverse impacts as Plymouth City Council does not discriminate on the basis of sex.</p>	N/A	N/A

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).	Plymouth City council does not hold data for this protected characteristic in relation to income and credit management. There will be no adverse impacts as Plymouth City Council does not discriminate on the basis sexual orientation.	N/A	N/A
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SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	No implications arising from this proposal	N/A	N/A

SECTION FIVE: OUR EQUALITY OBJECTIVES

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
Work together in partnership to: <ul style="list-style-type: none">▪ promote equality, diversity and inclusion▪ facilitate community cohesion▪ support people with different backgrounds and lived experiences to get on well together	No implications arising from this proposal	N/A	N/A
Give specific consideration to care experienced people to improve their life outcomes, including access to training, employment and housing.	No implications arising from this proposal	N/A	N/A

Build and develop a diverse workforce that represents the community and citizens it serves.	No implications arising from this proposal	N/A	N/A
Support diverse communities to feel confident to report crime and anti-social behaviour, including hate crime and hate incidents, and work with partners to ensure Plymouth is a city where everybody feels safe and welcome.	No implications arising from this proposal	N/A	N/A

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INCOME & CREDIT MANAGEMENT POLICY



1. Purpose and Introduction

1.1 The purpose of Credit Management for the Council is:

“To maximise the amount of collectable debt, through the prudent extension of credit, the balancing of financial risk and the efficient collection of income, within a framework of customer care and client sensitivity.”

1.2 The S151 Officer has responsibility, under Section 151 of the Local Government Act 1972, for the administration of the financial affairs of the Council, including the management of credit and the collection of debt. Financial regulations covering this area are to be found in Appendix D, Section 2 of those regulations.

1.3 This policy sets out to define the credit management function, stating the objectives and responsibilities, in order that the principles of operation of credit management are clearly recognised and understood.

1.4 Income is vital to the Council; the income generated by the Council in the form of Council Tax, Business Rates, rents, fees and charges constitutes a large proportion of the Council's overall resources. The Council relies on this income to fund the services it provides and any failure to collect income represents a risk to the sustainability of Council services.

2. Definitions

2.1 **Credit Management** is defined as the management of the risks and costs associated with allowing customers time to pay. The use of the word credit in the context of this policy relates to the provision of goods or services for payment at a later date.

2.2 **Prudent extension of credit** means supplying goods and services with payment due on receipt of invoice (i.e. a credit period is not offered). Payment periods (i.e. credit) may be offered where necessary to ensure that services remain accessible however these will vary from service to service. It should be noted that where possible, payment for standard goods and services should be received in advance of service.

2.3 **Balancing of financial risk** means evaluating the financial risk of providing goods and services in advance of payment and the likely prospect of recovering sums due.

2.4 **Efficient collection of income** means encouraging people to pay on time by offering a wide variety of payment methods, including direct debit, e-payment, and using cost effective collection methods, such as

automated reminder letters, telephone calls and personal visits. It also means making decisions on the advancing of credit and the collection of debt in an equitable manner. A manner which does not discriminate on any grounds for example by age, gender, disability or ethnicity.

- 2.5 **Customer care and client sensitivity** means handling all customer enquiries with courtesy and sensitivity and meeting the needs and expectations of different client groups, including offering flexible payment options and a wide variety of payment methods, where appropriate.


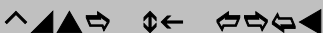
3. Scope

This policy applies to all sources of income across the Council and also applies to the provision of both statutory and non-statutory services.

- Essential and Non-essential Services (General Income)
- Non-Domestic Rates
- Council Tax
- Parking

4. Corporate Financial Systems

- 4.1 The following corporate systems are the primary systems for the collection of income due to the Council:

	
Civica Authority Financials	Sundry debt
Tricostar	Legal debt recovery, case management
Capita Academy	Council Tax National Non-Domestic Rates (NNDR) Housing Benefit
Parking Gateway	Parking Fines

5. Objectives

- 5.1 To administer an efficient debt collection process with clearly defined roles and responsibilities and documented processes.
- 5.2 To maximise the amount of income collected using the most efficient methods of payment.
- 5.3 To ensure that the cost of providing goods or services on credit terms and the cost of recovery is kept to a minimum.
- 5.4 To minimise cost to the Authority by applying administration charges for extended credit arrangements and failed payments, where cost has been incurred.
- 5.5 To minimise cost to the Authority by applying interest and charges as appropriate in accordance with relevant contracts, legislation or Late Payment of Commercial Debt (Interest) Act, 1998
- 5.6 To minimise cost by receiving payment up front for services wherever possible.
- 5.7 To minimise bad debt and provide adequate levels of provision for bad debt occurring.
- 5.8 To identify high risk customers, especially those likely to get into financial difficulties. Departments should make appropriate checks, to ensure affordability and safeguard the recovery of outstanding debt.
- 5.9 To maintain high quality and comprehensive accounts receivable information to provide easily accessible, robust management information as well as accurate customer accounts history.
- 5.10 To operate within an overall framework where core working practices are consistently applied across all services and best practice adhered to.
- 5.11 To adhere strictly to legislation, codes of conduct and professional guidelines, taking into account the Council's policies on equalities and considering diversity issues.

6. Responsibilities

S151 Officer

- 6.1 The S151 Officer has a statutory responsibility for the efficient administration of the Council's financial affairs and to protect the Council's financial position. Consequently, responsibility for the implementation of this policy rests with the S151 Officer. All Officers must comply with this policy and the S151 Officer must be consulted, and give approval, for any deviations to this policy.
- 6.2 The S151 Officer will monitor the overall debt position of the Council and keep under review the arrangements for the effective and efficient collection of debt.
- 6.3 The S151 Officer will report formally as part of the annual outturn report. Exceptions will be reported as required.
- 6.4 Income targets are set as part of the Finance Department Key Performance Indicators (KPI) scorecard and reviewed at Finance Management Team meetings (FMT).

6.5 **Chief Officers**

- 6.6 Chief Officers will be responsible for ensuring these arrangements are communicated, understood and applied by the staff involved in the income and credit management process.

Head of Revenues, Benefits and Service Centre

- 6.7 The Head of Revenues, Benefits and Service Centre is responsible for making all recommendations over changes to core working practices and procedures and implementing these changes as they relate to this policy, including any associated assessment of risk.

Departmental (for ease of reference the “Department” refers to the originating department that created the debt / invoice).

- 6.8 To ensure affordability the Department will undertake relevant credit checks prior to entering into contract with customers.
- 6.9 Credit arrangements outside of standard payment terms should not be offered to new customers.
- 6.10 The Department will ensure relevant legal documentation (leases and contracts) are signed by Officer and customer and retained.

- 6.11 Departments should consider including a contract clause which allows for the offsetting of payments against outstanding invoices when entering into a contract with customers.
- 6.12 It is the Department's responsibility to provide relevant information enabling accurate customer accounts and invoices to be raised at the appropriate time.
- 6.13 Departments should inform the Revenues, Benefits and Service Centre (RB&SC) of changes to contact and billing details as soon as they occur. RB&SC will undertake all amendments in accordance with the procedures for the maintenance of customer account data on the relevant systems.
- 6.14 It is the Department's responsibility to resolve disputes promptly. All communications relating to the dispute should be provided to the RB&SC.

7. Policy Alignment

- 7.1 The Income and Credit Management Policy is designed to be consistent with the following strategies and policies of the Council:
- Medium Term Financial Strategy
 - Sustainable Community Strategy
 - Financial Regulations.
 - Charging Policy (in respect of Adult Social Care)
 - Deferred Payment Agreement
 - Bad Debt Procedure

Medium Term Financial Strategy

- 7.2 The Medium-Term Financial Plan (MTFP) is aimed at providing the financial capacity to deliver the Council's priorities on a sustainable, medium term basis. It recognises the cost pressures faced by the Council over the medium term and matches this against the resources that the Council is likely to achieve. A key strand of the MTFP is driving efficiency and value for money. Minimising the amount of non-collectable debt helps to achieve the aim of protecting and increasing income.

Sustainable Community Strategy

- 7.3 The Sustainable Community Strategy promotes "Access for all Plymouth's residents to the city's cultural, economic and social life". By maximising the amount of income collected, services enjoyed by those that would otherwise be financially excluded can be maintained. The Income and Credit Management Policy allows for waivers to be granted in exceptional circumstances, taking full account of the diversity of each individual's circumstances.

- 7.4 This policy is consistent with these strategies and aims to recover only that which is due under other approved policies of the Council.

Financial Regulations

- 7.5 The Financial Regulations provide the framework for managing the Council's financial affairs, ensuring that best practice and legal responsibilities are always adhered to.
- 7.6 They apply to every member, committee, school governing body, maintained school, department, Officer, partner, employee of the Council, and anyone acting on behalf of the Council, unless otherwise minuted by the Council. Breaches will be reported to the Audit & Governance Committee, if the Responsible Finance Officer and the chair of the Audit & Governance Committee deem that it is appropriate.

Charging Policy

- 7.7 Section 17 of the Health and Social Services and Social Security Adjudications Act 1983 (HASSASSA Act 1983) gives local authorities a discretionary power to charge adult recipients of non-residential and some respite services such amounts as they consider reasonable.
- 7.9 Like most local authorities, Plymouth City Council is reliant on the income raised from charging for such services to fund a proportion of the costs. Without this income, service levels would be significantly reduced. Central Government assumes that councils will partly fund services from client charges when allocating funding each year. Plymouth City Council has developed a Charging Policy on the basis of equity, need and a duty to provide care.
- 7.10 The policy meets the statutory provisions stipulated in:
- Sections 14, 17 and 69-70 of the Care Act 2014
 - the Care and Support (Charging and Assessment of Resources) Regulations 2014
 - the Care and Support and Aftercare (Choice of Accommodation) Regulations 2014
 - and the guidelines as set out in "Social care charging for local authorities: 2017 to 2018"

8. Principles of Operation – Essential and Non-Essential Services

- 8.1 The Policy Principles set out below represent the standards and procedures that shall apply to all income collections systems throughout the Council. Any deviation from these principles will require the explicit

approval of the S151 Officer. Dispensations are only likely to be given in circumstances where they further the greater economic interests of the Council, avoid undesirable social or economic consequences or where the processes in this policy are incompatible with the currently employed technology.

8.2 It should be recognised that income derived from the supply of goods and/or services is reduced by the following:

- The cost of allowing credit terms by way of lost interest or interest costs incurred during the credit period
- The cost of collecting outstanding debts
- Accounting provisions against non-collection of outstanding debts

8.3 It should also be recognised that allowing credit presents the risk of losses due to bad debt, which results in total loss of income in addition to the incurred costs of collection.

Payment Terms

8.4 All opportunities to take payment in advance will be taken.

8.5 Where payment in advance is not possible, standard terms will be for payment to be made on receipt of invoice. Any deviation from the standard terms must be made with prior agreement from the RB&SC.

8.6 Discounts will not be offered unless previously agreed by S151 Officer.

8.7 Failure to pay on time, or poor payment history, may result in the withdrawal of non-statutory services. Interest may also be applied, either under contracted terms or the Late Payment of Commercial Debt (interest) Act 1998.

Raising of Invoices

8.8 Responsibility for the accuracy of invoicing remains with the originating department.

8.9 All invoices will be generated promptly and as close to the point of provision as possible, and in any event within five working days of that provision.

8.10 Invoices should only be raised when payment is due. The initial recovery process is automated and manual intervention should not be expected to

interfere with this process. For example, an invoice should not be raised then recovery immediately put on hold as the invoice should only be raised when payment is expected and due. This may mean negotiations should be had with debtors in advance to ensure no avoidable disputes will be raised.

- 8.11 All invoices should be raised with the correct income detail code(s) for the goods or services supplied
- 8.12 It is essential for recovery purposes that the correct and accurate name and title of the customer are shown on the invoice. If the customer is a business the following information should be obtained:
- Full trading title
 - Whether it is a partnership/sole owner/limited company/PLC
 - The registered office
 - Directors' or partners' names
 - Company Registration number
 - VAT number
 - VAT rate
 - Full address, main telephone number(s) and email address.
 - Date of invoice
 - Name and telephone number of Customer Payment Manager/Team
- 8.13 Invoices must only be raised to the person or organisation ultimately responsible for paying the account. Litigation is likely to be unsuccessful if the debtor details are not accurate, which will result in departments losing their income.
- 8.14 A clear description of the goods or services provided must be contained in every invoice to ensure prompt payment. Specific details must be given to assist the customer and reduce any ambiguity (for example 'see attached' is not acceptable);
- Correct customer details
 - No abbreviations
 - Clarity of content
 - Quantity of charge
 - Date/Time of service / provision
 - Purchase order number
 - VAT if applicable
- 8.15 Invoices must not be manually amended following print.
- 8.16 Internal billing should be used for all inter-departmental debt by journal transfer in the General Ledger. Please speak to your Service Accountant for further advice.

- 8.17 In general, the principle to be applied is not to raise invoices for less than the value of £30.00. Charges below this amount should be collected in advance or aggregated billing raised.

Payment Methods

- 8.18 Various methods of payment shall be available to all customers for the benefit of both the Council and the customer. These will include BACS, standing order, direct debit, debit and credit card payment, PayPoint Terminals, Post Office Branches, by telephone and also via the internet. The preferred method of payment for continuous services is direct debit. The Council will encourage and promote this method of payment at every opportunity and Service Departments should assist in moving customers to direct debit.
- 8.19 Methods of payment will be reviewed regularly to take advantage of technological advances to ensure the most efficient methods of collecting income are used.

Customer Service

- 8.20 Customers will be provided with the contact details of the originating department on any invoices issued in order that they have access to Officers with detailed and specific knowledge of the goods and/or services provided at all times.
- 8.21 All customers will be encouraged to take ownership of their financial affairs. Whilst it is not the role of the Council to provide a debt counselling service, customers will be signposted to external debt counselling services (such as the Debt Helpline and Citizens Advice Bureau) so that where a customer feels they are facing financial hardship they will be able to seek further support.

Collection of Non-Domestic Rates

- 8.22 The Non-Domestic Rating (collection and enforcement) Regulations 1989, outlines the recovery details. This policy must follow the guidelines in the Act. The flow chart at Appendix I indicates the process of statutory recovery.

Collection of Income – Council Tax

- 8.23 The Council Tax (Administration & Enforcement) Regulations 1992 outlines the recovery details. This policy must follow the guidelines in the

Act. The flow chart at Appendix 2 indicates the process of statutory recovery.

Collection of General Income

- 8.24 Recovery of debt is the responsibility of the RB&SC. Responsibility commences from the point the invoice is created on the Debtors system.
- 8.25 The flow chart at Appendix 3 indicates the Central Recovery Process and Appendix 5 indicates the Continuous Service Recovery Process for General Income.
- 8.26 Automated reminder letters will be generated when invoices remain unpaid beyond the agreed terms.
- 8.27 Where automated reminders do not elicit a response, pro-active recovery is undertaken. The preferred method for contacting customers is by telephone.
- 8.28 Where it has been established that a customer is experiencing difficulty in paying outstanding amounts, the RB&SC may arrange collection by instalment. The instalment plan should not exceed a period of six months. Where this is not possible the RB&SC will work with the customer to agree a mutually acceptable plan.
- 8.29 It is the responsibility of the RB&SC to ensure that all sundry debt outstanding to the Council from one debtor is pursued on a consolidated basis.
- 8.30 Outgoing Creditor payments may be offset against outstanding invoices after communication with the customer.
- 8.31 All debts that remain outstanding after the normal recovery process has been exhausted will be considered for legal action or referral to the Council's approved external collection agent or enforcement agent.
- 8.32 All outstanding debt is to be pursued until such time as it becomes uneconomic or disproportionate to the administrative effort required. In determining "uneconomic", account must be taken of the overall impact on the Council of non-pursuit of that debt including the impact on the Council's reputation.

Collection of unpaid Penalty Charge Notices

- 8.33 The Traffic Management Act 2004, outlines the recovery process for Regulation 9 and 10 Penalty Charge Notices and the Transport Act 2000,

outlines the recovery process for Bus Lane Penalty Charge Notice's. The flow chart at Appendix 6 indicates the process of statutory recovery.

Collection of Income – Adult Social Care

- 8.34 Within the Care Act 2014, recovery details are outlined. This policy must follow the guidelines within the Act.
- 8.35 The Care Act 2014 enables the local authority to make a claim to the County Court or Money Claim Online for a judgment to recover the debt. Plymouth City Council will consider the full range of alternative options in accordance with this Income and Credit Management Policy before proceeding to a County Court Judgment in the case of debt attributable to care and support costs.
- 8.36 A Deferred Payment Agreement must be offered in the first instance where this is applicable, if the person is receiving care in a care home or renting an extra care property. If a Deferred Payment Agreement is not applicable or is refused, then this needs to be recorded. See also the Deferred Payment Agreement Policy for full details.
- 8.37 Plymouth City Council will explore other suitable options with the person where a deferred payment is not applicable or is refused. These will include negotiation, using an advocate, supporting the family to gain a power of attorney or deputyship, the local authority applying to be a deputy and mediation.
- 8.38 Consideration to how different approaches will impact on someone's wellbeing will be taken at all times and effort should be made to resolve the issue positively using effective social work skills.
- 8.39 Consideration to be given to a person's mental capacity to manage financial affairs. Where this is in question, support from Livewell South West (social workers) will be sought, and where necessary a decision specific capacity assessment completed.
- 8.40 Where the person is deemed to have capacity then negotiating an agreement, mediation and arbitration options should be considered before the commencement of legal action, such as for example, applying for a County Court Judgment.
- 8.41 Where a person has an attorney for property and financial affairs or a deputy, these roles give the attorney or the deputy the legal authority to make the financial decisions on the person's behalf. Plymouth City Council will then need to consider the options of negotiation, mediation and arbitration with the attorney or deputy.

- 8.42 If the person is deemed to lack capacity and has no power of attorney or Deputy, then an application for a Deputy is required. Plymouth City Council will request a family member to apply for Deputyship (if this is appropriate). Where there is no suitable family member, or they chose not to act in this capacity, Plymouth City Council will explore other options which may include an application to become the Deputy or use of an external Deputy.
- 8.43 Where a person is deemed not to have capacity and it is suspected that some form of financial (or other) abuse has occurred, Plymouth City Council will take appropriate action, commencing with involving the Safeguarding Team.
- 8.44 Any debts occurring after the Care Act 2014 came into effect (01 April 2015) must have recovery action commenced within six years of the monies becoming due otherwise the debt will be written off. For any debts that have accrued prior to this date, the period for commencement of the recovery of that debt continues to be three years as previously set out under Section 56 of the National Assistance Act 1948.

The use of Third Parties and Legal Action – General Income

- 8.45 Legal action may be taken on debts with the exception of Environmental Health.
- 8.46 Legal action will be instigated on behalf of the authority by the RB&SC or Legal Services, following consultation with the department that originated the debt. Where the recovery process is the responsibility of the originating department, that department will instigate legal action.
- 8.47 Legal Action will be instigated in accordance with legal requirements stated in the Pre-action Protocol, detailed in Appendix 4.
- 8.48 For debts considered uneconomical to refer for legal action, the use of tracing and collection agents will be considered prior to any decision to write off the debt.
- 8.49 Where the council incurs additional costs as a result of non-payment e.g. court costs, these will be the responsibility of the originating department and added to the outstanding debt and (where allowed under statute) recovered from the customer.

Use of External Collection and Enforcement Agents

- 8.50 The Council has a contract with approved external collection and enforcement agents, and these should be used in all cases. The distinction between collection agents and enforcement agents lies in the legal authority and stage of the debt recovery process at which they operate.

Collection agents primarily attempt to recover debt through communication and negotiation, while enforcement agents act on behalf of the courts and have legal authority to seize assets to recover debt if a court order is not adhered to.

- 8.51 The services of external collection agents may be used for the collection of sundry debts including Adult Social Care. For these types of debt, without a court order the collection agents will be used to discuss and negotiate with the debtor.
- 8.52 Regarding Adult Social Care debt, before referral to external collection agents there must be reason as to why the referral is considered appropriate, taking into account circumstances of the debtor, their capacity, vulnerability and what other support the debtor has (for example, from family or through the care provider).
- 8.53 The external collection and enforcement agents may make personal visits to customers when the normal reminder procedures have been exhausted.
- 8.54 In these situations, the external collection and enforcement agent will be acting in the capacity of representative of the Council, and due consideration will be given to the individual circumstances of the customer.
- 8.55 All external collection and enforcement agents shall be required to adhere to a Code of Conduct, which complies with and extends beyond any statutory requirements. The Code of Conduct shall be determined in the Corporate Contract for Enforcement Agent Services.
- 8.56 Where the council employs third party collection agencies, these agencies may apply their own costs to the amount to the recovered.

Other Legal and Enforcement Action

- 8.57 Other forms of recovery action that may be used to secure a debt are:
- Civic claims in either High or County Court
 - Third Party Debt Order
 - Attachment of Earnings
 - Attachment of Benefits
 - Charging Orders
 - Orders for Sale
 - Filing for Bankruptcies & Liquidations
 - Statutory Demands
 - Taking control of goods
 - Committal to prison
 - Deferred Payment Agreements

Bad Debts and Bad Debt Write Offs

- 8.58 Full details of the correct procedures for the write off of debt can be found in the Bad Debt Write off Procedure.
- 8.59 If the invoice is valid, the charges are due and all viable means of collection have been exhausted, the debt should be written off. Invoices that have been incorrectly raised must be cancelled by being credited and not written off.
- 8.60 Departmental provisions for bad debts shall be reviewed on a periodic basis. Sufficiency of provisions will be amended annually.
- 8.61 S151 Officer, or any Officer delegated by him/her, must approve the write off of any debt in accordance with the Bad Debt Write off Procedure and Financial Regulations.

Insolvency / Bankruptcy / Receivership / Ceased Trading

- 8.62 Such debt should be written off as soon as a proof of debt has been lodged. Any subsequent income collected should then be written back to the relevant bad debt provision.
- 8.63 Responsibility for the monitoring of insolvencies and completion of documentation shall rest with the RB&SC (General Income, NNDR, Adult Social Care, Council Tax, Housing Benefit Overpayments). Representation at creditors' meetings should be the responsibility of Legal Services.

Dispute Management and Credit Notes

- 8.64 Responsibility for the management and resolution of all disputes, regarding service delivery and amount of invoice, remains with the originating department. Every endeavour should be made to ensure disputes are resolved within two months.
- 8.65 All disputes regarding invoiced charges and fees shall be recorded, monitored and reported on via the relevant debt recovery system (currently the Civica system). Where this is not possible an email should be sent to the income recovery team (incomerecovery@plymouth.gov.uk).
- 8.66 Where an invoice is in dispute the recovery process should be 'delayed' on the relevant system pending resolution. In the case of sundry debts, the delay should be reviewed at least every two weeks and should be resolved within two months, except where prior agreement has been obtained from the RB&SC. If the delay period is not managed promptly, recovery will recommence at the point recovery had reached previously.

- 8.67 If the dispute is not resolved within two months this could result in the debt being cancelled, resulting in a reduction of service income.
- 8.68 Credit notes will only be raised to reduce or cancel charges where an error has occurred and must be properly authorised and documented. The member of staff raising the credit note must include a reason using the note function on the debtor's system.
- 8.69 Credit notes must be raised and authorised immediately to correct the error, or as soon as the mistake is realised.

Suspending Recovery

- 8.70 'Suspending' (stopping) recovery action on the sundry debt system should only occur in the event of specific circumstances, such as hardship/financial difficulties, debt respite (Breathing Space), the death of a customer, payment investigation or dispute (this list isn't exhaustive) and on receipt of the appropriate evidence and/or confirmation. The member of staff must include a reason for the suspension using the note function on the debtor's system.

Management Reporting

- 8.71 Levels of debt will be monitored on a regular basis using system generated reports by appropriate Officers.

9. Policy Review

- 9.1 This policy shall be reviewed periodically by the S151 Officer and approved through the relevant decision-making process.

10. Useful Contacts & Links

General Income (RB&SC)

Tel: (30)4443 E-mail: incomes@plymouth.gov.uk

NNDR (RB&SC)

Tel: (30)4966 E-mail: businessrates@plymouth.gov.uk

Client Financial Services (RB&SC)

Tel: (39)8155 E-mail: CFServices@plymouth.gov.uk

Council Tax Helpdesk (RB&SC)

Tel: (30)4924

Legal Department (Debt Recovery)

E-mail: debtrec@plymouth.gov.uk

Civica Authority Financials – Debtors User Manual

Document Library/All/Training Manuals-ICT/Debtors

Financial Management webpages on Staffroom

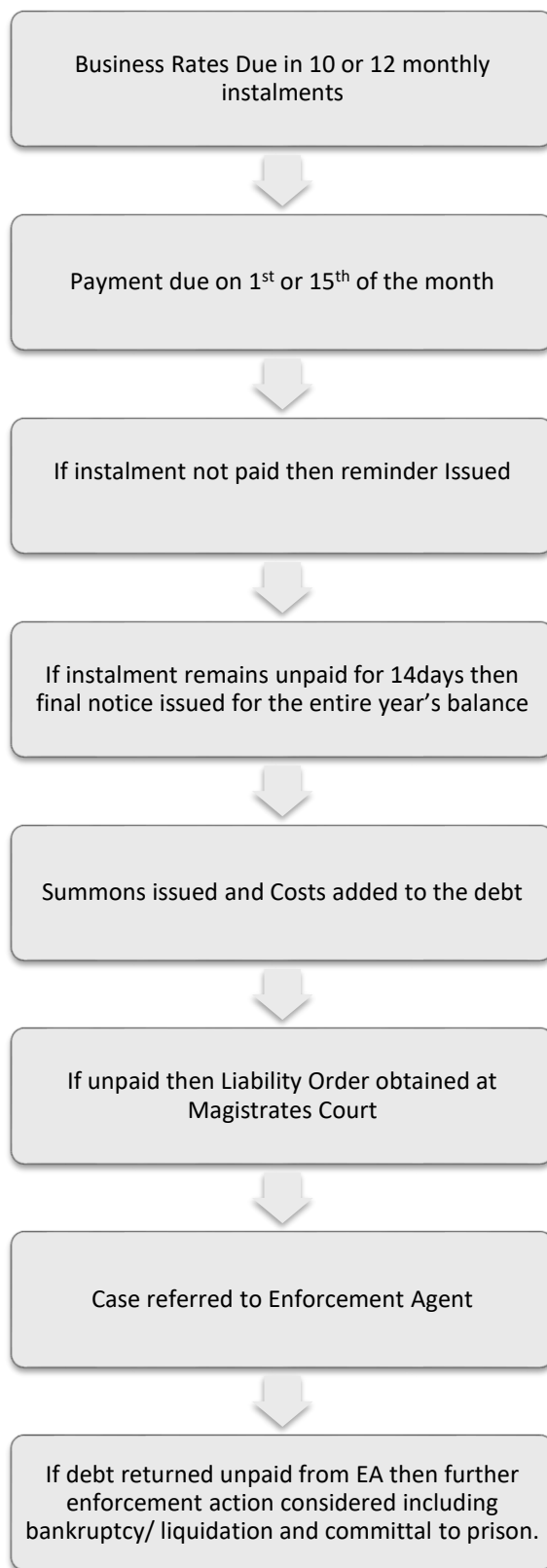
<http://www.plymouth.gov.uk/homepage/staffroom/finmgt.htm>

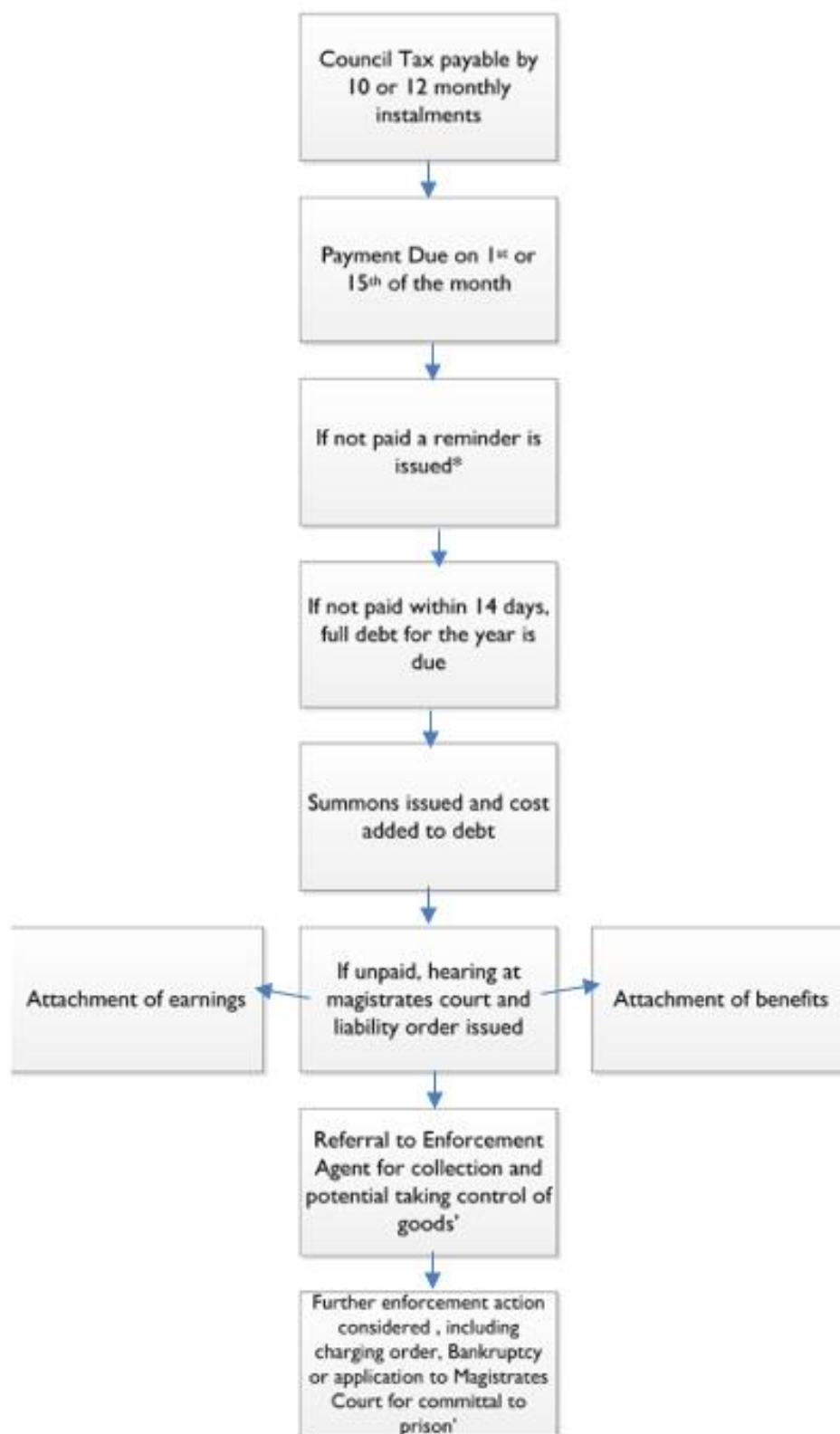
Online payments

<http://www.plymouth.gov.uk/homepage/general/onlinepayments.htm>

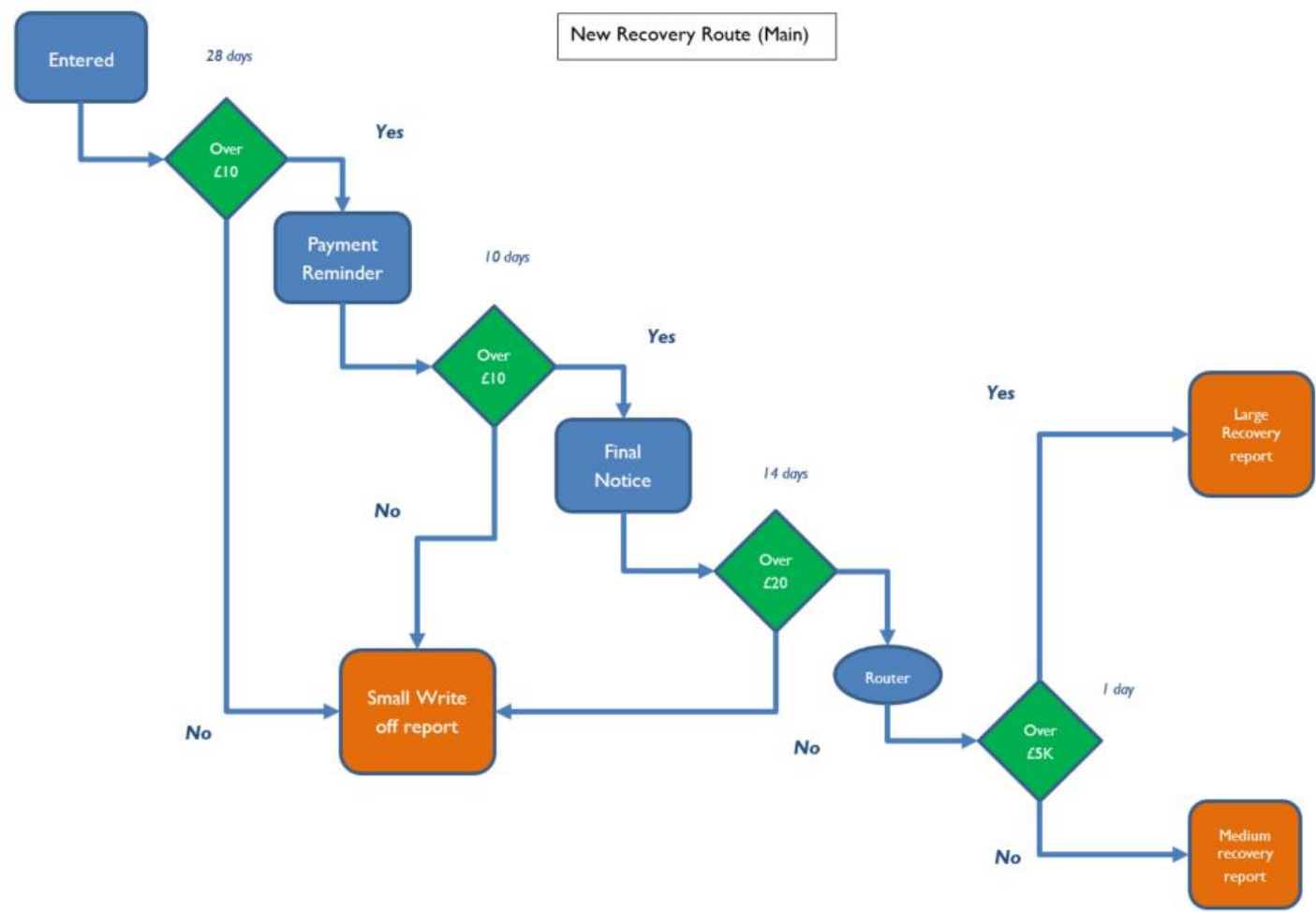
11. Glossary of Terms

Term	Description
Financial regulations	A number of rules that must be followed in order to ensure that public accountability and high standards of financial integrity are exercised in the use of public funds.
S151 Officer	S151 Officer (S151 Officer)
CMT	Corporate Management Team
FMT	Finance Management Team
RB&SC	Revenues, Benefits and Service Centre
MTFP	Medium Term Financial Plan
NNDR	National Non-Domestic Rates (more commonly known as Business Rates)
Statutory services	Services that the Council is required to provide by statute (written law)
ECA	External collection agent
Delay recovery	Process by which the invoice is manipulated to delay production of notices/reminders.
Suspend recovery	Process by which the invoice is manipulated to temporarily stop production of notices/reminders.
Pro-active recovery	Targeting specific debtors or types of debt for more robust recovery action e.g. telephoning customer to obtain payment.
Recovery process	A chain of events taken to ensure payment of outstanding invoices.
Income	Money due to the authority for services provided.
Credit	Payment not being made by the invoice due date.
Payment terms	Agreed terms for payment of an invoice.
Bad debt	Non-payment of income that is due to the Council, resulting in the debt being written off.

APPENDIX I - NON-DOMESTIC RATES

APPENDIX 2 - Council Tax Recovery

APPENDIX 3 - Central Recovery Route



APPENDIX 4 - Pre-Action Protocol

The Council shall comply with the re-action Protocol for Debt Claims as annexed to the Court's Civil Procedure Rules.

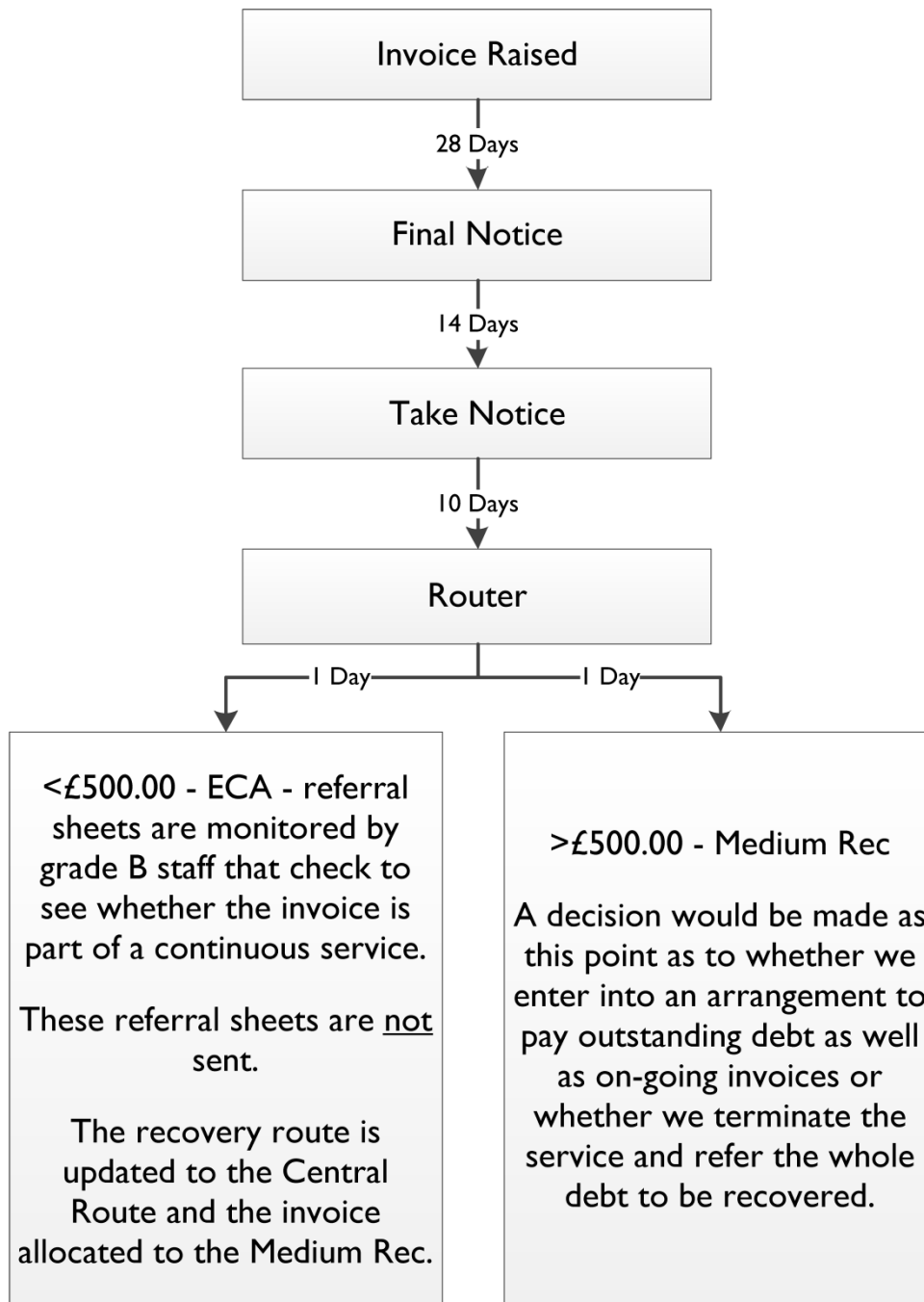
This Protocol applies to organisations and persons (including sole traders) operating a business with whom the Council deals. In this Protocol the Council is "the Creditor". Under the Protocol debtors shall be sent a Letter of Claim before proceedings are started. The Letter of Claim shall–

(a) contain the following information –

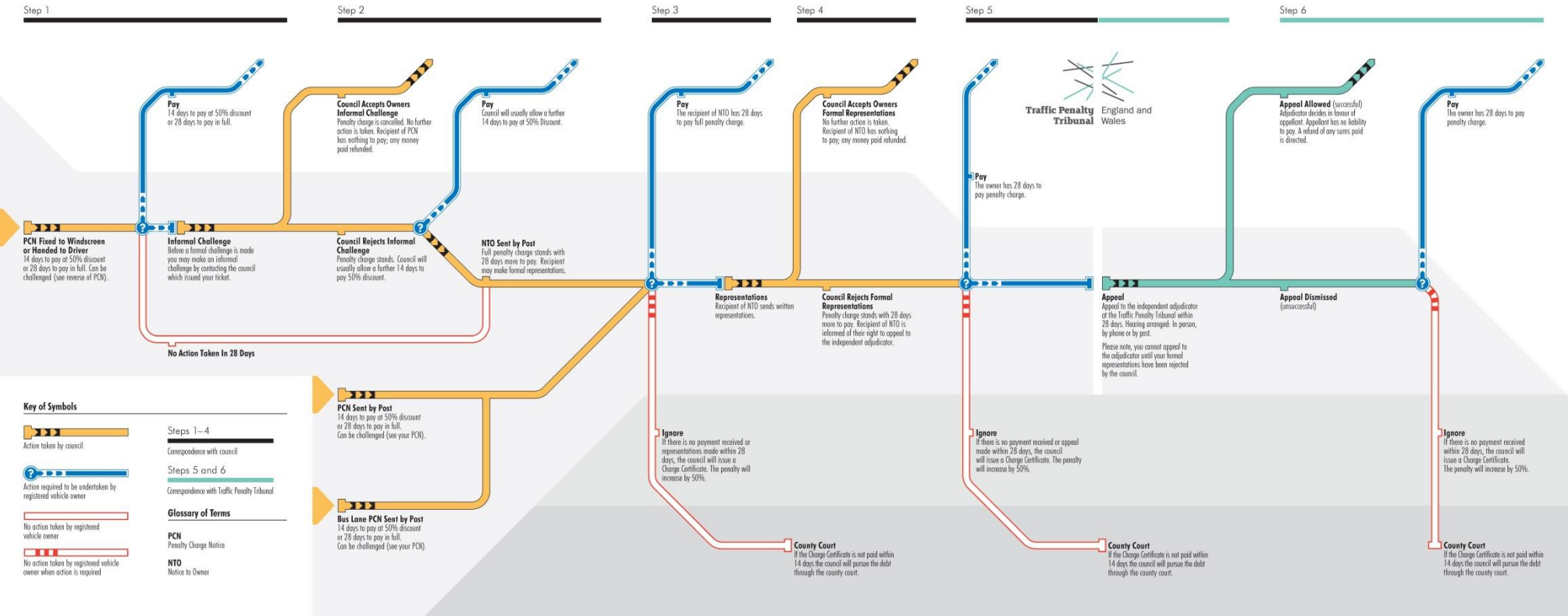
- (i) the amount of the debt;
- (ii) whether interest or other charges are continuing;
- (iii) where the debt arises from a written agreement, the date of the agreement, the parties to it and the fact that a copy of the written agreement can be requested from the creditor;
- (v) where the debt has been assigned, the details of the original debt and creditor, when it was assigned and to whom;
- (vi) if regular instalments are currently being offered by or on behalf of the debtor, or are being paid, an explanation of why the offer is not acceptable and why a court claim is still being considered;
- (vii) details of how the debt can be paid (for example, the method of and address for payment) and details of how to proceed if the debtor wishes to discuss payment options;
- (viii) the address to which the completed Reply Form should be sent;

(b) do one of the following –

- (i) enclose an up-to-date statement of account for the debt, which should include details of any interest and administrative or other charges added; or
- (ii) where no statements have been provided for the debt, state in the Letter of Claim the amount of interest incurred and any administrative or other charges imposed since the debt was incurred;

APPENDIX 5 - Continuous Service (Trade Waste, Licensing)

APPENDIX 6 - Parking Penalty Enforcement Process



APPENDIX 7 - Write Off Debt Approval Levels

Value of Debt	Who can approve it?
Up to £40	Nominated recovery Officers
Up to £200	Nominated recovery Officers (Grade E and above)
Up to £1,000	Nominated Officers (Grade H and above)
Up to £10,000	Heads of Service and other nominated Officers of the Strategic Director of Corporate Services.
Up to £100,000	Responsible Finance Officer (Section 151 Officer)
Up to £200,000	Cabinet Member
All debt over £200,000 unless covered by below exception.	Cabinet
Unlimited in the case of bankruptcy or liquidation/CVA/death/no assets/no trace	Responsible Finance Officer or other senior finance Officer nominated by him.

EXECUTIVE DECISION

made by a **Cabinet Member**




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

Executive Decision Reference Number – HCD01 25/26

Decision	
1	Title of decision: Approval to proceed with disposal of public open space land adjacent to Pounds House, 162 Outland Road, Plymouth, PL2 3PX after consideration of objections received following notice of the intention to dispose of the land
2	Decision maker (Cabinet member name and portfolio title): Councillor Chris Penberthy (Cabinet Member for Housing, Cooperative Development and Communities)
3	Report author and contact details: James Watt, Head of Land and Property, james.watt@plymouth.gov.uk
4	Decision to be taken: To proceed with the disposal of land adjacent to Pounds House having considered objections to the notice of intention to dispose of public open space.
5	Reasons for decision: <ol style="list-style-type: none"> 1. The disposal of the land is required in order to attract investors in the purchase of the adjacent Pounds House. Given the size of the property and scale of investment required it was deemed appropriate that a small amount of external space be included with the disposal. 2. The public open space represents 0.5% of Central Park and there is no significant or special benefit in retaining this land when balanced against the strategic ambition for Pounds House to be brought back into beneficial use by a third-party purchaser.
6	Alternative options considered and rejected: <ol style="list-style-type: none"> 1. Do nothing: Not disposing of the land will affect the Council's ability to effectively market the adjoining Pounds House and therefore obtain best value in the sale of the property. Pounds House has been unused since 2017 therefore it is proposed to dispose of this building.
7	Financial implications and risk: <p>The disposal of this land will facilitate the sale of Pounds House itself which will bring in a capital receipt for the council, remove ongoing holding costs and bring the property back into use. Should the Council not sell the property then there will continue to be an ongoing maintenance liability (£490,787 in the last five years) and the building will become more dilapidated. Facilities Management no longer have the budget to support this property. There will also be a saving in grounds maintenance costs for the land.</p>
8	Legal Implications <p>When selling public open space, the Council is obliged to advertise the disposal in accordance with the provisions of section 123(2A) Local Government Act 1972 and to consider any objections received.</p> <p>The land has been advertised as required and this report demonstrates that the objections have been considered.</p>

9a	Is the decision a Key Decision? (Please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which:
			X	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			X	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million
		X	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.	
	If yes, date of publication of the notice in the Forward Plan of Key Decisions	N/A		
10	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:	Spending Money Wisely – The decision will help facilitate the disposal of the adjoining Pounds House resulting in a saving in revenue budgets for ground and property maintenance and a capital receipt to support the council's wider financial decision.		
11	Please specify any direct environmental implications of the decision (carbon impact)	No impact as this relates to the disposal of a small area of public open space.		
Urgent decisions				
12	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	X	
		No		(If no go to section 14)

13b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Tom Briars-Delve – Cabinet Member for Environment and Climate Change		
13c	Date Cabinet member consulted	15 May 2025		
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	Glenn Caplin-Grey	
		Job title	Strategic Director for Growth	
		Date consulted	30 July 2025	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	JS24 25/26	
		Finance (mandatory)	OW.25.26.005	
		Legal (mandatory)	LS/00001312/1/AC/8/5/25	
		Human Resources (if applicable)	N/A	
		Corporate property (if applicable)	N/A	
		Procurement (if applicable)	N/A	
Appendices				
17	R ef .	Title of appendix		
	A	Briefing report for publication		
	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
18 b	Confidential/exempt briefing report title:							
Background Papers								
19	<p>Please list all unpublished, background papers relevant to the decision in the table below.</p> <p>Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	<p>I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.</p>							
Signature			Date of decision		21/08/25			
Print Name	Councillor Chris Penberthy							

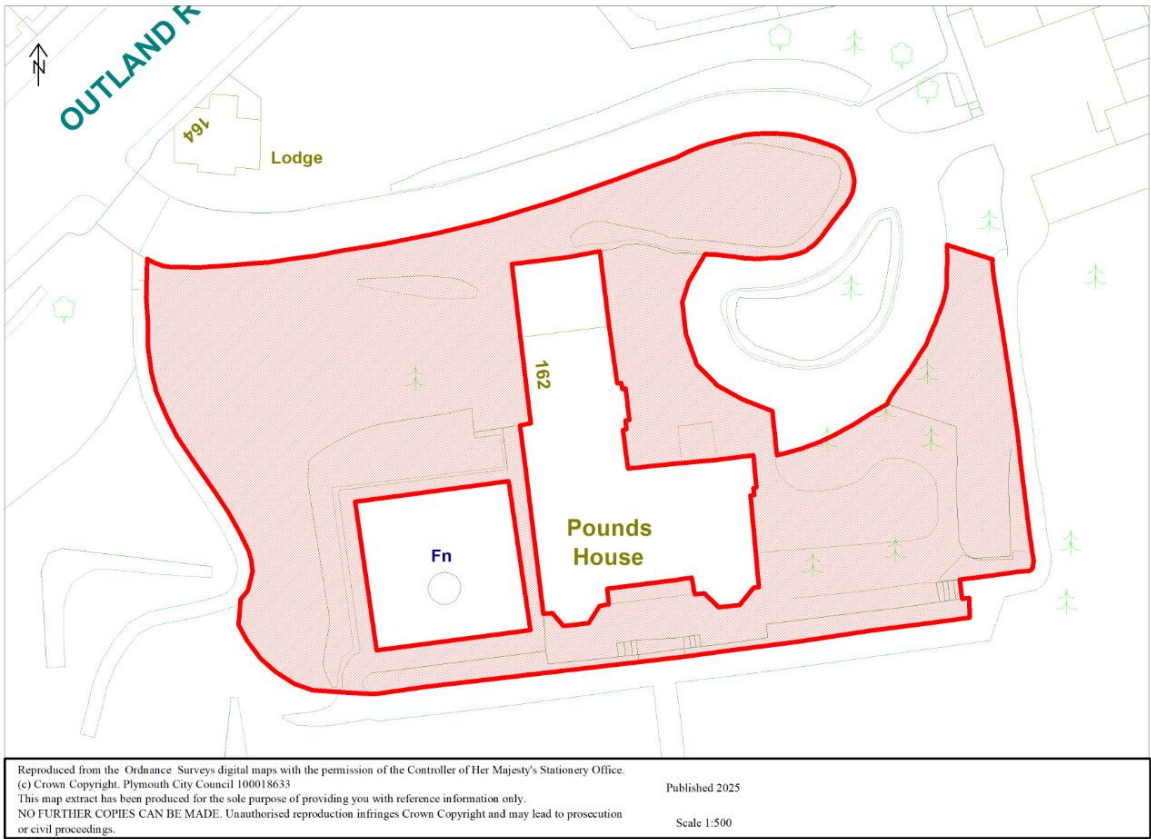
PART I BRIEFING REPORT

Approval to proceed with the disposal of land adjacent to Pounds House, Outland Road after objections received following notice of intention to dispose of the land



1.0 Background

- 1.1 Land adjacent to Pounds House, Outland Road, Plymouth (see plan below with land hatched red) was identified as being required to facilitate the sale of Pounds House. The property is a Grade II listed three-storey mid-19th century villa located on the fringes of Central Park. Most recently used as offices by Plymouth Excellence Cluster but vacant since 2017. Disposal of the property will enable a third party to invest and bring the property back into beneficial use, and remove a substantial liability for maintenance.
- 1.2 This small section of open space around Pounds House was selected to ensure inclusion of all retaining walls and the land retained by them. The land encompasses all the features of the listed building as well as the parking area that was allocated to the house when it was still in use. The site has been marked using natural boundaries where possible.
- 1.3 The land is currently a mix of mainly hard surface to the east of the property along with shrubbery and a steeply sloping grassed area to the northwest of the property. The land is approximately 0.36 ha of which approximately 0.233 ha is planted with trees/shrubs/borders etc. and approximately 0.059 ha of car parking/driveway previously allocated to support the use of Pounds House. Additionally, approximately 0.014 ha has been fenced off for some time for public protection from falling masonry. Effectively, this means that only approximately 0.054 ha is truly currently publicly accessible open parkland.
- 1.4 Pursuant to Section 123(2A) of the Local Government Act 1972 the Council advertised the Council's intention to dispose of the land in the Public Notices Section of the Plymouth Herald on two consecutive weeks commencing on 3rd April 2025 and on the Council's website on the Legal Notices page. Objections to the proposed loss of open space were invited with a closing date of 1 May 2025.



2.0 Objections

2.1 The Council received a total of 78 comments by email.

The objections received that directly relate to loss of public open space can be summarised as follows:-

Objection Received	Comment
Object to any loss of open space, especially part of Central Park	The disposal of the land is required in order to attract investors in the purchase of the adjacent Pounds House. Given the size of the property and scale of investment required it was deemed appropriate that a small amount of external space be included with the disposal. The public open space in question is 0.36 ha which amounts to around 0.5% of the total area of Central Park. This was deemed to be an appropriate amount of outdoor space to dispose of with the property.
Harmful to wildlife	Any planning consent for changes to the site will require relevant surveys if deemed necessary.
Will affect users of the Doctors Surgery, other people parking and accessibility to the park	The surgery has its own parking provision and there is on-street parking available nearby. In addition, there are other entrances to the

	park where cars can park such as the Barn Park entrance or the Park & Ride or Life Centre Car Parks.
The space is needed for dog walking	Dogs can continue to be exercised in the remainder of Central Park.
The space is needed for walkers, families, nature lovers and community groups and the sale would drastically reduce the area of land available to them	The remainder of Central Park is still available for this. The land to be disposed of represents around 0.5% of the park.
No local access to the park from Peverell area	There is on-street parking nearby as well as next to the Barn Park entrance. Level pedestrian access to the park remains in place at both the top and bottom of the drive which will remain in Council ownership.
Belief that the land was gifted to PCC	The land was acquired at market value in 1927 and has not been gifted. The Council has an absolute freehold registered title and there are no limitations on its ability to dispose of the site.
Loss of parking area and access road	As above, there is on-street parking available nearby. There is no plan to dispose of the access road. The on site parking was to facilitate the use of Pounds House therefore there is no net loss of parking.
Concern that the land would be used to build houses	There will only be a relatively small area of land included within any proposed sale therefore unlikely to be able to accommodate the construction of additional houses however any application to do so would be subject to the necessary planning consents. Additionally, the land is designated as a Strategic Green Space Site (PLY19) within the Joint Local Plan.
There is no indication that this parcel of land is pertinent to another potential sale of the Grade II listed building known as Pounds House and would have been highly relevant	As well as the notice being titled 'Land surrounding Pounds House', the plan clearly shows the location of the land in question. The sale of Pounds House has been publicised on social media, the Council's website and local news outlets both in print and online as well as via television and radio news coverage.
The surrounding road network would bring difficulties in respect of traffic generation	Any application for a planning change of use to the land (or indeed the adjacent building) will require consent, therefore impact on the local road network will be considered as part of the process.
Confirm that the Council have carried out this Public Consultation within the	As required, notice was given that the Council intends to dispose of land, pursuant

scope and obligations of the usual regulations and considerations	to Section 123(2A) of the Local Government Act 1972.
Concern that there are rare plant species within the land.	Horticulturalists will inspect the land and advise of any notable species. Should any be identified then a condition can be included in the sale contract requiring that consent is sought for their removal.

3.0 Decision to be taken

- 3.1 To proceed with the disposal of land adjacent to Pounds House, Outland Road having considered objections to the notice of intention to dispose of public open space.

4.0 Reason for Decision

- 4.1 The disposal of the land is required in order to attract investors in the purchase of the adjacent Pounds House. Given the size of the property and scale of investment required it was deemed appropriate that a small amount of external space be included with the disposal.
- 4.2 The site (including Pounds House) represents 0.67% of Central Park and there is no significant or special benefit in retaining this land when balanced against the strategic ambition for Pounds House to be brought back into beneficial use by a third-party purchaser.

EQUALITY IMPACT ASSESSMENT – PUBLIC OPEN SPACE ADJACENT TO POUNDS HOUSE

SECTION ONE: INFORMATION ABOUT THE PROPOSAL

Author(s): The person completing the EIA template.	Christina Schwartz, Surveyor	Department and service:	Land & Property Team, Economic Development	Date of assessment:	2 May 2025
Lead Officer: Head of Service, Service Director, or Strategic Director.	James Watt, Head of Land & Property	Signature:	<i>JM Watt</i>	Approval date:	08 May 2025
Overview:	Land adjacent to Pounds House, Outland Road, Plymouth was identified as being required to facilitate the sale of Pounds House. Pounds House is a Grade II listed three-storey mid-19th century villa located on the fringes of Central Park. Most recently used as offices by Plymouth Excellence Cluster but vacant since 2017. Disposal of the property will enable a third party to invest and bring the property back into beneficial use and remove a substantial liability for maintenance. The open space land is currently a mix of mainly hard surface to the east of the Pounds House along with shrubbery and a steeply sloping grassed area to the northwest of the property.				
Decision required:	To proceed with the disposal of land adjacent to Pounds House having considered objections to the notice of intention to dispose of public open space.				

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.	The disposal of this land to facilitate the best value sale of the adjacent Pounds House will only affect around 0.5% of Central Park. There are no anticipated negative impacts for service users, communities or employees.			

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
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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.• 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 impact		
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<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>	No impact		
<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>	No impact		

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 impact		
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 impact		
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 impact		

Race	<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)</p> <p>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)</p> <p>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>	No impact		
Religion or belief	<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).</p> <p>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>	No impact		
Sex	<p>51 per cent of our population are women and 49 per cent are men (2021 Census).</p>	No impact		
Sexual orientation	<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 residents describe their sexual orientation using a different term (2021 Census).</p>	No impact		

SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	No impact		

SECTION FIVE: OUR EQUALITY OBJECTIVES

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
Work together in partnership to: <ul style="list-style-type: none">▪ promote equality, diversity and inclusion▪ facilitate community cohesion▪ support people with different backgrounds and lived experiences to get on well together	No impact		
Give specific consideration to care experienced people to improve their life outcomes, including access to training, employment and housing.	No impact		
Build and develop a diverse workforce that represents the community and citizens it serves.	No impact		
Support diverse communities to feel confident to report crime and anti-social behaviour, including hate crime and hate incidents, and work with partners to ensure Plymouth is a city where everybody feels safe and welcome.	No impact		

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