

# Public Document Pack



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## **OVERVIEW AND SCRUTINY MANAGEMENT BOARD**

**DATE: WEDNESDAY 27 OCTOBER 2010**  
**TIME: 2 PM**  
**PLACE: COUNCIL HOUSE (NEXT TO THE CIVIC CENTRE)**

### **Committee Members –**

Councillor James, Chair  
Councillor Ball, Vice Chair  
Councillors Browne, McDonald, Nicholson, Ricketts, Stevens, Thompson and Wildy.

### **Co-opted Representatives –**

Mr. D. Fletcher (Chamber of Commerce)  
Mr. J. Paget (Young People)

### **Substitutes–**

Named substitutes from the Panels may act as a substitute member provided that they do not have a personal and prejudicial interest in the matter under review.

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

BARRY KEEL  
CHIEF EXECUTIVE

# OVERVIEW AND SCRUTINY MANAGEMENT BOARD

## PART 1 (PUBLIC MEETING)

### AGENDA

#### 1. APOLOGIES AND SUBSTITUTIONS

To receive apologies for non-attendance submitted by Overview and Scrutiny Management Board Members and to note the attendance of substitutes in accordance with the Constitution.

#### 2. DECLARATIONS OF INTEREST

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

#### 3. MINUTES (Pages 1 - 12)

The Management Board will be asked to agree the minutes of the meetings held on 22 September and 6 October, 2010.

#### 4. CHAIR'S URGENT BUSINESS

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

#### 5. TRACKING DECISIONS (Pages 13 - 16)

The Management Board will monitor progress on previous decisions.

#### 6. INSURANCE COMPENSATION COSTS (Pages 17 - 50)

The Director for Corporate Support submitted a report detailing the level of costs of insurance compensation payments.

#### 7. URGENT EXECUTIVE DECISIONS (Pages 51 - 54)

Members will be advised of urgent executive decisions that have been taken since the last meeting of the Management Board (22 September, 2010).

#### 8. FORWARD PLAN (Pages 55 - 70)

To receive new items from the Forward Plan with a view to identifying items for scrutiny.

#### 9. RECOMMENDATIONS

To receive and consider recommendations from Panels, Committees, Cabinet or Council.

**10. WORK PROGRAMMES:**

- 10a** To consider and approve work programmes for each of the Panels (Pages 71 - 84)
- 10b** To agree Project Initiation Documents / Task and Finish Groups (Pages 85 - 102)

**11. EXEMPT BUSINESS**

To consider passing a resolution under Section 100A (4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) ... of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

**PART II (PRIVATE MEETING)**

**MEMBERS OF THE PUBLIC TO NOTE**

that under the law, the Overview and Scrutiny Management Board is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

NIL.

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## Overview and Scrutiny Management Board

Wednesday 22 September 2010

### PRESENT:

Councillor James, in the Chair.

Councillor Ball, Vice-Chair.

Councillors Browne, Nicholson, Ricketts, Stevens, Wildy and Williams.

Co-opted Representatives: Mr. D. Fletcher.

Apology for absence: Councillor Thompson.

Also in attendance: Councillor Fry, Deputy Leader, Councillor Bowyer, Cabinet Member for Finance, Property, People and Governance, Barry Keel, Chief Executive, Malcolm Coe, Assistant Director for Finance, Assets, Efficiencies, Giles Perritt, Lead Officer, and Katey Johns, Democratic Support Officer.

The meeting started at 2 p.m. and finished at 3.55 p.m.

*Note: At a future meeting, the committee 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.*

### 30. DECLARATIONS OF INTEREST

The following declarations of interest were made in accordance with the Code of Conduct –

Name	Minute	Reason	Interest
Councillor Stevens	33	Devon and Cornwall Police Employee	Personal
Councillor Nicholson	33	Babcock Marine Employee	Personal

### 31. MINUTES

Agreed the minutes of the meeting held on 28 July, 2010.

### 32. CHAIR'S URGENT BUSINESS

#### Co-opted Representative

The Chair sought the Board's opinion to the co-option of an independent member to represent young people in the City. Members agreed that it was a good idea and, having formerly represented youth on the Children and Young People's Overview and Scrutiny Panel, Jake Paget was suggested by Councillor Wildy as a suitable candidate.

Agreed that Jake Paget be invited to join the Overview and Scrutiny Management Board as a co-opted member to represent young people.

(In accordance with Section 100(B)(4)(b) of the Local Government Act 1972 the Chair brought forward the above item of business because of the need to consult Members).

33. **LEADER AND CHIEF EXECUTIVE**

The Deputy Leader and Chief Executive were in attendance to report on Council issues and respond to questions. The Board was advised that a lot had changed since scrutiny of the budget had taken place in February and, more recently, as a result of the change in government. Highlights of the report included that –

- (i) £4m of in-year reductions had been assessed as necessary as a result of Government action, this was in addition to the £6m already identified as being required from within Children's Services and Adult Social Care;
- (ii) if nothing was done to address the budget difficulties the Council would have a deficit of £30m by 2013;
- (iii) the Comprehensive Spending Review due in October was also expected to have a significant impact upon the Council's finances;
- (iv) the current economic climate already highlighted Plymouth as the 13<sup>th</sup> hardest hit City in the country and this position could significantly worsen should the Dockyard incur deep cuts or closure;
- (v) though facing troubling times, the Council was in a good starting position, a fact which had been highlighted through receipt of the Municipal Journal's 'Best Achieving Council of the Year' Award 2010;
- (vi) City and Council priorities were being reduced from 14 to four and, whilst they would continue to form the basis of performance management arrangements for the Council, they would also play a more significant role in resource allocation and represent a tighter focus for the improvement agenda in times of diminishing revenue and capital resources;
- (vii) there was already movement in the City towards integrated planning and service provision with health and police partners, this work would continue through the evolution of the Plymouth Report, a document which had been produced on which the Council and partner agencies could base service planning;
- (viii) future challenges ahead in respect of partnership working included –
  - establishment of Local Economic Partnerships
  - replacement of health and adult social care overview and scrutiny functions with Health and Wellbeing Boards
  - directly elected police commissioners
  - greater autonomy for schools
  - services provided by the Council were democratically driven whilst partner services were not

In response to questions raised, the Board heard further that –

- (ix) whilst the immediate focus remained on trying to address in-year pressures, the Council was also looking ahead to how it would deal with changing legislation, one example being the return of responsibility for public health to local authorities. Given the financial pressures faced by the health service and Derriford in particular, the Council would have many tough decisions to take and political maturity would be required;
- (x) a date for announcing the outcome of the Government's Strategic Defence and Security Review was not yet known but it was anticipated that it would be on or around 20 October, the same as the Treasury's Comprehensive Spending Review (CSR). The Leader had written to the Ministry of Defence to apply pressure on the City's behalf and a response to this letter was awaited;
- (xi) the Council had been accurate with its estimates in regard to previous Comprehensive Spending Reviews, however, this year was uncharted territory as running alongside the CSR was the Strategic Defence and Security Review. Whereas the NHS budget had a certain element of protection, any cuts to the defence budget would hit the City harder due to Plymouth's links to the Navy and Devonport Dockyard;
- (xii) the City was still open for business and projects such as the Life Centre and opening up of Millbay were progressing well, with £1.5m of reserves committed to the first phase of development alone. Other projects, however, such as the Eastern Corridor and Sherford could be affected;
- (xiii) it would take time to assess the impact of the CSR once the announcement had been made. At the first round of budget cuts in June it was initially thought that £1.8m had to be found, however, when this was unpicked it soon became clear that the Council was needing to identify savings of £4m plus;
- (xiv) a briefing paper would be circulated to members highlighting the impact of the CSR at the earliest opportunity and further discussion on the effects for the City would take place at the meeting of the Overview and Scrutiny Management Board on 24 November, 2010.

(Councillors Stevens and Nicholson declared personal interests in respect of the above item).

34. **CABINET PROGRESS UPDATE ON BUDGET SCRUTINY RECOMMENDATIONS**

The Board considered the progress update from Cabinet submitted in response to the recommendations arising from scrutiny of the Budget and Corporate Plan which took place on 15 and 17 February, 2010. In attendance to respond to questions were the Deputy Leader and Chief Executive. Members of the Board were advised that –

- (i) the Council had not agreed with all of the points raised by Ofsted as a result of its inspection of Children's Services, however, it had

undertaken significant since and now had the second best performing Children's Services in the country;

- (ii) although Local Area Agreements had disappeared, the Council would continue to measure performance against targets;
- (iii) whilst the Plymouth City Development Company had now ceased operating, it had achieved a number of positive outcomes and the Council would be working with the Chamber of Commerce to see how these could be picked up;
- (iv) the Council had recently approved the next phase of the Accommodation Strategy and would now be focusing on three core office accommodation bases at the Civic Centre, Windsor House and Midland House. Implementing this phase of the Strategy would require a capital investment and a 'one-off' revenue cost which would generate ongoing revenue savings of £1.5m per annum (the first 'invest to save' initiative to be put into place to address the revenue budgetary pressures);
- (v) Cabinet appreciated the role of scrutiny and recognised its ability to impact upon services and service provision e.g. monitoring progress of the Accommodation Strategy and undertaking a review into Teenage Pregnancy.

In response to questions raised, the Board was further advised that -

- (vi) local authorities were under pressure to recycle more and, as a result, landfill taxes were rising. Whilst Torbay had taken the decision to completely revamp its collection service in order to recycle more products the question to be asked was ultimately one of cost. The cost of increasing the amount of recycled produce, its collection and the cost of separation, had to be balanced against the cost of collection and disposal to landfill. Any changes to Plymouth's collection services and recycling targets would be a political decision;
- (vii) a business case was being prepared in regard to provision of a kerbside glass collection, again this would very much depend on the costs involved;
- (viii) establishment of a waste-to-energy plant in the City would help address reducing the Council's reliance on landfill, however, this was still some time away and, unfortunately, the process could not be brought forward any quicker.

With regard to questions raised in respect of –

- (ix) the number of properties within Council ownership that were not DDA compliant and the amount it would cost to make them so; and
- (x) the increase in landfill tax;

responses would be sought and provided in writing.



On behalf of the members of the Board, the Chair thanked the Deputy Leader and Chief Executive for their attendance.

35. **JOINT PERFORMANCE AND FINANCE REPORT**

The Cabinet Member for Finance, Property, People and Governance and the Assistant Director for Finance, Assets and Efficiencies were in attendance to present the Joint Performance and Finance Report and respond to questions. The Assistant Director commented that things had moved on since the report had been produced for the end of the first quarter (June 2010), highlighted the challenges faced across departments and identified the areas of focus for further savings. This included within –

Services for Children and Young People

- Transport
- School Catering
- Care Packages
- Deletion of posts within Admin/Policy and Performance

Community Services

- Learning Disability
- Dependency on Residential Services (Drugs and Alcohol)
- Care Packages (Older People)

Development and Regeneration

- Car Parking Income Generation
- Homelessness Prevention

Corporate Support

- Single Point of Contact (SPOC)
- Accommodation Strategy
- Reducing Staff Costs
- Contract negotiation
- Audit Fee reduction

Members were advised that a lot of work was being done by officers throughout the Council to not only balance the books at the end of the year (i.e. addressing the £10m spending pressure) but to look at the bigger picture, ahead to 2013 and beyond.

In response to questions raised, the Board heard further that -

- (i) the increase in costs within Services for Children and Young People was largely due to the number of children taken into care which had risen year on year by 12 per cent;
- (ii) in the past other departments had suffered as a consequence of budgetary pressures within Children's Services, however, the Council had to focus on what was important to the City as a whole and now that

there were four priorities instead of 14 the £30m of cuts required over the next three years would carefully consider these priorities;

- (iii) the Council had spent more capital investment on schools in 2009/10 than it had ever done. There was a good working balance within the Capital Delivery Programme and this would be protected;
- (iv) the Transformational Change programme had been scaled down and the Corporate Management Team would be looking at what was required in moving forward to address the challenging budget position;
- (v) procurement was being looked at across the council as a whole under the invest to save policy;
- (vi) the Council had a £1m reserve to fund the cost of redundancies;
- (vii) the £350,000 allocated to the Plymouth City Development Company had been reabsorbed within the Development and Regeneration directorate;
- (viii) following the separation of the Council's housing element to Plymouth Community Homes, the entire cost of Prince Rock Depot now fell to Street Services. A review of the Council's vehicle fleet was under way under the invest to save scheme and it was hoped that the cost of fleet vehicles could be managed down;
- (ix) none of the monies received from the sale of Plymouth Citybus had yet been spent, it was all still in the bank earning interest.

The Chair highlighted the importance of the scorecards being received and scrutinised by individual panels.

The Board welcomed the format and presentation of the report which was now much easier to understand, wished the Assistant Director well on balancing the budget, and thanked him and the Cabinet Member for their attendance.

36. **TRACKING DECISIONS**

The Board considered a schedule of previous decisions made. It was reported that with regard to -

20      Proposed Legislative Changes

the workshop would not be taking place on 10 November as the event would conflict with a meeting of the Health and Adult Social Care Overview and Scrutiny Panel. A new date would be identified and notified to members.

37. **URGENT EXECUTIVE DECISIONS**

The Board noted the decision taken on the Accommodation Strategy Business Case and the reasons for urgency.

38. **FORWARD PLAN**

The Board noted the following new items from the Forward Plan relating to the Local Development Framework –

- Sustainable Neighbourhoods Development Plan Document
- Plymouth Urban Fringes Development Plan Document
- Consultation on Draft Shopping Centres Supplementary Planning Document

Councillor Nicholson commented that he would be discussing these matters with the Cabinet Member for Planning, Strategic Housing and Economic Development.

39. **QUARTERLY SCRUTINY REPORTS**

The quarterly scrutiny reports of the Management Board and panels were submitted for consideration. It was noted that –

- (i) at the request of the Chair of the Children and Young People's Overview and Scrutiny Panel, a revised version of their report was tabled which would supersede that which had been circulated with the agenda;
- (ii) reports were not consistent in the way that Members were addressed (this related to the section of the reports reflecting Members' attendance where sometimes councillors' initials were used and sometimes not and sometimes Mrs. was used and sometimes not).

Agreed that –

- (1) there should be consistency in the way Members were addressed across all reports;
- (2) the format and content of the quarterly reports be reviewed. Panel Chairs, in liaison with Lead Officers, to work toward developing a new and interesting format and style for future reports, examples of which to be trialled when the next quarterly updates were due.

40. **RECOMMENDATIONS**

The Board considered recommendations from Cabinet and the Customers and Communities Overview and Scrutiny Panel and agreed that with regard to -

- (1) Cabinet Minute 36 (7) – Accommodation Strategy Business Case – the matter be referred to the Support Services Overview and Scrutiny Panel as it was already included within its work programme;
- (2) Customers and Communities Overview and Scrutiny Panel Minute 30 – Reporting of Police Authority Meetings – the Chief Constable's report be submitted to future meetings of the Panel.

41. **WORK PROGRAMMES**

**(a) To consider and approve work programmes for each of the Panels**

The work programmes of the Management Board and scrutiny panels were submitted for consideration. It was noted and agreed that the format of the work programmes for Growth and Prosperity and Support Services were preferable to the others and that this style should be adopted by all.

**(b) To agree Project Initiation Documents / Task and Finish Groups**

Project Initiation Documents were submitted in respect of –

- Anti-Social Behaviour (ASB) in Compton Vale
- Young Carers in Plymouth

With regard to the PID on anti-social behaviour, concern was expressed that this was a matter of casework and, if approved, would set a precedent for members to bring casework, which they could not progress elsewhere, to scrutiny. In response, the Board was advised that this was a 'pilot' case where it was anticipated that the findings and lessons learned from this review could be shared across the City. In addition, this particular PID was submitted for the Board's information only as the decision to approve it had been delegated at the last meeting.

A query was also raised in regard to the number of task and finish groups which could be undertaken at a time. Members of the Board were advised that, due to resourcing, panels should only carry out one at a time.

Agreed the PID for Young Carers in Plymouth.

42. **EXEMPT BUSINESS**

There were no items of exempt business.

## Overview and Scrutiny Management Board

Wednesday 6 October 2010

### PRESENT:

Councillor James, in the Chair.

Councillor Ball, Vice-Chair.

Councillors Browne, McDonald, Thompson, Viney (substitute for Councillor Ricketts) and Wildy.

Co-opted Representative: Jake Paget.

Apologies for absence: Councillors Nicholson and Ricketts.

Also in attendance: Councillors Lowry and Smith, Veronica Small, Manager, Budshead Trust, Alderman Simmonds, Chairman, Budshead Trust, Father Smith, Treasurer, Budshead Trust, Carole Henwood, Principal Advisor, Services for Children and Young People (Neighbourhood and Informal Learning), Dave Haq, Senior Youth Officer, Councillor Mrs. Watkins, Cabinet Member for Children and Young People, PC Pen-Collings, Ernesettle Neighbourhood Beat Manager, Chris Trevitt, Head of Capital and Assets, Giles Perritt, Lead Officer, Judith Shore, Democratic and Members' Support Manager, and Katey Johns, Democratic Support Officer.

The meeting started at 2 p.m. and finished at 5.10 p.m.

*Note: At a future meeting, the committee 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.*

### 43. DECLARATIONS OF INTEREST

The following declaration of interest was made in accordance with the Code of Conduct –

Name	Minute	Reason	Interest
Councillor Wildy	45	Trustee of Keyham Community Partnership  Chair of Mount Wise Trust	Personal

### 44. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

45. **COUNCILLOR CALL FOR ACTION - BUDSHEAD TRUST**

The Overview and Scrutiny Management Board noted the documentation which had been submitted in regard to the Councillor Call for Action (CCfA). The Chair drew Members' attention to the procedures for the meeting and reminded them that, having heard from the witnesses and debated the matter, they could come to only one of the following conclusions –

- Write a report setting out their findings and recommendations to Cabinet/a partner organisation as appropriate
- Decide that the CCfA matter is complex that needs further investigation and refer the matter to another body for more detailed scrutiny (refer it to the appropriate scrutiny panel or set up a task and finish group)
- Decide not to take any action

The Board then went on to hear from the witnesses scheduled to the effect that –

- (i) the Budshead Trust was a well-established community organisation which delivered youth projects in the north of the City which, although had a proven track record of successfully securing capital, had struggled to secure core funding and was now at risk of closure;
- (ii) in addition to delivering youth projects, the Trust had taken over two disused buildings from Plymouth City Council and brought them back into community use as an internet café, homework support club, youth club, drop-in centre, and a venue for councillor ward surgeries and police meetings;
- (iii) whilst the majority of the Trust's staff worked on a voluntary basis, £30,000 of core funding was required to cover the costs of a small admin team (including the Manager), paper and printing, rent (albeit peppercorn), utilities bills, insurance etc.;
- (iv) the majority of the Trusts' work focussed on drug and alcohol misuse, however, other unrelated projects were undertaken, one of which had involved working with young ladies in the area around teenage pregnancy;
- (v) if the Trust were to cease its operations there would be no provision of youth facilities in this area of the City;
- (vi) in order to try and save money, the Trust had cut back on its hours of operation since June. Evidence provided by the Police indicated that crime in the area had increased as a direct result and that 75 percent of that crime had been carried out by those within the ages of nine to 17;
- (vii) over £41,000 of funding had been made available to the Budshead Trust over the last three years from the Children's Services budget. Additional support had also been offered via the services of the Extended School's Co-ordinator who was qualified in submitting bids

for fund raising and had been successful in pulling in £300,000 worth of funding this year;

- (viii) whilst the Trust had made numerous applications for funding to various organisations, including the Primary Care Trust, it was unable to apply to the larger consortia due to its size and budget not meeting the relevant criteria;
- (ix) the neighbourhood profile for Honicknowle supported the need for a youth facility of this type in the area given that –
  - it had a higher number of residents aged 1-14 compared to the City average
  - it was demonstrating poor levels of educational attainment
  - it had high levels of antisocial behaviour
- (x) the social and financial benefits of the services provided by the Budshead Trust were shared by not only the City Council but the Police and health partners and had to far outweigh the cost of not being provided;
- (xi) four years ago the Trust had had reserves totalling £60,000. However, it had been using its reserves to support its core functions and was no longer able to do so;
- (xii) if core funding was not secured, the projects for which funding had successfully been bid could not continue and the money would have to be returned;
- (xiii) the Trust had incurred a £10,000 tax liability as a result of employing three members of staff who had claimed to be self-employed. Subsequent investigations had found this not to be the case;
- (xiv) the Police supported and commended the work of the Budshead Trust, working closely with them on various projects and community events, even funding one particular project to the sum of £2,000. Concern was expressed that the increase in crime would continue to escalate should the work of the Trust cease;
- (xv) the Trust hoped that by accumulating an asset base it would be able to generate an income and thereby become self funding. Negotiations with the Council's Head of Capital and Assets over temporary use of the disused University sports facilities had so far proven to be fruitless due to concerns about the site having been identified as a possible location for a waste to energy facility and the associated financial risks involved in reintroducing this site as a sports facility (even on a temporary basis).

The Board recognised that the Budshead Trust worked hard to provide an excellent service within the community. Members acknowledged that the cessation of this

service would leave a gap which could result in an increase in crime and antisocial behaviour. However, the Board was mindful that other areas of the voluntary sector would be watching to see the outcome of this particular call for action and did not want to set a precedent to open the floodgates for similar bids for financial assistance. In view of its concerns over the Trust's governance arrangements, its ability to secure core funding and how it was going to continue to manage in the longer term, it therefore recommended to Cabinet that –

- (1) Phil Mitchell, as the Localities Manager, for the north-west of the City is urgently requested to take the strategic lead in working with high-level partner representatives to identify ways of supporting the Budshead Trust to enable, in the first instance, identification of core funding to deliver its current projects and then, in the longer term, to examine –
  - the Trust's governance arrangements
  - potential future funding opportunities

A report on how this is progressing with timescales be submitted to the next meeting of the Overview and Scrutiny Management Board;

- (2) the Trust takes up the Council's offer of assistance in preparing future funding bids and Officers contact the University on behalf of the Trust to see if it can offer similar support;
- (3) officers approach the University about undertaking a cost-benefit analysis to demonstrate the benefit of the work undertaken by the Trust and compare it to the cost of dealing with the problems that could arise in the neighbourhood should the Trust cease operating;
- (4) subject to the Community Grant Scheme criteria being met, the Honicknowle ward councillors be encouraged to donate their allocation to the Trust as a short-term funding solution;
- (5) the Council's Head of Capital and Assets is asked to investigate further the possibility of the Trust taking a temporary lease of the disused University sports facilities to help them generate income;
- (6) enquiries are made concerning a potential reduction in premises rental costs to the Budshead Trust.

(Councillor Wildy declared a personal interest in respect of the above item).

46. **EXEMPT BUSINESS**

There were no items of exempt business.



**OVERVIEW AND SCRUTINY MANAGEMENT BOARD  
27 OCTOBER 2010**

**TRACKING DECISIONS**

Bold target date = outstanding by more than 2 months

Grey = Completed

**OVERVIEW AND SCRUTINY MANAGEMENT BOARD 2010/11 DECISIONS**

<b>Minute number</b>	<b>Decision</b>	<b>Date agreed</b>	<b>Action by</b>	<b>Progress</b>	<b>Target date</b>	<b>Comments</b>
20	<p><b>Proposed Legislative Changes</b></p> <p>(1) <u>Agreed</u> that the Chair and Vice Chair of the Scrutiny Management Board together with key stakeholders, plan a series of workshops to develop revised scrutiny and governance proposals to address the changing legislative and partnership agenda;</p> <p>(2) Councillor Williams would be included as the Labour representative in the planning of the workshops.</p>	28/07/10		The workshop event will be held on 29 November 2010.	10/11/10	
23	<p><b>Annual Scrutiny Report</b></p> <p>(1) <u>Agreed</u> that Panel Chairs contribute to the Annual Scrutiny report throughout the year by highlighting successful areas of work to their lead officer;</p> <p>(2) section 3.2 would be developed to highlight how scrutiny involvement in the preparation of the Corporate Plan was a good example of the scrutiny process at its best;</p> <p>(3) section 3.3 would be reworded to better reflect member development achievements;</p> <p>(4) a list of Task and Finish groups which had taken place during the period that the report covers would be included in the report.</p>	28/07/10	Chairs  Giles Perritt  Giles Perritt  Giles Perritt	Chair presented report to Cabinet on 19 October, 2010.		
32	<p><b>Chair's Urgent Business</b></p> <p><b>Co-opted Representative</b></p> <p><u>Agreed</u> that Jake Paget be invited to join the Overview and Scrutiny Management Board as a co-opted member to represent young people.</p>	22/09/10	DSO	Jake accepted invitation and attended first meeting of Overview and Scrutiny Management Board on 6 October, 2010.		
39	<p><b>Quarterly Scrutiny Reports</b></p> <p>(1) <u>Agreed</u> that there should be consistency in the way Members were addressed across all reports;</p> <p>(2) the format and content of the quarterly reports be reviewed. Panel Chairs, in liaison with Lead Officers, to work toward developing a new and interesting format and style for future reports, examples of which to be trialled when the next quarterly updates were due.</p>	22/09/10	All Panels	First draft of revised format reports due in November, 2010.		

Minute number	Decision	Date agreed	Action by	Progress	Target date	Comments
40	<p><b>Recommendations</b></p> <p>(1) <u>agreed</u> that with regard to Cabinet Minute 36 (7) – Accommodation Strategy Business Case – the matter be referred to the Support Services Overview and Scrutiny Panel as it was already included within its work programme;</p> <p>(2) Customers and Communities Overview and Scrutiny Panel Minute 30 – Reporting of Police Authority Meetings – the Chief Constable’s report be submitted to future meetings of the Panel.</p>	22/09/10	<p>SSOSP</p> <p>CCOSP</p>	<p>Programmed for consideration in November, 2010.</p> <p>Added to work programme.</p>		
41	<p><b>Work Programmes</b></p> <p>(a) <b>To consider and approve work programmes for each of the panels</b> <u>agreed</u> that the format of the work programmes for Growth and Prosperity and Support Services were preferable to the others and that this style should be adopted by all.</p> <p>(b) <b>To agree Project Initiation Documents / Task and Finish Groups</b> <u>Agreed</u> the PID for Young Carers in Plymouth.</p>	22/09/10	<p>All Panels</p> <p>CYPOSP</p>	<p>New format adopted.</p> <p>Young Carers Task and Finish Group meeting took place on 15 October, 2010.</p>		
45	<p><b>Councillor Call for Action – Budshead Trust</b></p> <p>(1) <u>Recommended</u> to Cabinet that Phil Mitchell, as the Localities Manager, for the north-west of the City is urgently requested to take the strategic lead in working with high-level partner representatives to identify ways of supporting the Budshead Trust to enable, in the first instance, identification of core funding to deliver its current projects and then, in the longer term, to examine –</p> <ul style="list-style-type: none"> <li>• the Trust’s governance arrangements</li> <li>• potential future funding opportunities</li> </ul> <p>A report on how this is progressing with timescales be submitted to the next meeting of the Overview and Scrutiny Management Board;</p> <p>(2) the Trust takes up the Council’s offer of assistance in preparing future funding bids and Officers contact the University on behalf of the Trust to see if it can offer similar support;</p> <p>(3) the University is approached about undertaking a cost-benefit analysis to demonstrate the benefit of the work undertaken by the Trust and compare it to the cost of dealing with the problems that could arise in the neighbourhood should the Trust cease operating;</p>	06/10/10		To be considered by Cabinet on 16 November, 2010.		

Minute number	Decision	Date agreed	Action by	Progress	Target date	Comments
(4)	subject to the Community Grant Scheme criteria being met, the Honicknowle ward councillors be encouraged to donate their allocation to the Trust as a short-term funding solution;					
(5)	the Council's Head of Capital and Assets is asked to investigate further the possibility of the Trust taking a temporary lease of the disused University sports facilities to help them generate income;					
(6)	enquiries are made concerning a potential reduction in premises rental costs to the Budshead Trust.					

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**CITY OF PLYMOUTH**

**Subject:** Insurance Compensation Costs

**Committee:** Overview and Scrutiny Management Board

**Date:** 27<sup>th</sup> October 2010

**Cabinet Member:** Cllr Bowyer

**CMT Member:** Director for Corporate Support

**Author:** Mike Hocking, Head of Corporate Risk and Insurance

**Contact:** [mike.hocking@plymouth.gov.uk](mailto:mike.hocking@plymouth.gov.uk)  
Tel: 01752 - 304967

**Ref:** CRM/MJH

**Part:** I

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**Executive Summary:**

At its meeting of 30<sup>th</sup> June 2010 Members of the Board requested information on the level of costs of insurance compensation payments.

This report summarises the number and cost of claims per annum for Public Liability and Employer's Liability for each of the twelve financial years since 1<sup>st</sup> April 1998 when the Council became a unitary authority together with information on the most common claims types.

The report also includes information about the structure of the Council's insurance programme, how claims are investigated and managed and how the costs are funded.

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**Corporate Plan 2010/13:**

Management of the cost of compensation payments contributes directly to CIP 14 Providing Better Value for Money

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**Implications for Medium Term Financial Plan and Resource Implications:  
Including finance, human, IT and land:**

Insurance compensation costs are met from Insurance Provisions which are reviewed and monitored quarterly to ensure that the MTFP includes provision for adequate funding for predicted future costs.

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**Other Implications: e.g. Section 17 Community Safety, Health and Safety, Risk Management, Equalities Impact Assessment etc.**

Claims trends are reviewed regularly both during investigation and at conclusion to ensure that early risk management action can be taken to minimise the probability of similar incidents occurring in the future.

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**Recommendations & Reasons for recommended action:**

The Overview and Scrutiny board is recommended to:

- Note the current position with regard to the costs of compensation claims and how claims and costs are managed and funded.
- 

**Alternative options considered and reasons for recommended action:**

Not applicable

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**Background papers:**

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**Sign off:**

Head of Fin	SW	Head of Leg	DS	Head of HR		Head of AM		Head of IT		Head of Strat Proc	
Originating SMT Member : Assistant Director, Democracy and Governance											

**Overview and Scrutiny Management Board – 27<sup>th</sup> October 2010**

**Insurance Compensation Costs**

**1. Introduction**

- 1.1 At its meeting of 30<sup>th</sup> June 2010 Members of the Board requested information on the level of costs of insurance compensation payments.
- 1.2 This report therefore now summarises the number and cost of claims per annum for Public Liability and Employer's Liability for each of the twelve financial years since 1<sup>st</sup> April 1998 when the Council became a unitary authority together with information on the most common causes of claims.
- 1.3 The report also includes information about the structure of the Council's insurance programme, how claims are investigated and managed and how the costs are funded.

**2. Types of Compensation Claims – Public and Employer's Liability**

- 2.1 Compensation claims made against the Council that are covered by insurance result primarily from two sources – Public Liability and Employer's Liability.
- 2.2 Public Liability insurance covers the legal liability, arising out of the Council's negligence, to pay compensation for injuries to third parties or damage to third party property. A typical example of a claim in this category would be where a member of the public slips or trips over a pavement defect.
- 2.3 Employer's Liability insurance covers the legal liability, arising out of the Council's negligence and/or breach of a statutory duty, to pay compensation for bodily injury or disease sustained or contracted by its employees in the course of and/or arising out of their employment. Typically this category covers accidents to employees where, for example, a failure in health and safety procedures led to the accident.
- 2.4 A more detailed list of cause types for both Public and Employer's Liability are included as appendices to this report.

**3. Structure of Insurance Programme and how claims are funded**

- 3.1 Single tier authorities are large and complex organisations which face a broad range of risks in delivering their statutory responsibilities and these give rise to an inevitably large number of claims.
- 3.2 This "predictability" has resulted in the insurance industry distancing itself from the associated financial risks by imposing large deductibles, or "excesses", on the larger authorities so that the majority of losses borne by the authorities fall to be met from their own funds.

- 3.3** Authorities therefore have to consider how much self-insured risk they are willing to accept within the constraints of the insurance market and balance the costs of making internal provision for meeting the cost of claims against the relative cost of insurance for different levels of deductible.
- 3.4** This exercise is carried out on a regular basis when insurance policies are renewed to ensure that the balance between self-insured retention levels and the purchase of external insurance continues to offer best value for money.
- 3.5** In Plymouth's case, the deductible is £100,000 for each and every claim which means that the Council has to meet the cost of individual claims falling within this figure. For claims costing in excess of this sum, the Council would be responsible for the first £100,000 of the claim with its insurer meeting the balance thereafter.
- 3.6** To ensure that the cost of claims within the deductible can be met, Insurance Provisions have been established which are funded by contributions from all Services based on historic numbers of claims and the costs associated with those claims. Services generating the largest number of claims and costs will therefore be subject to the highest contribution.
- 3.7** As there is a statutory accounting requirement for the Council to maintain levels of funding in these Provisions at year end that are at least equivalent to its known liabilities, the Provisions are ring-fenced.
- 3.8** This also means that the level of Provision contributions needs to be reviewed regularly against predictions of future costs based on an examination of historic claims frequency and costs.
- 3.9** At the end of the last financial year, as at 31<sup>st</sup> March 2010, the total amount held in Insurance Provisions for outstanding claims stood at £5.4m.

#### **4. Public Liability Claims**

##### **4.1 Claims Numbers**

The graph at Appendix A shows the number of claims received for each of the 12 financial years since 1<sup>st</sup> April 1998.

- 4.2** This shows a peak in 2001/02 when claims numbers were nearly 800 per annum followed by a sharp fall over the next five years to just over 400 in 2006/07.
- 4.3** There are a number of factors which have contributed to this fall in numbers - during the late 1990s there was a surge of activity by unregulated claims management companies encouraging the public to make claims against local authorities via aggressive media campaigns.
- 4.4** This development, widely believed to have been accelerated by the American experience, led to the "where there's blame, there's a claim" culture and this,



together with the advent of Conditional Fee Agreements (the “no win, no fee” contracts with solicitors), resulted in an increase in claims numbers nationally.

**4.5** This led to a renewed effort in terms of risk management by local authorities to ensure that processes and procedures in areas like Highways and other services were robust enough to provide a defence to claims.

**4.6** The in-house team also at this time re-enforced its robust philosophy towards settlement of claims, refusing to make “economic” settlements on nuisance claims or as a result of pressure from claimants’ solicitors – claims were, and still are, paid only where a legal liability can be established.

#### **4.7 Claims Costs**

The bar chart at Appendix B shows the ultimate cost (i.e. the total paid and outstanding) for each policy year and Appendix C shows the number and cost of claims for each year split between payments already made and estimates for claims yet to be settled.

**4.8** The tables show that in twelve years the ultimate cost of claims is just over £15.1m and the Council has dealt with 6,421 claims and paid out £11.37m in settled cases.

**4.9** It can also be seen that, although claims numbers have reduced as described in the previous paragraphs, costs have not followed the same pattern – this is due in part to the severity of injuries and losses in any particular year being unpredictable but is also due to some significant changes to the judicial system which have increased defendant costs.

**4.10** These have included the introduction of success fees where claimant solicitors can claim an uplift of up to 100% of their base costs and the recovery by the NHS of treatment costs – the success fees in particular have led to an increase in “costs building” by claimant solicitors.

**4.11** Appendix D lists the costs by department and shows that Highways, Housing, Parks Services and Children and Young People generate the largest number and cost of claims.

#### **4.12 Causes of Claims**

Appendix E shows the same cost information split across the full range of causes whilst Appendices F and G list the top ten causes by number and cost respectively and Appendices H and I list the top ten causes purely by cost.

**4.13** Whilst the top ten causes by number of claims are varied, the top ten by cost confirm that claims due to surface defects on footways, carriageways and open spaces account for the majority of costs.

#### **4.14 Plymouth compared with other Authorities**

The Council is a member of the national CIPFA (Chartered Institute of Public Finance and Accountancy) Insurance Benchmarking Club and the results of a comparison with 18 unitary authorities in a selected peer group have recently been published.

- 4.15** Based on the last five years, this shows that Plymouth receives an average of 8.5 claims per 1,000 population against the unitary average of 9.1 and the average cost per claim paid is £4,064 against the unitary average of £4,471.

## **5. Employer's Liability Claims**

- 5.1** The graph at Appendix J shows the number of claims received for each of the twelve financial years since 1<sup>st</sup> April 1998 and shows a peak of 62 in 2001/02 followed by a trend of falling numbers per annum to 34 in 2009/10.

- 5.2** The number of employees suing the Council for work-related injuries is therefore reducing significantly and this is indicative of a marked improvement in the corporate performance around the management of health and safety.

- 5.3** Appendix K shows the costs related to a total of 539 claims with the ultimate cost of claims predicted to be around £8.2m of which £6.8m falls to be met from the Council's own funds.

- 5.4** Appendices L and M show, respectively, the most frequently occurring causes of claims and the claims causes that have generated the highest costs.

- 5.5** The tables confirm that the most common causes of claims are manual handling and slips, trips and falls and that accidents due to lifting lead to the highest levels of compensation.

## **5.6 Plymouth compared with other Authorities**

The CIPFA Insurance Benchmarking report confirms that the Council receives 11.7 Employer's Liability claims per 1,000 FTE against the unitary average of 17.9 in the Council's peer group of 18 comparable authorities, the second lowest in the group.

- 5.7** As referred to in para 5.2, this is a valid indicator of the comparative effectiveness of the Council's health and safety management arrangements.

- 5.8** In terms of cost, based on the last five years, the average cost of a paid claim for the Council is £11,164 compared with the unitary average of £14,236.

## **6. Claims Management**

- 6.1** Local Authorities commonly rely on their insurance company or their appointed loss adjusters to carry out investigation of claims on their behalf because they do not have the expertise in-house and they pay a fee for this service as part of their insurance contract.

- 6.2** The Council, however, has undertaken this function completely in-house since 1998, when it became a unitary authority, employing professional claims staff to carry out investigations and manage claims from the initial receipt of claim through to defending the Council in court.
- 6.3** The decision to bring this service in-house was taken because it was recognised that the Council would face a substantial increase in claims numbers from areas like Highways, Social Services and Education and that it therefore needed to take control of costs that would fall to be met from its own funds for claims that came beneath its deductible of £100,000.
- 6.4** There are a number of other benefits to an in-house service:
- More cost-effective than external provision (£140k cheaper than external - see 6.7 below)
  - Greater control and ownership of claims
  - Quicker investigation and decision making
  - Improved risk management
  - Greater financial control over costs within the self-insured retention programme
  - Avoidance of “factory approach” by external handlers
  - Enables a consistent and robust stance to be taken on claims
- 6.5** The CIPFA Insurance Benchmarking Club referred to earlier in this report includes a comparison of the costs of claims handling and participating authorities record their total costs for this function split between external claims handlers (i.e. insurer costs), loss adjusters and any in-house provision.
- 6.6** The CIPFA report indicates that the Council’s in-house service costs equate to a charge of £126.50 per claim compared to the average across 65 other unitary authorities of £266.50.
- 6.7** As a significant majority of those 65 authorities use external claims handling agents rather than an in-house service, this equates to a saving of 53% against the cost of external provision. Based on the total number of claims handled in the Council, this translates into a saving to the Council of some £140,000 per annum.
- 6.8** The report also compares staffing levels and indicates that the Council has 0.41 Insurance FTE per 1,000 employees against the average across 65 unitary authorities of 0.62 – this represents 34% fewer staff than the average which is significant from a VFM perspective, particularly as the Council has an in-house claims handling team which could be expected to increase comparative staffing levels compared with authorities that externalise this function to their insurers or to loss adjusters.

## **7. Claims and Risk Management**

- 7.1** It is important that the Council takes a pro-active approach to the area of insurance claims to ensure that claims trends are regularly monitored and that

lessons are learned from claims investigations.

- 7.2** Issues are therefore routinely brought to the attention of operational managers both during investigation and also at the conclusion of each claim to ensure that any failure in processes or procedures can be addressed to minimise the probability of similar claims occurring in the future.
- 7.3** In addition, claims data is regularly analysed for trends so that procedures can be reviewed in areas that generate high claims numbers – as an example, close working with colleagues responsible for the delivery of highways maintenance and repair involves regular reviews of the effectiveness of inspection regimes to ensure that resources are directed at areas of the city that generate the highest number of claims.
- 7.4** Other areas of operation that have been the subject of risk management reviews include tree maintenance, management of asbestos and legionnaire and playground inspections.
- 7.5** Specifically in respect of Employer’s Liability claims, a close working relationship is maintained with the corporate Health and Safety Team with regular exchange of information regarding claims, accidents and near misses to ensure that any gaps in the management of health and safety can be addressed in order to either prevent accidents happening or to reduce the incidents of re-occurrence.
- 7.6** In addition, information on the number and cost of Employer’s Liability claims and the associated risk management activity is reported to the Health, Safety and Welfare Committee as a standard agenda item.

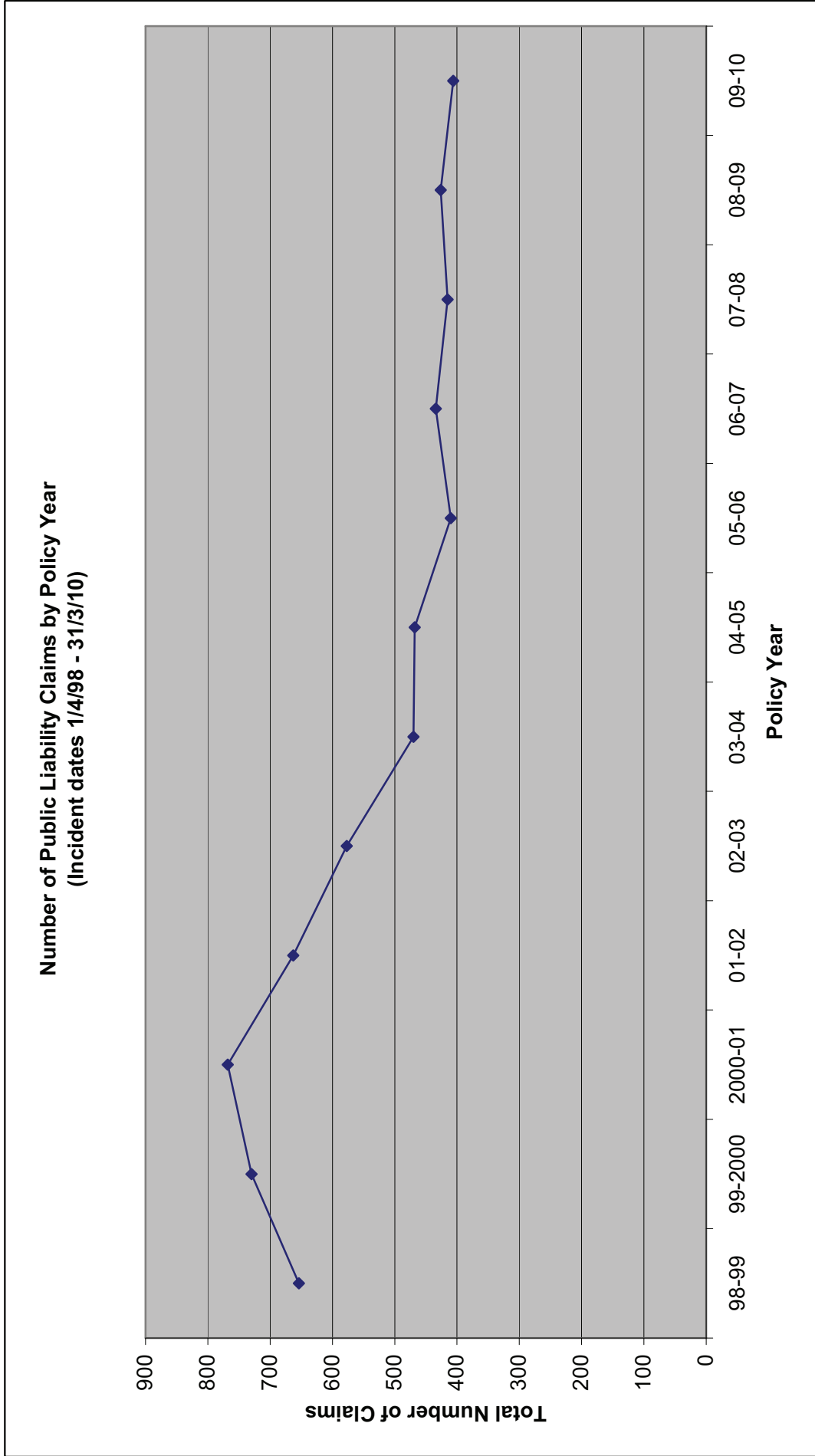
## **8. Conclusion**

- 8.1** Although the number and cost of Public and Employer’s Liability claims made against the Council are significant, there is an encouraging trend overall of falling numbers but costs continue to be an issue as a result of changes to the judicial system that have put an additional burden on defendants.
- 8.2** Whilst falling numbers can be attributed in part to a down-turn in the activities of claims management companies, other major contributors are the pro-active and robust stance taken in the management of claims and the risk management measures undertaken in response to the identification of problem areas.
- 8.3** This pro-active approach will continue to be promoted throughout the Council to ensure that further improvements to the overall risk profile are achieved.

## **9. Recommendation**

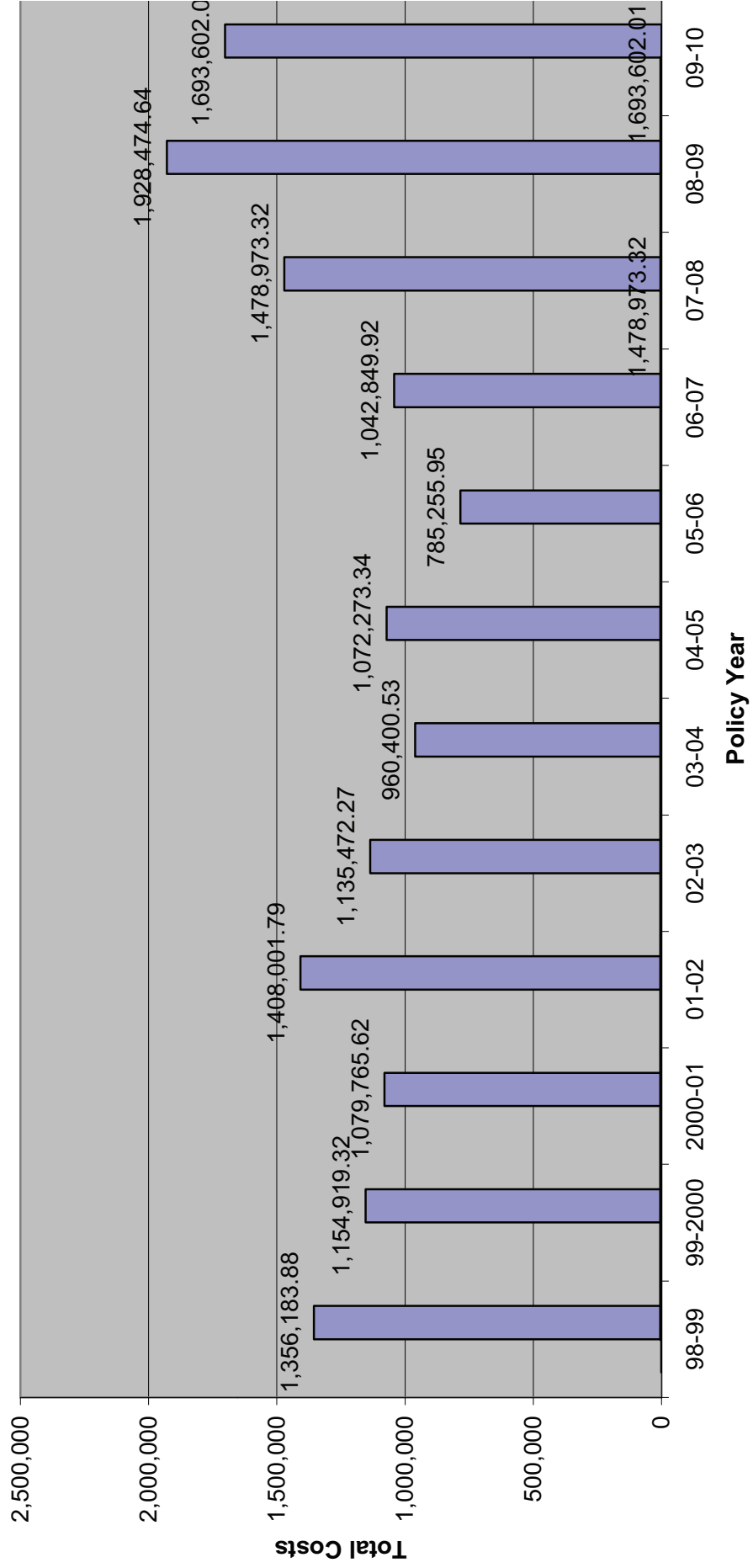
- 9.1** The Overview and Scrutiny board is recommended to note the current position with regard to the costs of compensation claims and how claims and costs are managed and funded.

APPENDIX A



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**Total Cost of Public Liability Claims by Policy Year  
(Incident dates 1/4/98 - 31/3/10)**



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Number of Public Liability Claims by Policy Year (Incident Dates 1/4/98 - 31/3/2010) APPENDIX C

Policy Year	Total Claims Received	Payments	O/S Estimates	Total Claim Insurer Funded	LA Funded
98 - 99	654	£1,312,235.89	£43,947.99	£1,356,183.88	£1,103,115.84
99 - 00	730	£1,154,919.32	£0.00	£1,154,919.32	£976,570.20
00 - 01	768	£1,079,765.62	£0.00	£1,079,765.62	£1,079,765.62
01 - 02	663	£1,394,239.71	£13,762.08	£1,408,001.79	£1,407,501.79
02 - 03	577	£1,131,472.27	£4,000.00	£1,135,472.27	£1,130,358.31
03 - 04	470	£814,596.14	£145,804.39	£960,400.53	£959,340.53
04 - 05	468	£979,130.59	£93,142.75	£1,072,273.34	£1,049,934.13
05 - 06	410	£765,543.55	£19,712.40	£785,255.95	£785,255.95
06 - 07	434	£740,702.63	£302,147.29	£1,042,849.92	£927,849.92
07 - 08	415	£1,056,746.31	£422,227.01	£1,478,973.32	£1,276,291.00
08 - 09	426	£681,923.82	£1,246,550.82	£1,928,474.64	£1,528,474.64
09 - 10	406	£263,420.84	£1,430,181.17	£1,693,602.01	£1,668,602.01
<b>Grand total</b>	<b>6,421</b>	<b>£11,374,696.69</b>	<b>£3,721,475.90</b>	<b>£15,096,172.59</b>	<b>£13,893,059.94</b>

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Cost of Public Liability Claims by Department (Incident dates 1/4/98 - 31/3/2010)

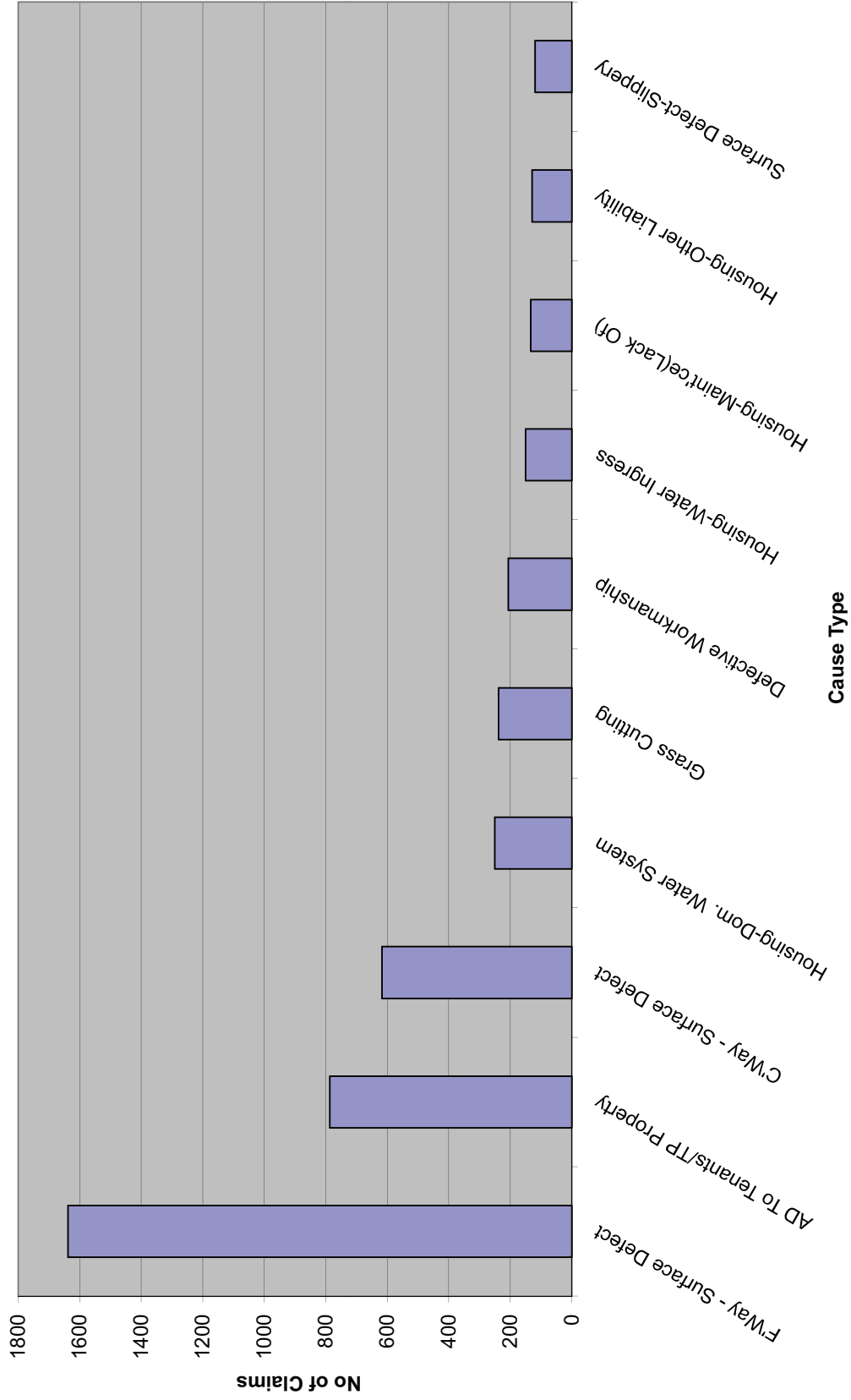
<u>DEPARTMENT</u>	NUMBER OF CLAIMS				<u>PAYMENTS</u>	<u>O/S ESTIMATE</u>	<u>TOTAL CLAIM</u>
	<u>CLOSED</u>	<u>OPEN</u>	<u>TOTAL</u>				
TRANSPORT & HIGHWAYS	2454	148	2602	5714607.97	1788602.07	7503210.04	
HOUSING	1288	24	1312	1729319.60	218679.54	1947999.14	
W&S.S - PARKS SERVICES	692	25	717	1015327.96	149723.35	1165051.31	
CHILDREN & YOUNG PEOPLE	205	19	224	797546.53	266341.71	1063888.24	
T&H - NETWORK MANAGEMENT	68	7	75	21110.36	530085.13	551195.49	
ECONOMIC DEVELOPMENT	75	4	79	494997.61	55600.00	550597.61	
CAPITAL & ASSETS	68	11	79	149061.58	321376.59	470438.17	
T&H - PARKING	138	5	143	339470.24	31050.00	370520.24	
BUILDING SERVICES	505	4	509	161852.51	160934.75	322787.26	
ENVIRONMENTAL SERVICES	50	0	50	197350.16	0.00	197350.16	
CULTURE SPORTS & LEISURE	57	2	59	139175.53	26458.00	165633.53	
COMMUNITY SERVICES	31	1	32	117371.58	47928.50	165300.08	
W&S.S - CLEANSING	383	3	383	160200.13	315.00	160515.13	
T&H - BOATHOUSES/LANDING STAGES	10	1	11	134659.06	10500.00	145159.06	
T&H - TRANSPORT	30	4	34	87233.58	29381.26	116614.84	
W&S.S - WASTE DISPOSAL (CHELSON MEADOW)	14	1	15	3020.25	77500.00	80520.25	
PLANNING SERVICES	9	0	9	27176.56	0.00	27176.56	
MANUFACTURING	19	0	19	24222.08	0.00	24222.08	
ASST CHIEF EXECUTIVE	4	0	4	22970.87	0.00	22970.87	
W&S.S - HIGHWAYS OPERATION	42	0	42	18114.29	0.00	18114.29	
DEMOCRACY & GOVERNANCE	3	0	3	14093.00	0.00	14093.00	
W&S.S - DRAINAGE & SEWAGE	16	0	16	5589.43	0.00	5589.43	
VALUE FOR MONEY & EFFICIENCIES	1	0	1	225.81	0.00	225.81	
<b>GRAND TOTAL</b>	<b>6162</b>	<b>259</b>	<b>6421</b>	<b>#####</b>	<b>3,714,475.90</b>	<b>15,089,172.59</b>	

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Cause Description		No. Claims			Payments	O/S Estimate	Total Claim
		Closed	Open	Total			
AD To Tenants/TP Property (PL01)	780	7	787	169,074.90	3,325.00	172,399.90	
C'Way - Debris/Spillages (PL2A)	59	1	60	47,709.29	12,036.00	59,745.29	
C'Way - Ice/Snow (PL2B)	17	4	21	7,414.87	512,585.13	520,000.00	
C'Way - Signs (PL2C)	31	0	31	36,076.40	0.00	36,076.40	
C'Way - Streetworks (PL2D)	13	0	13	641.43	0.00	641.43	
C'Way - Surface Defect (PL2E)	584	33	617	869,964.23	319,805.25	1,189,769.48	
C'Way - Surface Water (PL2F)	48	0	48	22,204.45	0.00	22,204.45	
Car Park Equipment (PL03)	36	0	36	17,199.01	0.00	17,199.01	
Contractors/Other Party (PL04)	61	0	61	11,765.31	0.00	11,765.31	
Defective Workmanship (PL02)	205	1	206	134,938.34	600.00	135,538.34	
F'Way - Debris/Spillages (PL2J)	26	2	28	58,333.52	18,250.00	76,583.52	
F'Way - Ice/Snow (PL2K)	8	3	11	0.00	52,500.00	52,500.00	
F'Way - Ingress Of Water (PL2L)	7	0	7	1,020.00	0.00	1,020.00	
F'Way - Lack of Lighting (PL2O)	3	1	4	0.00	10,000.00	10,000.00	
F'Way - Signs/Street Furn (PL2M)	36	0	36	176,000.54	0.00	176,000.54	
F'Way - Streetworks (PL2N)	7	1	8	1,317.40	12,500.00	13,817.40	
F'Way - Surface Defect (PL2O)	1531	107	1,638	4,810,697.17	1,392,740.62	6,203,437.79	
F'Way - Trees/Vegetation (PL2P)	43	2	45	62,852.24	5,401.46	68,253.70	
Financial Loss (PL06)	3	0	3	14,943.00	0.00	14,943.00	
Fireworks (PL07)	1	0	1	0.00	0.00	0.00	
Flooding-Drains/Overflow (PL10)	53	2	55	57,046.20	2,500.00	59,546.20	
Flooding-Sewage (PL11)	20	0	20	3,457.97	0.00	3,457.97	
Flooding-Water Mains (PL12)	4	1	5	2,785.00	10,000.00	12,785.00	
Grass Cutting (PL20)	234	4	238	30,519.33	34,336.68	64,856.01	
Gritting/Chippings (PL25)	3	0	3	158.74	0.00	158.74	
Housing-Asbestos Contamination (PL3E)	18	0	18	12,576.61	0.00	12,576.61	
Housing-Condensation/Damp (PL30)	84	2	86	10,761.72	13,500.00	24,261.72	
Housing-Dom. Water System (PL31)	249	1	250	27,131.44	150.00	27,281.44	
Housing-Drains/Overflow (PL32)	51	1	52	28,582.48	10,050.00	38,632.48	
Housing-Electrical (PL33)	6	0	6	16,157.43	0.00	16,157.43	
Housing-Infestation (PL34)	4	1	5	10,128.03	9,956.62	20,084.65	
Housing-Laundrettes (PL35)	19	1	20	56,538.73	8,250.00	64,788.73	
Housing-Lifts (PL36)	3	1	4	5,715.25	144,284.75	150,000.00	
Housing-Lighting(Lack Of) (PL37)	13	0	13	13,742.84	0.00	13,742.84	
Housing-Maint'ce(Lack Of) (PL38)	129	4	133	239,934.63	27,900.00	267,834.63	
Housing-Nuisance(Tenants) (PL39)	5	0	5	100.00	0.00	100.00	
Housing-Other Liability (PL3C)	125	4	129	184,341.90	17,569.85	201,911.75	
Housing-Playgrounds (PL3D)	5	0	5	14,009.91	0.00	14,009.91	
Housing-Structural Fault (PL3A)	31	1	32	142,309.14	8,000.00	150,309.14	
Housing-Water Ingress (PL3B)	147	3	150	65,802.14	32,525.62	98,327.76	
Other PCC Bldgs.-Accident (PL60)	19	3	22	32,973.02	235,000.00	267,973.02	
Parks & Open Spaces (PL40)	78	9	87	235,117.62	150,749.59	385,867.21	
Pending Claim (PL61)	6	0	6	500.00	0.00	500.00	
Pest/Vermin Control (PL43)	3	0	3	0.00	0.00	0.00	
Playground Equipment (PL45)	49	1	50	168,829.23	12,000.00	180,829.23	
Repairs-Delayed Response (PL47)	72	0	72	19,462.64	0.00	19,462.64	
S. Services - Other Cause (PL67)	16	1	17	104,786.24	10,000.00	114,786.24	
S. Services - Supervision (PL66)	8	2	10	178,997.51	29,000.00	207,997.51	
Schools-Doors/Windows Etc (PL51)	11	1	12	42,597.95	23,000.00	65,597.95	
Schools-Other Cause (PL57)	28	1	29	12,782.70	10,000.00	22,782.70	
Schools-Premises (Misc.) (PL53)	65	4	69	215,369.72	75,902.00	291,271.72	
Schools-Supervision (PL54)	45	3	48	138,746.10	52,150.00	190,896.10	
Sexual/Physical Abuse (PL64)	3	5	8	47,664.58	104,718.17	152,382.75	
Sports Equipment/Pitches (PL48)	18	1	19	47,659.31	9,500.00	57,159.31	
Street Furniture (PL65)	39	0	39	54,614.35	0.00	54,614.35	
Surface Defect - Debris (PL77)	32	0	32	281,739.20	0.00	281,739.20	
Surface Defect-Car Park (PL70)	62	2	64	208,627.29	25,000.00	233,627.29	
Surface Defect-Manhole (PL71)	25	3	28	64,666.51	40,517.45	105,183.96	
Surface Defect-Pavement (PL72)	71	2	73	307,953.20	25,100.00	333,053.20	
Surface Defect-Pothole (PL73)	65	5	70	357,475.64	90,953.00	448,428.64	
Surface Defect-Slippery (PL74)	112	7	119	579,275.44	16,650.00	595,925.44	
Surface Defect-Steps Etc (PL75)	52	2	54	222,514.23	40,000.00	262,514.23	
Surface Defect-Uneven (PL76)	93	3	96	351,036.71	18,350.00	369,386.71	
Swimming Pools (PL49)	23	0	23	39,010.80	0.00	39,010.80	
Traffic Calming (PL79)	33	1	34	0.00	11,500.00	11,500.00	
Trees-Fallen Tree/Branch (PL80)	77	2	79	49,256.53	8,783.67	58,040.20	
Trees-Leaves (PL81)	5	0	5	0.00	0.00	0.00	
Trees-Removal Works (PL82)	15	0	15	35,011.37	0.00	35,011.37	
Trees-Roots (PL83)	69	8	77	106,389.01	30,335.00	136,724.01	
Trees/Vegetation-O'grown (PL84)	25	0	25	13,121.59	0.00	13,121.59	
Uncoded (0000)	37	4	41	34,864.83	36,000.04	70,864.87	
Underground Cables/Serv's (PL90)	23	1	24	4,428.74	500.00	4,928.74	
Wet Paint/Tar Etc (PL91)	63	0	63	6,001.16	0.00	6,001.16	
Wrongful Removal Of Goods (PL92)	118	0	118	49,271.88	0.00	49,271.88	
<b>Grand Total:</b>	<b>6,162</b>	<b>259</b>	<b>6,421</b>	<b>11,374,696.69</b>	<b>3,714,475.90</b>	<b>15,089,172.59</b>	

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Top 10 Causes of Public Liability Claims (Incident Dates 1/4/98 - 31/3/10)



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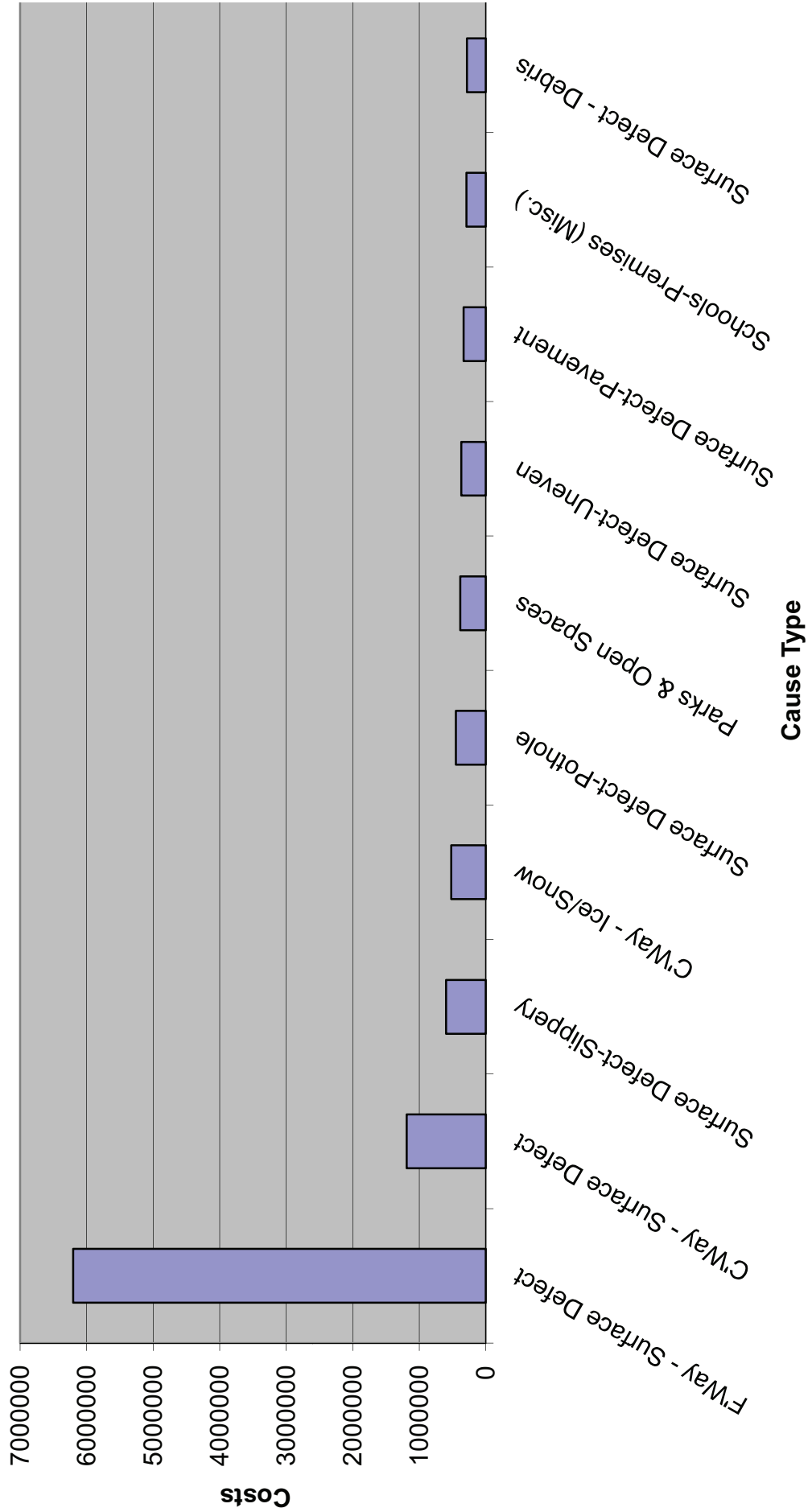
**Top 10 Causes of Public Liability Claims (Incident dates 1/4/98 - 31/3/10)**

**Summary Report by Cause Type**

Cause Description	No. Claims			Payments	O/S Estimate	Total Claim
	Closed	Open	Total			
F'Way - Surface Defect	1531	107	1,638	4,810,697.17	1,392,740.62	6,203,437.79
AD To Tenants/TP Property	780	7	787	169,074.90	3,325.00	172,399.90
C'Way - Surface Defect	584	33	617	869,964.23	319,805.25	1,189,769.48
Housing-Dom. Water System	249	1	250	27,131.44	150.00	27,281.44
Grass Cutting	234	4	238	30,519.33	34,336.68	64,856.01
Defective Workmanship	205	1	206	134,938.34	600.00	135,538.34
Housing-Water Ingress	147	3	150	65,802.14	32,525.62	98,327.76
Housing-Maint'ce(Lack Of)	129	4	133	239,934.63	27,900.00	267,834.63
Housing-Other Liability	125	4	129	184,341.90	17,569.85	201,911.75
Surface Defect-Slippery	112	7	119	579,275.44	16,650.00	595,925.44
<b>Grand Totals</b>	<b>4096</b>	<b>171</b>	<b>4267</b>	<b>7,111,679.52</b>	<b>1,845,603.02</b>	<b>8,957,282.54</b>

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Top 10 Cost of Public Liability Claims (Incident Dates 1/4/098 - 31/3/10)



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Top 10 Public Liability Causes by Costs (Incident dates 1/4/98 - 31/3/10)

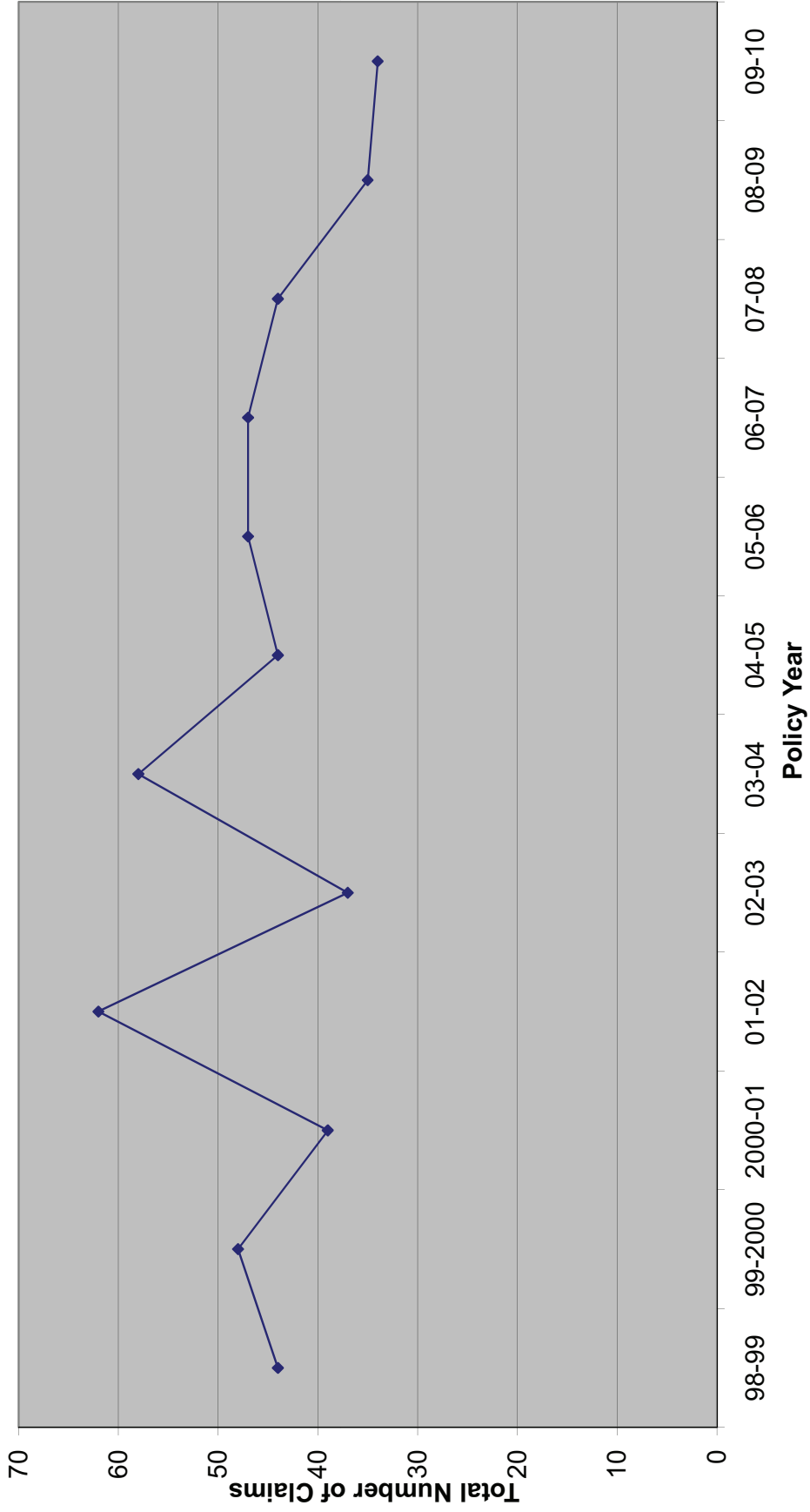
APPENDIX I

Summary Report by Cause Type

Cause Description	No. Claims			Payments	O/S Estimate	Total Claim
	Closed	Open	Total			
F'Way - Surface Defect	1531	107	1,638	4,810,697.17	1,392,740.62	6,203,437.79
C'Way - Surface Defect	584	33	617	869,964.23	319,805.25	1,189,769.48
Surface Defect-Slippery	112	7	119	579,275.44	16,650.00	595,925.44
C'Way - Ice/Snow	17	4	21	7,414.87	512,585.13	520,000.00
Surface Defect-Pothole	65	5	70	357,475.64	90,953.00	448,428.64
Parks & Open Spaces	78	9	87	235,117.62	150,749.59	385,867.21
Surface Defect-Uneven	93	3	96	351,036.71	18,350.00	369,386.71
Surface Defect-Pavement	71	2	73	307,953.20	25,100.00	333,053.20
Schools-Premises (Misc.)	65	4	69	215,369.72	75,902.00	291,271.72
Surface Defect - Debris	32	0	32	281,739.20	0.00	281,739.20
<b>Grand total</b>	<b>2,648</b>	<b>174</b>	<b>2,822</b>	<b>8,016,043.80</b>	<b>2,602,835.59</b>	<b>10,618,879.39</b>

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Number of Employer's Liability Claims by Policy Year Received 1/4/98 - 31/3/10



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Number and Cost of Employer's Liability Claims by Policy Year Received 1/4/98 - 31/3/2010 / APPENDIX K

Policy Year	Total Claims Received	Payments	o/s Estimates	Total Claim	Insurer Funded	LA Funded
98-99	44	426,786.94	0.00	426,786.94	176,004.57	250,782.37
99-2000	48	675,815.10	0.00	675,815.10	281,659.55	394,155.55
2000-01	39	717,375.82	0.00	717,375.82	225,796.29	491,579.53
01-02	62	885,385.63	0.00	885,385.63	149,242.73	736,142.90
02-03	37	369,421.00	0.00	369,421.00	35,427.15	333,993.85
03-04	58	937,946.88	7,500.00	945,446.88	107,010.84	838,436.04
04-05	44	685,915.51	10,205.18	696,120.69	50,792.66	645,328.03
05-06	47	327,847.84	26,032.50	353,880.34	2,740.52	351,139.82
06-07	47	333,272.51	335,549.72	668,822.23	132,753.26	536,068.97
07-08	44	474,576.59	427,782.70	902,359.29	152,336.67	750,022.62
08-09	35	116,821.76	566,278.40	683,100.16	126,500.00	556,600.16
09-10	34	70,812.50	808,734.80	879,547.30	75,200.00	804,347.30
<b>Grand Total</b>	<b>539</b>	<b>6,021,978.08</b>	<b>2,182,083.30</b>	<b>8,204,061.38</b>	<b>1,515,464.24</b>	<b>6,688,597.14</b>

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## Total Number of Employer's Liability Claims by Cause (Incident dates 1/4/98 - 31/3/2010)

<u>CAUSE DESCRIPTION</u>	<u>TOTAL NO. OF CLAIMS</u>	<u>PAYMENTS</u>	<u>O/S ESTIMATE</u>	<u>TOTAL CLAIM</u>
Lifting	58	831,845.71	100,215.87	932,061.58
Fall Slippery Surface	45	379,445.78	151,074.51	530,520.29
Fall Miscellaneous Cause	43	462,014.61	21,000.00	483,014.61
Defective Tools/Equipment	30	196,210.24	118,484.37	314,694.61
Pulling/Pushing	22	606,896.86	0.00	606,896.86
Accident Not Otherwise Coded	22	174,133.47	188,289.60	362,423.07
Waste Collection/Disposal	21	426,865.55	56,000.00	482,865.55
Assault	19	307,806.00	80,000.00	387,806.00
Use of Machines/Equipment	19	99,852.63	174,133.67	273,986.30
Tripping	18	228,594.53	158,275.80	386,870.33
Loading/Unloading	16	121,277.55	13,000.00	134,277.55
Noise	16	16,083.52	48,000.00	64,083.52
Fall Ladder/Steps/Stairs	15	87,002.47	94,825.00	181,827.47
Repetitive Work Process	14	43,268.89	0.00	43,268.89
Burns	13	54,742.40	0.00	54,742.40
Vehicle	10	154,467.96	206,382.30	360,850.26
Harassment	10	119,678.66	158,916.60	278,595.26
Pressure-Workload	8	209,209.89	127,511.60	336,721.49
Infection	5	102,964.77	0.00	102,964.77
Inhalation	4	24,153.00	0.00	24,153.00
Needlestick	4	6,030.40	14,950.00	20,980.40
Pupil - Intervention/Restraint	3	3,391.59	76,608.41	80,000.00
Fall From Height	3	18,467.50	26,032.50	44,500.00
Vibration	2	19,405.45	0.00	19,405.45
Games/Sports/Keep Fit	2	3,414.41	0.00	3,414.41
Use of Tools	1	12,230.00	0.00	12,230.00
Gardening/Grass Cutting	1	3,375.50	0.00	3,375.50
<b>GRAND TOTAL</b>	<b>424</b>	<b>4,712,829.34</b>	<b>1,813,700.23</b>	<b>6,526,529.57</b>

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## Total Cost of Employer's Liability Claims by Cause (Incident dates 1/4/98 - 31/3/2010)

<u>CAUSE DESCRIPTION</u>	<u>TOTAL NO. OF CLAIMS</u>	<u>PAYMENTS</u>	<u>O/S ESTIMATE</u>	<u>TOTAL CLAIM</u>
Lifting	58	831,845.71	100,215.87	932,061.58
Pulling/Pushing	22	606,896.86	0.00	606,896.86
Fall Slippery Surface	45	379,445.78	151,074.51	530,520.29
Fall Miscellaneous Cause	43	462,014.61	21,000.00	483,014.61
Waste Collection/Disposal	21	426,865.55	56,000.00	482,865.55
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Infection	5	102,964.77	0.00	102,964.77
Pupil - Intervention/Restraint	3	3,391.59	76,608.41	80,000.00
Noise	16	16,083.52	48,000.00	64,083.52
Burns	13	54,742.40	0.00	54,742.40
Fall From Height	3	18,467.50	26,032.50	44,500.00
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Gardening/Grass Cutting	1	3,375.50	0.00	3,375.50
<b>GRAND TOTAL</b>	<b>424</b>	<b>4,712,829.34</b>	<b>1,813,700.23</b>	<b>6,526,529.57</b>

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**REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY A CABINET MEMBER**

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**Delegated Authority Reference No.** PSHED 8 10/11

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**Name of the Matter**

Final sign-off of Devonport Regeneration Community Partnership (DRCP)  
Succession Strategy

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**Cabinet Member Exercising Delegated Authority**

Councillor Ted Fry, Cabinet Member for Planning, Strategic Housing and Economic Development and Deputy Leader of Plymouth City Council

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**Decision**

To consider the responses to the conditions attached to the 'in principle' approval given by Cabinet on 20 October 2009 and to now formally approve the DRCP Succession Strategy.

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**Reasons for Decision**

The Succession Strategy needs to be approved by the Cabinet Member for Planning, Strategic Housing and Economic Development on behalf of Plymouth City Council (PCC) as the Accountable Body.

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**Alternative Options Considered and Rejected (if not applicable, please provide explanation)**

None – it is a requirement that the strategy is approved by the Accountable Body

---

**Financial Implications**

The strategy outlines that a Devonport Neighbourhood Board, supported by a Neighbourhood Manager would be set up to continue the community/locality work in Devonport. Funding for the Manager has been identified for a three year period, using new deal for Communities (NDC) grant/PCC reserves. After this time the Manager post would need to be funded by PCC and continued funding will be considered in the light of overall funding for localities working. The post holder is to be offered a three year fixed term contract in the first instance.

The Council would have no ongoing liability for the two community trusts.

The programme effectively ends in March 2011. In terms of staffing:

- 2 employees have been budgeted for a further 6 months beyond the end-date of the NDC, this is in line with NDC grant funding arrangements.
- All staff are potentially redundant at the end of their contracts as the DRCP office is closed: the NDC grant will cover the statutory minimum payments. As staff are employed or seconded by the Council, the Council will incur the occupational elements of redundancy pay and pension strain. It is anticipated

that this will be met through the corporate contingency for redundancy provision made within the 2010/11 budget.

- Funding for the post of the Neighbourhood Manager is still under discussion. This position will be employed by the Council. Authorisation to recruit will be given once funding arrangements are agreed and secured. This is a condition of engagement.
- A Community Education, Activity & Events Officer is currently being recruited by the Council with joint funding from the DRCP and Heritage Lottery Fund. The Council have minimised the risk of incurring any further cost around this post by a fixed-term appointment.

**In Consultation with:**

- ... Other Cabinet Member (if applicable) N/A.....
- ... Corporate Management Team Member (mandatory) Ian Gallin (ACE) and Adam Broome (Director for Corporate Support)

and

- |                                  |                             |
|----------------------------------|-----------------------------|
|                                  | (Officer's initials or N/A) |
| • Democratic Support (mandatory) | DSO341011                   |
| • Finance (mandatory)            | AB 160910 35                |
| • Legal Services (mandatory)     | TH 16/09/10                 |
| • Human Resources                | MG 16/09/10                 |
| • Corporate Property             | N/A.....                    |
| • IT                             | N/A..                       |
| • Strategic Procurement          | N/A.....                    |

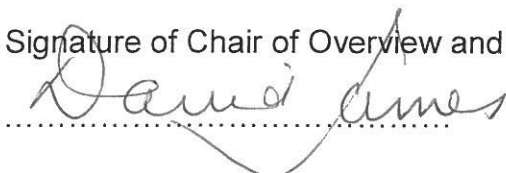
(N.B. Sign-off by Democratic Support, Finance and Legal is mandatory. Sign off by HR, CP, IT and SP need only be sought in those cases where there are implications for the particular service. If not appropriate, please enter 'N/A').

**Is the Decision**

- A key decision (in the Forward Plan)\* Y/N
- Within the policy and budget framework?\* Y/N
- In accordance with Equalities Assessment?# Y/N
- A case of special urgency agreed by the Chair of Overview and Scrutiny Management Board\*? Y

If Yes

Signature of Chair of Overview and Scrutiny Management Board



Reason for Urgency (please indicate how delay for call-in would seriously prejudice the Council's or the public interest)

The succession strategy must be fully signed off by the Accountable Body and submitted to the NDC review panel which is meeting on 21 September 2010. Unavoidably negotiations around the letter of intent were not concluded until the 13 September 2010.



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\* All key decisions must be taken by Cabinet, unless, in exceptional circumstances, they are urgent. See Forward Plan for further guidance.  
# For further advice, contact Assistant Director for Safer Communities, ext. 4388.

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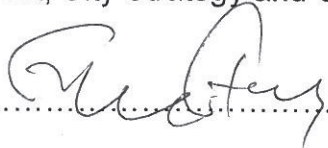
**List of Background Papers** (If not attached, indicate where it can be accessed. Any confidential information should be included in background papers only and not contained in the delegated decision. If background paper Part II, please indicate and complete Reasons for Part II below.)

- Bishop Flemming Due Diligence Report
- Cabinet Report 20 October 2009
- DRCP Succession Strategy October 2009
- Supplementary information to support delegated decision

---

**Cabinet Member –**

I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, City Strategy and Corporate Plan (Medium Term Financial Plan).

Signature .....  ..... Date ..... 16/9/10 .....

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**NORTH PROSPECT REGENERATION - COMPULSORY PURCHASE ORDERS  
DATE FIRST INCLUDED IN THE FP: 16 SEPTEMBER 2010**

**Nature of the decision:**

Cabinet will be asked to make a resolution to enable the use of compulsory purchase orders, should they be necessary, to ensure progress on the first phase of North Prospect Regeneration.

**Who will make the decision?** Cabinet (on the recommendation of Councillor Fry)

**Timing of the decision?** 16 November 2010

**Who will be consulted and how?**

Persons to be consulted with:

Residents and home owners in the affected area.

Process to be used:

All residents affected will have individual discussions with staff of Plymouth Community Homes who are involved in the project.

**Information to be considered by the decision makers:**

An outline of the powers required and justification for their use, together with a plan identifying properties that potentially could fall within this framework as part of the first phase of the whole regeneration of North Prospect.

**Documents to be considered when the decision is taken**

Report and plan of the area as an appendix.

**Representations:** In writing by 1 November 2010 to -

- (1) Assistant Director for Strategic Housing
- (2) Councillor Fry (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Nick Carter, Housing Strategy and Development Manager

E mail: [nick.carter@plymouth.gov.uk](mailto:nick.carter@plymouth.gov.uk) Tel: (01752) 307583

**CONTRACT AWARD: SUPPORT, ENABLEMENT AND CARE SERVICE FOR ADULTS WITH LEARNING DISABILITIES TO LIVE INDEPENDENTLY (BLOCK CONTRACT FOR CORE SUPPORT IN ACCOMMODATION BASED SERVICES)  
DATE FIRST INCLUDED IN THE PLAN: 16 SEPTEMBER 2010**

**Nature of the decision:**

The Cabinet will be requested to give approval to award one block contract to deliver a minimum 'core' element of support, enablement and care to five specific accommodation based schemes for a period of three years with the option to extend for a further year.

**Who will make the decision?** Cabinet (on the recommendation of Councillor Monahan)

**Timing of the decision?** 16 November 2010

**Who will be consulted and how?**

Persons to be consulted with:

Strategic Procurement Manager  
Head of Legal Services  
Head of Finance

Process to be used:

Sign off of contract award report including evaluation criteria.

**Information to be considered by the decision makers:**

Contract award report.

**Documents to be considered when the decision is taken**

Contract award report.

**Representations:** In writing by 1 November 2010 to -

- (1) Director for Community Services
- (2) Councillor Monahan (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Claire Hodgkins, Supporting People Lead Officer  
E mail: [claire.hodgkins@plymouth.gov.uk](mailto:claire.hodgkins@plymouth.gov.uk) Tel: (01752) 307576

**CONTRACT AWARD: SUPPORT, ENABLEMENT AND CARE SERVICE FOR ADULTS WITH LEARNING DISABILITIES TO LIVE INDEPENDENTLY (GENERIC SUPPORT)  
DATE FIRST INCLUDED IN THE FP: 16 SEPTEMBER 2010**

**Nature of the decision:**

The Cabinet will be requested to give approval to award a number of contracts operating within a framework for the provision of generic support, enablement and care for a period of three years with the option to extend for a further year.

The contracts allow for client choice in accordance with the personalisation agenda.

**Who will make the decision?** Cabinet (on the recommendation of Councillor Monahan)

**Timing of the decision?** 16 November 2010

**Who will be consulted and how?**

Persons to be consulted with:

Strategic Procurement Manager  
Head of Legal Services  
Head of Finance

Process to be used:

Sign off of contract award report including evaluation criteria.

**Information to be considered by the decision makers:**

Contract award report.

**Documents to be considered when the decision is taken**

Contract award report.

**Representations:** In writing by 1 November 2010 to -

- (1) Director for Community Services
- (2) Councillor Monahan (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Claire Hodgkins, Supporting People Lead Officer  
E mail: [claire.hodgkins@plymouth.gov.uk](mailto:claire.hodgkins@plymouth.gov.uk) Tel: (01752) 307576

**CONTRACT AWARD: SUPPORT, ENABLEMENT AND CARE SERVICE FOR ADULTS WITH LEARNING DISABILITIES TO LIVE INDEPENDENTLY (FORENSIC SUPPORT NEEDS AND SEVERE CHALLENGING BEHAVIOUR)  
DATE FIRST INCLUDED IN THE PLAN: 16 SEPTEMBER 2010**

**Nature of the decision:**

The Cabinet will be requested to give approval to award a number of contracts operating within a framework for the provision of support, enablement and care services for service users with forensic support needs and severe challenging behavior for a period of three years with the option to extend for a further year.

The contracts allow for client choice in accordance with the personalisation agenda.

**Who will make the decision?** Cabinet (on the recommendation of Councillor Monahan)

**Timing of the decision?** 16 November 2010

**Who will be consulted and how?**

Persons to be consulted with:

Strategic Procurement Manager  
Head of Legal Services  
Head of Finance

Process to be used:

Sign off of contract award report including evaluation criteria.

**Information to be considered by the decision makers:**

Contract award report.

**Documents to be considered when the decision is taken**

Contract award report.

**Representations:** In writing by 1 November 2010 to -

- (1) Director for Community Services
- (2) Councillor Monahan (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Claire Hodgkins, Supporting People Lead Officer  
E mail: [claire.hodgkins@plymouth.gov.uk](mailto:claire.hodgkins@plymouth.gov.uk) Tel: (01752) 307576

**CONTRACT AWARD FOR CHILDREN'S CENTRES  
DATE FIRST INCLUDED IN FP: 16 SEPTEMBER 2010**

**Nature of the decision:**

To agree the award of contracts to providers, selected through a competitive tender, to deliver Children's Centres in the following neighbourhood reach areas:

- Morice Town, Ford and Keyham
- City Centre and Stonehouse
- Stoke and Devonport
- Ham and North Prospect
- Ernesettle and Honicknowle
- East End, Mutley, Greenbank and Mount Gould
- Peverell, Hartley, Mannamead and Higher Compton
- Beacon Park, Pennycross and Manadon

**Who will make the decision?** Cabinet (on the recommendation of Councillor Mrs Watkins)

**Timing of the decision?** 18 January 2011

**Who will be consulted and how?**

Persons to be consulted with:

Strategic Procurement Manager  
Head of Legal Services  
Head of Finance

Process to be used:

Signature to Tender Award Report.

**Information to be considered by the decision makers:**

Tender award report.

**Documents to be considered when the decision is taken**

As above for decision makers.

**Representations:** In writing by 24 December 2010 to -

- (1) Assistant Director for Lifelong Learning
- (2) Councillor Mrs Watkins (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Fiona Fleming, Commissioning Manager for Children's Services

E mail: [fiona.fleming@plymouth.gov.uk](mailto:fiona.fleming@plymouth.gov.uk) Tel: (01752) 307328

**BUDGET ITEM:  
CAPITAL REPORTING  
DATE FIRST INCLUDED IN THE FP: 16 SEPTEMBER 2010**

**Nature of the decision:**

Receive an update on the capital programme and recommendations to delegate limited additions to the programme to Cabinet.

*(Note: this item is a voluntary addition to the Forward Plan. The decision is not a Key Decision)*

**Who will make the decision?** City Council (Cabinet Member: Councillor Bowyer)

**Timing of the decision?** 11 October 2010

**Who will be consulted and how?**

Persons to be consulted with:

The contents of the programme have been subject to previous consultation.

Process to be used:

See above.

**Information to be considered by the decision makers:**

A review report.

**Documents to be considered when the decision is taken**

See above for decision makers.

**Representations:** Not applicable in this instance.

(Lead Officer: Director for Corporate Support)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Chris Trevitt, Head of Capital and Assets

E mail: [chris.trevitt@plymouth.gov.uk](mailto:chris.trevitt@plymouth.gov.uk) Tel: (01752) 305441



**POLICY FRAMEWORK ITEM:  
PLYMOUTH'S THIRD LOCAL TRANSPORT PLAN DATE FIRST INCLUDED IN  
THE FP: 16 SEPTEMBER 2010**

**Nature of the decision:**

To approve the draft of Plymouth's Third Local Transport Plan.

*(Note: this item is a voluntary addition to the Forward Plan. The decision is not a Key Decision)*

**Who will make the decision?** City Council (Cabinet Member: Councillor Wigans)

**Timing of the decision?** 11 April 2011

**Who will be consulted and how?**

Persons to be consulted with:

Full public consultation (starting late October 2010 following Cabinet approval on 19 October 2010 of the draft document for consultation);  
Councillors and stakeholders (internal and external);  
Growth and Prosperity Overview and Scrutiny Panel.

Process to be used:

Online consultation using the Limehouse system;  
Exhibitions will take place across the City;  
Meetings and workshops will take place with Members and stakeholders.

**Information to be considered by the decision makers:**

1. Draft document;
2. Evidence base reports;
3. Cabinet recommendation from meeting on 29 March 2011.

**Documents to be considered when the decision is taken**

as above for decision makers.

**Representations:** In writing by 14 March 2011 to -

- (1) Assistant Director of Development (Transport)
- (2) Councillor Wigans (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Philip Heseltine, Head of Transport Strategy  
E mail: philip.heseltine@plymouth.gov.uk Tel: (01752) 307942

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**COUNCIL TAX BASE 2011/12**  
**DATE FIRST INCLUDED IN THE FP: 14 OCTOBER 2010**

**Nature of the decision:**

The Cabinet will be requested to give approval to the Council Tax Base, which will be used as the basis for setting the Council Tax level for 2011/12.

**Who will make the decision?** Cabinet (on the recommendation of Councillor Bowyer)

**Timing of the decision?** 14 December 2010

**Who will be consulted and how?**

Persons to be consulted with:

The Council Tax base is calculated as part of a statutory process, based on data relating to the council tax property base. Consultation is not applicable.

Process to be used:

Not applicable.

**Information to be considered by the decision makers:**

1. The regulations governing the calculation of the tax base (Local Authorities Calculation of Tax Base) Regulations 1992;
2. The tax base report;
3. The level of estimated collection rate and the option to vary the discounts given on second homes and empty properties.

**Documents to be considered when the decision is taken**

as above for decision makers

**Representations:** In writing by 29 November 2010 to -

- (1) Director for Corporate Support;
- (2) Councillor Bowyer (Cabinet Member).

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Pamela Dean, Council Tax Manager

E mail: pam.dean@plymouth.gov.uk Tel: (01752) 305413

**SOUTH WEST DEVON WASTE PARTNERSHIP - APPROVAL OF FINAL BUSINESS CASE**  
**DATE FIRST INCLUDED IN THE FP: 14 OCTOBER 2010**

**Nature of the decision:**

South West Devon Waste Partnership (SWDWP): approval of the Final Business Case prior to award of contract.

The South West Devon Waste Partnership is a collaboration between Plymouth City Council, Devon County Council and Torbay Council. Plymouth City Council entered into this Partnership in April 2008 and it is now necessary to approve the Final Business Case, prior to the Project Executive in consultation with the Joint Working Committee awarding the contract via previously approved scheme of delegation within the Joint Working Agreement.

**Who will make the decision?** Cabinet (on the recommendation of Councillor Mike Leaves)

**Timing of the decision?** 8 February 2011

**Who will be consulted and how?**

Persons to be consulted with:

Local community;  
Members of the three Councils;  
SWDWP Joint Working Committee;  
SWDWP Project Executive (Senior Officers Group);  
Local MP's

Process to be used:

Meetings/briefings;  
Website;  
Briefings for Members of the three Councils;  
Briefings for local Members of the Parliament;  
Council publications.

Since commencing the project in the summer of 2008, communications have been a priority for the Partnership with a steady stream of briefings, exhibitions, presentations and meetings with stakeholders, held on a regular basis or as developments demand.

Information has been provided in a number of formats to ensure accessibility, using:

- Web
- Media and broadcast
- Roadshows in venues close to involved communities
- Briefings and presentations
- Meetings with community groups
- Discussions with elected representatives
- Advertisements
- Newsletters and stakeholder information

**Information to be considered by the decision makers:**

Final Business Case and associated written reports

**Documents to be considered when the decision is taken**

Report providing a summary of the Final Business Case and recommendations  
Final Business Case.

Background information: Outline Business Case approved by the City Council in 2008 and the Joint Working Agreement signed by the three Authorities in April 2008.

**Representations:** In writing by 24 January 2011 to -

- (1) Director for Development and Regeneration;
- (2) Councillor Michael Leaves (Cabinet Member).

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Mark Turner, Project Director, South West Devon  
Waste Partnership

E mail: [mark.turner@plymouth.gov.uk](mailto:mark.turner@plymouth.gov.uk) Tel: (01752) 304991

**BUDGET ITEM:  
SETTING THE 2011/12 BUDGET AND THE COUNCIL TAX  
DATE FIRST INCLUDED IN THE FP: 14 OCTOBER 2010**

**Nature of the decision:**

To agree the 2011/12 Budget (including the revenue and capital budget and the treasury management strategy) and the Council tax for 2011/12.

*(Note: this item is a voluntary addition to the Forward Plan. The decision is not a Key Decision)*

**Who will make the decision?** City Council (Cabinet Member: Councillor Bowyer)

**Timing of the decision?** 28 February 2011

**Who will be consulted and how?**

Persons to be consulted with:

Corporate and Departmental Management Teams;  
Key Partners;  
Businesses;  
General public;  
Overview and Scrutiny Management Board;  
Cabinet.

Process to be used:

Written reports and meetings, including the Overview and Scrutiny Management Board on 12 and 17 January 2011, to make recommendations to Cabinet on 8 February 2011.

Document to be published on the website.

**Information to be considered by the decision makers:**

Findings from the Plymouth Report - which covered, performance, public consultation, inspection and other data;  
Plymouth City Council's Corporate Plan 2011-2014;  
Plymouth City Council's Asset Management Plan 2011-2014;  
Quarterly Joint Performance and Finance Reports presented to Cabinet and Scrutiny throughout 2010/11.

**Documents to be considered when the decision is taken**

Council budget report and associated papers - March 2010;  
Quarterly monitoring reports 2010/11;  
Medium Term Financial Strategy;  
Plymouth City Council's Corporate Plan 2011-2014;  
Plymouth City Council's Asset Management Plan 2011-2014;  
Cabinet recommendations.

**Representations:** In writing by 24 January 2011 to -

- (1) Director for Corporate Support;
- (2) Councillor Bowyer (Cabinet Member).

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Brenda Davis, Senior Auditor (Corporate Team)

E mail: [brenda.davis@plymouth.gov.uk](mailto:brenda.davis@plymouth.gov.uk) Tel: (01752) 306714

**POLICY FRAMEWORK ITEM:  
CORPORATE PLAN 2011-14  
DATE FIRST INCLUDED IN THE FP: 14 OCTOBER 2010**

**Nature of the decision:**

To approve the Corporate Plan 2011-14.

*(Note: this item is a voluntary addition to the Forward Plan. The decision is not a Key Decision).*

**Who will make the decision?** City Council (Cabinet Member: The Leader)

**Timing of the decision?** 28 February 2011

**Who will be consulted and how?**

Persons to be consulted with:

1. Lead officers for related strategies and plans;
2. Plymouth 2020 on priorities;
3. Members of the Council's senior management team;
4. Overview and Scrutiny Management Board;
5. Cabinet.

Process to be used:

1. Plymouth City Council's Corporate Strategy Forum;
2. Corporate and departmental management team meetings;
3. Overview and Scrutiny Management Board meetings on 12 and 17 January 2011 to make recommendations to Cabinet;
4. Cabinet meeting on 8 February 2011.

**Information to be considered by the decision makers:**

Findings from the Plymouth Report - which covered, performance, public consultation, inspection and other data;  
City/Council priorities that emerged from Plymouth Report through Plymouth 2020.  
Recommendations from Cabinet.

**Documents to be considered when the decision is taken**

Medium Term Financial Strategy 2011-14;  
Asset Management Plan 2011-14.

**Representations:** In writing by 24 January 2011 -

1. Assistant Chief Executive;
2. Councillor Mrs Pengelly (Leader).

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Jonathan Fry, Policy and Performance Officer  
E mail: jonathan.fry@plymouth.gov.uk Tel: (01752)304144



**POLICY FRAMEWORK ITEM:  
ASSET MANAGEMENT PLAN 2011  
DATE FIRST INCLUDED IN THE FP: 14 OCTOBER 2010**

**Nature of the decision:**

City Council will be requested to give approval to the Asset Management Plan 2011 update.

*(Note: this item is a voluntary addition to the Forward Plan. The decision is not a Key Decision)*

**Who will make the decision?** City Council (Cabinet Member: Councillor Bowyer)

**Timing of the decision?** 28 February 2011

**Who will be consulted and how?**

Persons to be consulted with:

Plymouth City Council's Corporate Strategy Forum;  
Members of the City Council's senior management team;  
Overview and Scrutiny Management Board;  
Cabinet.

Process to be used:

Consultation of written material to and meetings of –  
Plymouth City Council's Corporate Strategy Forum;  
Plymouth City Council's Corporate Management Team;  
Overview and Scrutiny Management Board on 12 and 17 January 2011 to make recommendations to Cabinet;  
Cabinet Meeting on 8 February 2011.

**Information to be considered by the decision makers:**

Asset Management Plan update;  
Plymouth City Council's Corporate Plan;  
Medium Term Financial Strategy;  
Recommendations from Cabinet.

**Documents to be considered when the decision is taken**

As above for decision makers

**Representations:** In writing by 24 January 2011 to -

1. Director for Corporate Support;
2. Councillor Bowyer (Cabinet Member).

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Chris Trevitt, Head of Capital and Assets  
E mail: [chris.trevitt@plymouth.gov.uk](mailto:chris.trevitt@plymouth.gov.uk) Tel: (01752) 305441

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**Health and Adult Social Care Overview and Scrutiny Panel**  
**Work Programme 2010/11**

Topics	J	J	A	S	O	N	D	J	F	M	A
<b>NHS Plymouth Primary Care Trust Services</b>											
Specialised Commissioning – Proposed Service Changes - Gynaecological Cancer Surgery					13						
Gynaecological Cancer Surgery Service Change Timetable and Consultation								12			
Substantive Variation Protocols	9										
GP-Led Health Centre – 12 month Update	9										
NHS Plymouth - Quality Improvement Productivity and Prevention					13			12			
NHS Plymouth – Transforming Community Services					13	10					
NHS Plymouth – Mental Health Commission Annual Report 2010						10					
Greenfields Unit Consultation Results						10					
<b>Plymouth NHS Hospitals Trust</b>											
Plymouth Hospitals NHS Trust – Infection Control Update										2	
<b>Plymouth City Council – Adult Social Care</b>											
Carers Strategy		20				10					
Modernisation of older peoples services		20									
Fairer charging policy		20									
Short breaks for those with learning disabilities		20									
Monitoring Adaptations Budget and Performance						10					

Topics	J	J	A	S	O	N	D	J	F	M	A
All Our Futures								12			
Adult Social Care delivery plans and performance monitoring report.				1				12			
Monitoring Implementation of the National Dual Diagnosis Strategy											
Dementia Strategy						10					
Tobacco Control Strategy											
<b>Plymouth Local Involvement Network (LINKs)</b>											
LINK update and performance monitoring								12			
<b>Consultations</b>											
Consultation response to White Paper – “Liberating the NHS”				16							
<b>Task and Finish Groups</b>											
Modernisation of Adult Social Care			24		4						
<b>Performance Monitoring</b>											
NHS Plymouth, Plymouth Hospitals Trust and PCC Joint Finance and Performance Monitoring, including LAA Performance Monitoring.				1							
Monitoring Implementation of the National Dual Diagnosis Strategy											

Key:

New Item
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## Customers and Communities Overview and Scrutiny Panel

### Work Programme 2010/11

Work programme	J	J	A	S	O	N	D	J	F	M	A
<b>Policies</b>											
Licensing Act (including Cumulative Impact Policy) Review 2011					18						
Sex Establishment Policy											
<b>Culture, Sport and Leisure</b>											
Plymouth Life Centre and Related Leisure Projects (including the Management Contract)		19		6		15		17		14	
Plymouth's Sports Facility Strategy Update											
Plympton Library Replacement Update		19									
<b>Environmental Services</b>											
Assisted Waste Collection											
Allotments						15					
<b>Safer Communities</b>											
Localities Working 12 Month Review (3 Month Position Statement)		19				15				14	
Public Confidence in Tackling Crime and Disorder											
Reporting of Police Authority Meetings (Chief Constable's Report)						15		17		14	
Safe and Strong Theme Group Update (Minutes)						15		17		14	

Work programme	J	J	A	S	O	N	D	J	F	M	A
<b>Task and Finish Groups</b>											
Councillor Call for Action – Anti Social Behaviour in Compton Vale											
<b>Other</b>											
Election Annual Review Update					15						
Councillor Call for Action Tool Kit Update											
Quarterly Scrutiny Reports				6				17			
Joint Finance and Performance Monitoring including LAA Performance Monitoring (subject to the Overview and Scrutiny Management Board referring issues to the Panel)											
Monitor CIPs that the Panel is responsible for –  CIP1 (improve customers satisfaction by providing services designed around customer needs)  CIP 6 (to enhance the quality of life of Plymouth residents by widened and improved opportunities to participate in cultural and leisure activities).											

**Key:**

<b>New Item</b>
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Work programme	J	J	A	S	O	N	D	J	F	M	A
<b>Economic Development</b>											
LSP Wealthy theme group minutes and updated themed action plans	14			13	18			10		7	
Tourism/Visitor Strategy and Place Management					18						
Worklessness										7	
<b>Transport &amp; Highways</b>											
LTP3 (15 year Strategy and 3 year Implementation plan)				13		8		10			
Equality of opportunity planning and progress (new name for Accessibility Planning)				13		8					
Eastern Corridor Briefings		12		13							
Community Events/ Road Closures; initial report on work in progress to improve event safety and policy development for recovery of costs		12									
<b>Planning Services</b>											
Local Development Framework Annual Monitoring Report								10			
S106 Revenue; (September) Initial report outlining latest situation regarding revenue (October) Follow up presentation by Officers.				13	18						
Port of Plymouth Study; presentation on initial findings		12						10			



Work programme	J	J	A	S	O	N	D	J	F	M	A
<b>Future Waste Disposal</b>											
Waste PFI (Joint scrutiny PCC/Torbay/Devon)		16/ 18									
<b>Other Topics not yet included in work programme</b>											
Enterprise and Skills											
Commercial Property Asset Management Strategy											
Joint Finance and Performance Monitoring including LAA Performance Monitoring (subject to the Overview and Scrutiny Management Board referring issues to the Panel)											
Monitor CIPs that the Panel is responsible for –											
CIP 5 (Providing better and more affordable housing)		12				8		10			
CIP 10 (Disposing of waste and increasing recycling)		21		13							
CIP 11 (Improving access across the city)		12		13		8		10			
CIP 12 (Delivering sustainable growth)					18			10			
Quarterly Scrutiny Reports				13		8				7	
<b>Task and Finish Groups (brought forward)</b>											
Highways Maintenance				tb a	tb a						

Work programme	J	J	A	S	O	N	D	J	F	M	A
Community Events and Road Closure Policy			26		6						
Driving Speeds on the Hoe (held pending Councillor Call for Action)											
South West Devon Waste Partnership (Joint Scrutiny Review)			16/ 18								

**Key**

New item
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### Children and Young People's Overview and Scrutiny Panel Work Programme 2010/11

Topics	J	J	A	S	O	N	D	J	F	M	A	M
<b>Commissioning, Policy and Performance</b>												
Joint Finance and Performance monitoring including LAA performance monitoring and CIPs	17			9	7 (P)	11		6	24		14 (P)	
Equalities								6				
Performance Review (including budget)					7							
<b>Learner and Family Support</b>												
Update on allocation of School Places		15										
CAMHS Strategy (written report)								6				
Children Services Locality Working						11						
School Transport				9								
<b>Lifelong Learning</b>												
Visit to a primary and secondary school		15										
Employment for Young People (NEETs)												
Adult and community learning												
School Building/Capital Programme		15				11						

Topics	J	J	A	S	O	N	D	J	F	M	A	M
<b>Children's Social Care</b>												
OFSTED Announced Inspection - Action Plan				9								
Common Assessment Framework				9								
Youth Justice Action Plan						11						
<b>Children's Health</b>												
Review of initiatives to prevent and manage obesity in young people								6				
<b>Task and Finish Groups</b>												
Task and Finish Group - Young Carers in Plymouth					15 & 28							
<b>Updates</b>												
Legislative Changes		15		9		11		6	24			
Quarterly Scrutiny Reports				9								
Update from Children's Trust				9		11		6	24			
Update from Corporate Parenting Group				9		11		6	24			
Recruitment and Retention of Foster Carers												
Update from Local Safeguarding Children's Board				9		11		6	24			
Update from relevant LSP Theme Groups				9		11		6	24			
<b>Strategies and Plans</b>												
Children and Young People's Plan								6				
<b>Training and Development</b>												
Eperform Training												
Development Session for panel members					7							

**Key:**

New Item
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## Overview and Scrutiny Management Board

### Work Programme 2010/11

Topics	J	J	A	S	O	N	D	J	F	M	A	M
Budget Scrutiny <ul style="list-style-type: none"> <li>Corporate Plan revising and updating</li> <li>Capital Strategy and Asset Management Plan</li> <li>Capital Programme 2011/12</li> <li>Setting Revenue Budget and Council Tax levels 2011/12</li> </ul>								12 & 17				
Cabinet response to budget scrutiny recommendations				22						23		
Joint Finance and Performance monitoring, including LAA performance monitoring and Medium Term Financial Strategy	30			22		24				23		
Scrutiny Quarterly Monitoring / Annual Scrutiny Report	30			22				26				
Leader and Chief Executive				22		24			15 & 17			
Annual Expenditure on Insurance Compensation					27							
Data Sharing between Agencies (min27(b)3) refers)												

Key:

**New item**

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<b>Proposed work programme</b>	<b>J</b>	<b>J</b>	<b>A</b>	<b>S</b>	<b>O</b>	<b>N</b>	<b>D</b>	<b>J</b>	<b>F</b>	<b>M</b>	<b>A</b>
Local Strategic Partnership (Support) (as referred by O&S Management Board)											
<b>Policy and Performance</b>											
Corporate Plan								13			
Environment Policy 2009/2013 (CIP 14)						3					
Carbon Management Plan 2008/2013 (CIP 14)						3					
Climate Change Action Plan 2009/2011 (CIP 14)						3					
<b>Communications</b>											
Internal and External Communications Strategy						3					
<b>Corporate Improvement Priorities</b>											
CIP 2 – Involving Residents				2							
CIP 13 – Staff Performance				2						10	
CIP 14 – Value for Money	3			2		3				10	
Quarterly Scrutiny Reports				2				13			
<b>Other Issues</b>											
Budget and Performance Report				2		3		13		10	
<b>Task and Finish Groups( brought forward)</b>											
Housing Needs (Joint Task & Finish Group as referred by O&S Management Board)											

Key:

New Item
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**Health and Adult Social Care Overview and Scrutiny Panel  
Task and Finish Group  
Scrutiny Review – Report  
October 2010**

**MODERNISATION OF ADULT SOCIAL CARE**

**Plymouth City Council**

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## INTRODUCTION

The Health and Adult Social Care Overview and Scrutiny Panel scrutinises matters relating to health and public health and hears the views of local residents, with a view to improving health services, reducing health inequalities and improving the health of local residents. The panel also scrutinises the impact of the Council's own services and of key partnerships on the health of its population.

Three reports were presented to the Cabinet in August 2010 requesting permission to consult on proposals regarding the modernisation of Adult Social Care services.

Cabinet made recommendations to the Health and Adult Social Care Overview and Scrutiny Panel to consider the proposals at the beginning of the consultation and review them in light of outcomes at the end of the consultation process prior to them being presented to Cabinet in November. The Health and Adult Social Care Overview and Scrutiny panel reviewed the proposals and requested permission from the Overview and Scrutiny Management Board to set up a task and finish group to review the consultation process. This report summarises the scrutiny of the proposals.

The Council is required to take account of the recommendations contained within this report when making its decisions with regard to the modernisation of Adult Social Care Services within the City.

The findings and recommendations of this report represent the majority view of the Task and Finish group.

We would like to extend our thanks to the members of the Health and Adult Social Care Overview and Scrutiny Panel for their commitment in conducting this review. We would also like to thank the officers who took part in the review process.



Councillor Steven Ricketts, Chair



Councillor Mark Coker, Vice Chair

## SUMMARY OF PROPOSALS

### Modernisation of short break services for people with a learning disability

A short break is defined as “a session or more of care and support that enables a disabled or vulnerable individual to spend time away from the person(s) who provide them with regular and substantial care. This includes the provision of short breaks of day, evening and weekend activities as well as overnight stays. Such breaks can be provided in the individuals’ own home or in another setting.” (Valuing People Now)

Plymouth City Council currently provides residential facilities for carers of adults with learning disabilities in the following facilities:

Residential unit	Beds available	Occupancy 2008/09	No of people registered
Welby	10	83%	34
Colwill	10	81%	52

Welby has been providing a planned short break service for people with learning disabilities for over 20 years. It offers a city wide service, has 10 beds and the occupancy figures show that the demand is mainly for weekend breaks for carers. However, in recent years Welby has increasingly responded to requests to provide accommodation at short notice as a result of carers’ breakdown or breakdown of other long-term care arrangements, especially for people with high support needs and challenging behaviour.

Colwill Lodge has been in operation since 1990 and is a purpose-built facility providing a city wide service for people with a profound learning disability and complex physical and health needs that require high levels of personal care.

The proposals for short break services link directly into the Council’s corporate objectives around supporting users and carers and promoting independence (Corporate Improvement Priority (CIP) 3 Helping People to Live Independently and CIP 14 Providing Better Value for Money. The proposals around Welby Community Unit suggested that budget savings could be realised whilst ensuring no decrease in the amount of short breaks available. It was estimated that the full year financial saving will be approximately £400k per annum.

The way short breaks are offered to users and carers in the city require changes, particularly in light of a number of national strategies and policies including Putting People First and Valuing People Now. Both of these strategies promote person-centred planning and self-directed support. They emphasised the need to support people’s independence and offer a wider range of innovative and alternative support than currently exists so that users and carers can exercise more choice and control over how they are supported. Proposals for consultation included –

- The decommissioning of the Welby Community Unit.
- Increased capacity at the Colwill Lodge facility.

- Further development of personal budgets and the re-provision of residential respite and short breaks.

#### Fairer contributions policy, charging within a personalised system

Original Fairer Charging Guidance (2003) was designed for an era of traditional local authority social care provision where people received services arranged by a local authority. Plymouth City Council responded to this guidance and last reviewed its charging policy in 2007. The charging approach that has evolved includes a mixture of standard flat rate charges that vary according to the type of service and the provider.

Under the current charging scheme, income from charging contributes approximately 8% of the funding available for non-residential care services in Plymouth. Community service users contributions to care costs in 2009/10 were £3,300,000. About half of all service users do not contribute any direct funding to their care costs due to their low income and less than 1% contribute the maximum amount currently capped at £270 per week.

The fairer charging policy was based in new national strategies for both Carers and Putting People First. These strategies emphasised the need to significantly increase opportunities for people to have greater choice and control by introducing individual budgets and expanding direct payments. The proposals linked directly to the Council's corporate objectives outlined in CIP 3, Helping People to Live Independently and CIP 14, Providing Better Value for Money.

The Council is required to make changes to the charging policy under the Putting People First agenda, there were however some discretionary elements which form part of the consultation process, these were –

- The removal of disability related benefits from assessable income.
- Whether maximum contribution should be set at 100% of the personal budget.
- What transitional support ought to be put in place to help those people whose contributions have changed.
- How best to inform people of the change and how it will affect service users.

#### Modernisation of older peoples' services

Plymouth City Council currently provides residential facilities for Older People in the following facilities:

Residential Home	Bed availability	Bed occupancy
Frank Cowl House	Total 22 Current Occupancy 8 Long stay 12 Short stay	92.75%
Stirling House	Total 28 Current Occupancy 18 Long stay 6 Short stay	97.5%
Lakeside (specialist Dementia care facility)	29 long stay 1 Short stay	94.96%

National strategies have emphasised the need to maximise independence, offer a wide range of alternatives to support older people and carers whilst promoting choice and control. In November 2009 Cabinet agreed to the re-provision of alternative respite services within the city, and changing the registration of Frank Cowl House and Stirling Residential Units to short-stay facilities.

Short Stay provision is usually arranged as interim accommodation whilst longer term plans are established to meet the individual's housing needs e.g. where certain adaptations need to be carried out to the person's own home prior to their return.

Over the last 4 years key partnerships have been developed with independent sector care providers and PCC Housing Strategy Team to deliver a range of options for people in relation to short stay provision and there is a good supply of this type of accommodation within the city.

This change of registration has been implemented through changing the use of a long-stay bed to short-stay when a vacancy has arisen. The proposals presented to Cabinet in July 2010 confirmed the Council's continued direction of travel and would include-

- Decommissioning Frank Cowl House
- Re-provisioning the current long term residential care in a new extra care scheme in Devonport.

## SCRUTINY APPROACH

### Task and Finish Group Objectives

The Group was asked to –

- Review and form an initial view of proposals at the beginning of the consultation period.
- Consider results of the 12 week consultation period.
- Review position regarding proposals and make recommendations to the Health and Adult Social Care Overview and Scrutiny Panel in light of consultation results.

### Membership

The Task and Finish group had a cross-party membership comprising the following Councillors –

- Councillor Ricketts (Chair)
- Councillor Coker (Vice Chair)
- Councillor Delbridge
- Councillor Viney
- Councillor Bowie

For the purpose of the review, the joint task and finish group was supported by –

- Giles Perritt, Head of Policy, Performance and Partnerships
- Lisa Woodman, Community Services Business Support Officer
- Ross Jago, Democratic Support Officer

### Methodology

The task and finish group convened on two occasions to consider evidence and hear from witnesses on the 24 August 2010 and 4 October 2010.

Members of the Task and Finish group aimed to review and make recommendations on the proposals in relation to -

- the modernisation of older peoples' services against the Council's short-term agenda and long-term vision for the future care and support of older people;
- the changes proposed to Adult Social Care charging policy and its impact on service users;
- the proposals around changing the future model of short breaks for people with a learning disability;
- the consultation process for the three proposed service changes to ensure that all stakeholders have had sufficient opportunity to respond to consultation activity and their views are taken into account;

- the financial and resource implications (including staffing and land) with regard to the proposals;
- the impact on the overall health objectives of the city;
- how the proposals impact on the vision for Plymouth to become "one of Europe's finest, most vibrant waterfront cities, where an outstanding quality of life is enjoyed by everyone."

The Work Programme Request (PID) is attached as Appendix 1.

Members of the group considered background papers on the "Putting People First" agenda, reports of shared planning events a DVD on the Putting People First agenda and the results of the consultation process.

The group have carried out informative visits to extra care schemes, Frank Cowl House and the Welby Community Unit to meet with staff and service users. Information was captured on how residents have found the consultation process and how they viewed the proposals.

### Background information

The task and finish group heard representations from –

- Julia Penfound, Head of Modernisation Adult Social Care
- Debbie Butcher, Commissioning Manager, Adult Social Care
- Jo Yelland, Project Lead – Putting People First.

Background material made available to the group included:

- Cabinet Papers of the 13 July 2010
- Department of Health Putting People First: a shared vision and commitment to the transformation of Adult Social Care (2007)
- Department of Health Fairer Contributions Guidance: Calculating an Individual's Contribution to their personal budget (2009)
- Department of Health fairer charging policies for home care and other non-residential social services: guidance for Councils with Social Services responsibilities (2003)
- Putting People First Strategy
- Valuing People Now Strategy
- Briefing papers on consultation results
- Notes of the Task and Group meetings



## KEY ISSUES ARISING FROM EVIDENCE

### Short Breaks for people with learning disabilities.

- The consultation had shown that users and families wanted Welby to remain open, however families wanted to discuss alternatives for short breaks and respite care. Families and carers wanted reassurance that short breaks would continue and were keen to discover what could be available if Welby did close.
- The facilities at Welby are outdated and are not fully DDA compliant. People with complex physical disability needs cannot be supported at the unit
- There was further consultation activity to take place in order for all stakeholders to respond, a webpage had been set up and the questionnaire was available on the site.
- The proposals for alternative respite arrangements were positively received and many services users hoped to explore these alternatives further once decisions had been made.
- Respite was sometimes cancelled due to emergencies, users were becoming more interested in personalised budgets to take more control of the services they required and along with increased flexibility avoid last minute cancellations.
- The implications of an unexpected increased demand in the need for short respite breaks would be dealt with by commissioning from the private, independent sector. There is a private market providing excellent services more efficiently than the Local Authority.
- Local Authority overheads were much higher than in the private sector which in the main was due to the pay and conditions of the public sector.
- The cost of the Welby is currently in the region of £800,000 per annum. It was anticipated that £400,000 per annum could be saved by closing Welby Community Unit and providing alternative respite options and increased capacity at Colwill.

## Recommendations

<b><i>To the Overview and Scrutiny Management Board –</i></b>	
R.1	The Task and Finish group recommend to Cabinet that the proposals regarding the decommissioning of the Welby Community Unit alongside the increased capacity at the Colwill Lodge facility and further development of personal budgets and the re-provision of residential respite be approved.
R.2	The group felt that the Welby building was not fit for purpose and the costs associated with its maintenance were not value for money. It was accepted by the panel that the forward direction with relation to personalisation gave control to service users and their families and noted the enthusiasm for alternative respite arrangements as expressed through the extensive consultation process.

### Fairer contributions policy, charging within a personalised system

- Older people struggled to identify their spending on disability related expenses
- Assessment for disability related expenses took a great deal of officer time and there were further costs to take into account in the assessment process.
- The removal of the Disability related expenses would make the system simpler, easier to explain and will allow people to work out their contributions by themselves.
- The majority of consultees believed that disability related benefits/expenses should be removed from the financial assessment process.
- Local Authorities across the country are removing contribution caps, currently 1800 service users in Plymouth pay a charge for their services of that number 355 pay the maximum contribution of £270.
- The cap has to be related to the cost of nursing and residential provision, this is required to be under constant review and costs of are likely to increase.
- The majority of Councillors on the Task and Finish group felt that the removal of the cap would penalise those who had made provision for there retirement.
- The majority of responders (37%) agreed that where people could afford to pay a contribution that this should be against 100% of the personal budget. However this was is not the case for people with a Learning Disability (or their carers) with a majority of responders (61%) wanting the council to subsidise services for them irrespective of ability to pay.
- Through the consultation service users have expressed a desire to have simple information on eligibility and charging.

## Recommendations

<b><i>To the Overview and Scrutiny Management Board -</i></b>	
R.3	The Task and Finish group recommend to Cabinet that Disability Related Benefits are removed from assessable income and therefore the Disability Related Expenses are removed from the financial assessment process to reduce bureaucracy and simplify the process.
R.4	The maximum contribution should not be set at 100% of the personal budget and a cap on contributions should remain.
R.5	A transitional period of 12 months and support from social care officers should be implemented to help people whose contributions change.
R.6	Information provided to service users should focus on eligibility and charging and should be in simple terms and plain English. One to one advice must also be available for those service users whose contributions are likely to change.
R.7	The consultation process had been extensive and properly carried out.

**Modernisation of older peoples' services**

- The service received 8 completed questionnaires out of a possible 80. The returned forms indicate that people who have stayed at Frank Cowl House are generally happy with the service they received. It was thought that the low return rate was due to short stay residents, who, unlikely to return to Frank Cowl House decided not to take part in the consultation.
- Three events at a local Devonport venue were arranged on 10<sup>th</sup>, 13<sup>th</sup> and 18<sup>th</sup> August. At the first event two residents were represented by their families. One family carer felt that the service at Frank Cowl House was not of a good standard and had mixed views about the time their family member stayed at the unit. The second resident was represented by family who were very vocal about wanting their relative remaining at Frank Cowl House but acknowledged that Extra Care Housing would be a good alternative to residential care.
- The Building was outdated and currently does not meet inspection standards there was a lack of en suite bathroom facilities and a lack of wheelchair access to the current toilet provision. The quality of care at Frank Cowl House was excellent despite the poor quality of the facilities.
- There was concern from some members of the group that the consultation process had “bombarded” some of the residents within Frank Cowl House and that they struggled with the concept of extra care and what it could mean for them.
- Consultation was continuing and the Adult Social Care team were planning a further engagement opportunities for families in the consultation process. Consultation had been extensive but there had been little feedback from families.
- The de-commissioning of Paternoster House was successful and residents decided to take advantage of extra care.
- There would be financial implications if Frank Cowl House remained open which translated into approximately £480,000 per annum efficiency savings not being realised.
- The extra care facility would provide forty apartments, a restaurant and 24 hour domiciliary care staff.
- Apartments have been identified for Frank Cowl House residents should they wish to move, no permanent resident of Frank Cowl House will be forced to move.

**Recommendations**

<b><i>To the Overview and Scrutiny Management Board-</i></b>	
R.8	The Task and Finish group recommend to Cabinet that the future direction for residential care for older people is extra care facilities.
R.9	Facilities within Frank Cowl are outdated and the costs of keeping the building open are unsustainable and not value for money.

R.10	It was considered that there had been sufficient consultation with users and their families but that Adult Social Care should provide them with a further opportunity to engage before the end of the consultation process.
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## SUMMARY OF RECOMMENDATIONS

The following recommendations are commended to the Overview and Scrutiny Management Board for approval.

R.1	<p>The Task and Finish group recommend to Cabinet that:</p> <ol style="list-style-type: none"> <li>1. The proposals regarding the decommissioning of the Welby Community Unit alongside the increased capacity at the Colwill Lodge facility are approved</li> <li>2. Further development of personal budgets and the re-provision of residential respite are approved.</li> </ol> <p><i>(Subject to further consultation received before the end of the consultation period)</i></p>
R.2	<p>The group felt that the Welby building was not fit for purpose and the costs associated with its maintenance were not value for money. It was accepted by the panel that the forward direction with relation to personalisation gave control to service users and their families and noted the enthusiasm for alternative respite arrangements as expressed through the extensive consultation process.</p>
R.3	<p>The Task and Finish group recommend to Cabinet that Disability Related Benefits are removed from assessable income and therefore the Disability Related Expenses are removed from the financial assessment process to reduce bureaucracy and simplify the process.</p>
R.4	<p>The maximum contribution should not be set at 100% of the personal budget and a cap on contributions should remain.</p>
R.5	<p>A transitional period of 12 months and support from social care officers should be implemented to help people whose contributions change.</p>
R.6	<p>Information provided to service users should focus on eligibility and charging and should be in simple terms and plain English. One to one advice must also be available for those service users whose contributions are likely to change.</p>
R.7	<p>The consultation process had been extensive and properly carried out.</p>
R.8	<p>The Task and Finish group recommend to Cabinet that the future direction for residential care for older people is extra care facilities.</p>
R.9	<p>Facilities within Frank Cowl are outdated and the costs of keeping the building open are unsustainable and not value for money.</p>
R.10	<p>It was considered that there had been sufficient consultation with users and their families but that Adult Social Care should provide them with a further opportunity to engage before the end of the consultation process.</p>

## Appendix 1



## Request for Scrutiny Work Programme Item

1	<b>Title of Work Programme Item</b>	Modernisation of Adult Social Care
2	<b>Responsible Director (s)</b>	Director for Community Services, Carole Burgoyne
3	<b>Responsible Officer</b>  <b>Tel No.</b>	Pam Marsden Assistant Director for Community Services (Adult Social Care)  307344
4	<b>Aim</b>	<p>With regard to proposed changes to services for older people provided from Frank Cowl House, Stirling House and Lakeside; proposed services changes involving Welby and Colwil Lodge and proposed changes to charges for non-residential adult social care services the review panel will:-</p> <ul style="list-style-type: none"> <li>• Review and form an initial view of proposals at the beginning of the consultation period.</li> <li>• Consider results of the 12 week consultation period.</li> <li>• Review position regarding proposals and make recommendations to the Health and Adult Social Care Overview and Scrutiny Panel in light of consultation results.</li> </ul>

5	<b>Objectives</b>	<p>To review the proposals in relation to the modernisation of older people's services against the Council's short-term agenda and long-term vision for the future care and support of older people.</p> <p>To examine the changes proposed to Adult Social Care Charging policy and its impact on service users.</p> <p>To review proposals around changing the future model of short breaks for people with a learning disability.</p> <p>To review the consultation process for the three proposed service changes to ensure that all stakeholders have had sufficient opportunity to respond to consultation activity and their views are taken into account.</p> <p>To review financial and resource implications (including staffing and land) with regard to the proposals.</p> <p>To review the impact on the overall health objectives of the city.</p> <p>To review how the proposals impact on the vision for Plymouth to become "one of Europe's finest, most vibrant waterfront cities, where an outstanding quality of life is enjoyed by everyone."</p>
	<b>Benefits</b>	<p>The review will raise awareness across the city as to whether the proposals will deliver fair and equitable outcomes for services for service users and staff.</p>
	<b>Beneficiaries</b>	<p>Adult social care service users and Carers. Staff Plymouth City Council and its Partners Local Community</p>
6	<b>Criteria for Choosing Topics</b>	<p>Area of potential risk</p> <p>Issue of service users interest and public concern, service delivery.</p> <p>Level of impact, impact for specific communities (vulnerable)</p>

7	<b>Scope</b>	<p>Services identified as provided at Frank Cowl House, Stirling House, Lakeside, Welby and Colwill as outlined in Cabinet reports of the 13 July 2010.</p> <p>The discretionary elements of the fairer charging policy as outlined in the Cabinet report of the 13 July 2010.</p>
	<b>Exclusions</b>	<p>Other Adult Social Care services provided from other facilities in Plymouth.</p> <p>Other charging policies not contained within the cabinet report of the 13 July 2010 and non discretionary elements of the fairer charging policy.</p>
8	<b>Programme Dates</b>	August – October



	<b>Timescales</b>	<b>Milestones</b>	<b>Target Date for Achievement</b>	<b>Responsible Officer</b>
		Initial meeting of review panel	August	Ross Jago
		Visit to Frank Cowl House / New extra care facility	August/September	Ross Jago
		Visit to Welby and Colwill	August/September	Ross Jago
		4 session review panel over 2 weeks	August/September	Ross Jago
		Session 1 Proposals over Frank Cowl House		
		Session 2 Proposals Regarding Welby		
		Session 3 Proposals regarding Fairer Charging Policy		
		Session 4 Recommendations		
		Final report to Health and Adult Social Care Overview and Scrutiny Panel	29 October 2010	

<b>9</b>	<b>Links to other projects or initiatives / plans</b>	<p>All three proposals link to the Council's corporate objectives outlined in Corporate Improvement Priority 3 (helping people to live independently) and Corporate Improvement Priority 14 (Providing better value for money)</p> <p>Cabinet paper (ref: C 61 05/06 29/11/05) "Residential Care: Proposals to modernise older peoples' services 2005-2015."</p> <p>Department of Health Putting People First: a shared vision and commitment to the transformation of Adult Social Care (2007)</p> <p>Department of Health Fairer Contributions Guidance: Calculating an Individual's Contribution to their personal budget (2009)</p> <p>Department of Health fairer charging policies for home care and other non-residential social services: guidance for Councils with Social Services responsibilities (2003)</p> <p>Putting People First Strategy</p> <p>Valuing People Now</p>
<b>10</b>	<b>Relevant Overview and Scrutiny Panel</b>	Health and Adult Social Care
<b>11</b>	<b>Lead Officer for Panel</b>	Giles Perritt
<b>12</b>	<b>Reporting arrangements</b>	<p>Health OSP – 29 July 2010</p> <p>Overview and Scrutiny Management Board – Chairman's Approval</p> <p>Cabinet – 16<sup>th</sup> November 2010</p>
<b>13</b>	<b>Resources</b>	<p>Staff time</p> <p>Some costs associated with visits from the panel's budget.</p>
<b>14</b>	<b>Budget implications</b>	It is anticipated funding will be identified within existing budgets.
<b>15</b>	<b>Risk analysis</b>	Not proceeding with this review would mean that proposals would not receive adequate scrutiny before being considered at Cabinet.
<b>16</b>	<b>Project Plan / Actions</b>	Project plan to be prepared by panel