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GROWTH AND PROSPERITY OVERVIEW AND SCRUTINY PANEL

DATE: MONDAY 13 SEPTEMBER 2010
TIME: 2.00 PM
PLACE: COUNCIL HOUSE, NEXT TO THE CIVIC CENTRE

Committee Members–

Councillor Nicholson, Chair
Councillor Nelder , Vice Chair
Councillors Berrow, K Foster, Martin Leaves, Mrs Nelder, Nicholson, Roberts, Mrs Stephens, Wheeler and Wright

Substitutes–:

Any Member other than a Member of the Cabinet 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.

Members and Officers are requested to sign the attendance list at the meeting.

BARRY KEEL
CHIEF EXECUTIVE

GROWTH AND PROSPERITY OVERVIEW AND SCRUTINY PANEL

PART 1 (PUBLIC PANEL)

1. APOLOGIES

To receive apologies for non-attendance by panel members.

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 - 8)

To confirm the minutes of the last meeting held on 12 July 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 RESOLUTIONS AND FEEDBACK FROM THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD

(Pages 9 - 12)

The Panel will monitor the progress of previous resolutions and receive any relevant feedback from the Overview and Scrutiny Management Board.

6. GOVERNMENT POLICY CHANGES

(Pages 13 - 16)

The Panel will be provided with an update on Government Policy changes.

7. LOCAL STRATEGIC PARTNERSHIP (LSP) WEALTHY THEME GROUP UPDATE

(Pages 17 - 34)

The Panel will be provided with a briefing note on the Local Strategic Partnership Wealthy Theme Group action plans.

8. SECTION 106 - PLANNING OBLIGATIONS MONITORING

(Pages 35 - 50)

The Panel will be provided with an update on Section 106 – Planning Obligations Monitoring report.

9. LOCAL TRANSPORT PLAN 3

(Pages 51 - 52)

The Panel will be provided with an update on the Local Transport Plan 3 overview timetable and engagement of scrutiny.

9.1. Overview of timetable and scrutiny engagement

9.2. Equality of opportunity planning and progress

10. EASTERN CORRIDOR UPDATE

Members of the Panel will receive a verbal update on the Eastern Corridor Major Scheme Bid.

11. FEEDBACK FROM THE SOUTH WEST DEVON WASTE PARTNERSHIP - JOINT SCRUTINY REVIEW (Pages 53 - 74)

The Panel will be provided with feedback from the South West Devon Waste Partnership – Joint Scrutiny Review.

12. WORK PROGRAMME (Pages 75 - 78)

To review the panels work programme 10/11.

13. QUARTERLY SCRUTINY REPORT / REVIEW (Pages 79 - 84)

To approve the Growth and Prosperity Overview and Scrutiny report for the first quarter.

14. 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 PANEL)

MEMBERS OF THE PUBLIC TO NOTE

that under the law, the panel 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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Growth and Prosperity Overview and Scrutiny Panel

Monday 12 July 2010

PRESENT:

Councillor Nicholson, in the Chair.

Councillor Mrs Nelder, Vice Chair.

Councillors Berrow, Browne, K Foster, Martin Leaves, Roberts, Wheeler and Wright.

Apologies for absence: Councillor Mrs Stephens

Also in attendance: Gill Peele - Business Manager for Development and Regeneration, Clive Perkin - Assistant Director for Transport, Councillor Fry - Cabinet Member for Planning, Strategic Housing and Economic Development, Councillor Wiggins - Cabinet Member for Transport, Kaja Curry - Coastal Planning Coordinator, Jonathan Bell - Head of Development Planning, Clive Turner - Chief Executive of Plymouth Community Homes, Phil Mitchell - Private Sector Housing and Regeneration Manager, Peter Ebsworth – Chair of Plymouth Community Homes Board.

The meeting started at 2.00 pm and finished at 5.15 pm.

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.

14. DECLARATIONS OF INTEREST

The following declarations of interest were made in accordance with the Code of Conduct in relation to items under discussion at this meeting –

Name	Minute No. and Subject	Reason	Interest
Councillor Nelder	Minute 8, Port of Plymouth	Member of the Harbour Commission.	Personal
Councillor Nicholson	Minute 8, Port of Plymouth	Employee of Babcock Marine.	Personal
Councillor Wheeler	Minute 8, Port of Plymouth	Member of the Harbour Commission.	Personal
	Minute 9, Private Sector Housing – Regulatory Services Peer Challenge	Member of the Board of Trustees on Plymouth Access to Housing Board.	Personal

15. **MINUTES**

Agreed that the minutes of the meeting held on 14 June 2010 were confirmed as a correct record.

Councillor Nelder requested clarification regarding minute 9 (xii) and questioned if the East End Community Scheme referred to monies from the CIF (Communities Infrastructure Funding) or RIF (Regional Infrastructure Funding). The Business Manager for Development and Regeneration advised that this question should be directed towards Clive Perkin, the Assistant Director for Transport, under agenda item number 7.

16. **CHAIR'S URGENT BUSINESS**

With the agreement of the Panel, the Chair altered the order of items on the agenda so that item 13, the 'Eastern Corridor Progress Report', be heard after item number 6 'Update on Government Policy Changes'. As a result of this change the Panel would move into part II for this item at the beginning of this meeting, other than at the end.

17. **TRACKING RESOLUTIONS AND FEEDBACK FROM THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD**

The Chair updated the Panel on their tracking resolutions and feedback from the Overview and Scrutiny Management Board.

With regard to tracking resolutions, the Panel was informed that –

- (i) the Hoe Foreshore Task and Finish Group was complete as the Panel made recommendations to the Management Board at their last meeting which would be submitted to the 28 July 2010 meeting – this item had therefore been greyed out as complete and would be removed from the tracking resolutions document;
- (ii) the item on Destination South West had been moved to the Panel's work programme – this item had therefore been greyed out as complete and would be removed from the tracking resolutions document;
- (iii) the item on Plymouth City Council Housing Services had not progressed specifically with regards to the Overview and Scrutiny Management Board minute 94a recommendation 'c' as the Panel considered it was more appropriate to scrutinise homelessness and housing needs issues as a single Panel. It was agreed that the Panel recommend to the Overview and Scrutiny Management Board that the Growth and Prosperity Panel add these items to their work programme and scrutinise the issues alone;

- (iv) the Events Strategy – Coherent Marketing Strategy (joint Task and Finish Group) had been added to the Panel's work programme and would be developed alongside the Visitors Strategy – this item had therefore been greyed out as complete as it was on the work programme and would be removed from the Panel's tracking resolutions document;
- (v) the Community Events and Road Closure Policy had been added to the Panel's work programme and would be discussed later in the agenda; this item had therefore been greyed out as complete as it was on the work programme and would be removed from the Panel's tracking resolutions document;
- (vi) the Tree Strategy, as discussed at the Panel's last meeting on 14 June 2010 would not be added to the Panel's work programme as it was noted that this issue would be highlighted to the Panel if it became a concern in the future; this item had therefore been greyed out and would be removed from the Panel's tracking document;
- (vii) the item regarding the Panel's terms of reference would be submitted to the Overview and Scrutiny Management Board on 28 July 2010;

With regard to feedback from the Overview and Scrutiny Management Board held on 30 June 2010 the Panel was informed that –

- (viii) the Local Investment Plan should be added to the Panel's work programme; this was agreed by the Panel;
- (ix) Section 106 Revenue should be added to the Panel's work programme; it was acknowledged by the Panel that this item was already on their work programme;
- (x) Councillors Nicholson, Nelder and Berrow were nominated to sit on the South Devon Waste Partnership Joint Scrutiny Review; this was noted by the Panel

Agreed that the Panel recommend to the Overview and Scrutiny Management Board that recommendation 'c' from its 3 March 2010 meeting, namely 'the Support Services OSP join with the Growth and Prosperity OSP to help with scrutiny of homelessness and housing needs issues', be amended to read the following:

'that the Growth and Prosperity Panel scrutinise homelessness and housing needs issues as a single panel and add this to their work programme to be scrutinised in the future'

Under this item Helen Rickman, the Democratic Support Officer, informed the Panel that Cabinet had discussed recommendations originating from the Growth and Prosperity Panel on the Review of the Skateboarding By-Law and the Review of Worklessness at their 8 June 2010 meeting. The Panel noted this update.

18. **UPDATE ON GOVERNMENT POLICY CHANGES**

The Panel noted the update provided on Government Policy changes.

19. **EXEMPT BUSINESS**

Resolved that, under Section 100(A)(2) and (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of confidential/exempt information as defined in paragraph 3 of Part 1 Schedule 12A of the (Local Government Access to Information) Act 1985, as amended by the Freedom of Information Act 2000.

20. **EASTERN CORRIDOR PROGRESS REPORT (E3)**

Councillor Wogens, Cabinet Member for Transport and Clive Perkin, the Assistant Director for Transport, provided the Panel with an update on the Eastern Corridor.

Agreed that the update be noted.

(the order of the agenda was changed and this item was brought forward.)

21. **COMMUNITY EVENTS AND ROAD CLOSURE POLICY**

Councillor Wogens, the Cabinet Member for Transport and Clive Perkin, the Assistant Director for Transport, provided the Panel with an update on the Community Events and Road Closure Policy.

In response to questions raised it was reported that –

- (i) the policy could be made available in its final format within two months however this was not definite;
- (ii) it would be a good use of the Panel's time to scrutinise this issue;
- (iii) it was considered unfair that the highways and transport budget should absorb the costs involved for all community events and road closures;
- (iv) it was important for these events to continue however it was also necessary to find out the impact of this upon resources;

- (v) having to spend this money on events and road closures had an impact upon the budget available for other transport projects;

Agreed that the Growth and Prosperity Panel recommend to the Overview and Scrutiny Management Board that they undertake a Task and Finish Group to scrutinise the Community Events and Road Closure Policy.

22. **PORT OF PLYMOUTH STUDY**

Councillor Fry, the Cabinet Member for Planning, Strategic Housing and Economic Development, Kaja Curry, the Coastal Planning Coordinator, and Jonathan Bell, the Head of Development Planning, provided the Panel with a report on the Port of Plymouth study.

The Panel was informed that –

- (i) the purpose of the Port of Plymouth study was to provide an evidence base for a port master plan, the Local Development Framework Core Strategy Review, the Local Economic Strategy Review and the Local Transport Plan 3;
- (ii) any port that handled over 1 million tonnes of goods was requested to produce a ports master plan; Plymouth had four ports which exceeded the aforementioned tonnage;
- (iii) all four ports in Plymouth did not have any port land;
- (iv) the work of the study consisted of baseline analysis, existing activities on the port, the ports assets, capacity and operating environment, the constraints and opportunities linked to the ports and a stakeholder workshop;
- (v) of the 60,000 vessel movements in 2009 in Plymouth ports, 75% were defence related;
- (vi) the key strengths identified in the study highlighted that Plymouth's ports were well established and diverse, had relatively deep water and a natural harbour, were a major marine and waterside leisure location, had minimal coastal erosion and employed 12% of Plymouth's population;
- (vii) the key weaknesses identified in the study highlighted that Plymouth's ports served largely local and regional commercial markets, had a limited mix of cargos, had a poor water depth at low tide and there was a lack of a single 'champion for port interests';

- (viii) key opportunities identified in the study included an expansion of oil related cargos, a growing demand for marine / leisure based activity, a growth in demand for cruises, a strong policy support for sustainable freight transport (including short-sea shipping) and the potential release of vital port infrastructure at Devonport;
- (ix) key threats identified in the study included the competition for limited cargos and cruises, the need for infrastructure investment at Devonport, the HSE blast zone, lack of public funding for ports development, the loss of key waterside sites to non-port uses, limited expansion capacity at Cattewater & Sutton Harbour and port expansion constrained by local and regional transport networks;
- (x) the following scenarios were discussed by stakeholders however scenarios 1, 3 and 5 were discounted:
 - Scenario 1 - Safeguard existing position / business as usual
 - Scenario 2 - Targeted diversification
 - Scenario 3 - Managed contraction of commercial port facilities & enhancement of leisure role
 - Scenario 4 Major step change/re-use of Devonport land and waterfront
 - Scenario 5 - Radical restructure
- (xi) possible next steps stemming from the study would include the Masterplan preparation, Coastal Action Plan, raising the profile of the Port by identifying a 'Champion', Cruise Market Feasibility/Action Plan and Safeguarding Cattewater Branch Line Track Bed;

In response to questions raised it was reported that –

- (xii) fishing employment was currently low for the city however was still seen as important;
- (xiii) the MOD would only allow the ports to be dredged to increase port depth where absolutely necessary however it was highlighted that this would allow larger cruise ships into Plymouth;
- (xiv) the study would enable a greater focus on the marine industry and ports in regards to the economic agenda and would enable officers to highlight specific supply and demand issues.

Agreed that Councillor Fry, Kaja Curry and Jonathan Bell be thanked for their informative presentation and that an update report be submitted to the Panel during the course of the year when it was considered appropriate.

23. **PRIVATE SECTOR HOUSING - REGULATORY SERVICES PEER CHALLENGE**

Councillor Fry, the Cabinet Member for Planning, Strategic Housing and Economic Development, Stuart Palmer, the Assistant Director for Strategic Housing and Phil Mitchell, Private Sector Housing & Regeneration Manager, provided the Panel with a report on Private Sector Housing – Regulatory Services Peer Challenge.

In response to questions raised it was reported that –

- (i) a local staff survey identifying staff needs had not yet been completed however it was noted that acknowledgement and recognition of hard work were important factors;
- (ii) the Private Sector Housing team consisted of eight officers with a heavy workload; this was identified in the report;
- (iii) several local authorities had been contacted for benchmarking purposes;

The Chair thanked the officers and Councillor Fry for their attendance and confirmed a task and finish group was not required to monitor progress.

Agreed that the Panel receive a further report on progress against delivery of the Revised Improvement Plan and plans for 2011/12 by the end of March 2011.

24. **PLYMOUTH COMMUNITY HOMES - PRESENTATION**

Clive Turner, the Chief Executive of Plymouth Community Homes, provided Members with an update on Plymouth Community Homes following the agreement that feedback would be provided to the Council on a bi-annual basis.

The Panel was informed that Plymouth Community Homes –

- (i) was a new 'not for profit' landlord, was the largest housing association in the South West, had £250m of additional capital investment and was working on a major re-generation scheme in North Prospect;
- (ii) had met 100 day pledge which consisted of 125 promises in the business plan, provided a 5 year Business Plan, started North Prospect Plans, had provided new doors to properties, had installed new heating systems and achieved 27 of 125 promises;

- (iii) had spent £4.7m on decent homes, issued new handbooks to all tenants, started improving neighbourhoods by estate inspections, created 120+ new jobs, created opportunities for apprenticeships, spent £500k on environmental improvement and started moving people out of North Prospect;
- (iv) had identified that only 41.5% of homes were decent, 66.01% of tenants were on Housing Benefit, 10% of tenants were unemployed, 73.25% tenants were satisfied with services and that £26m of savings needed to be made in the next 5 years;
- (v) needed to improve the caretaking service, produce detailed service standards and improve tenants access to our services;
- (vi) aimed to improve decency in homes, introduce a handy persons scheme and begin demolition in North Prospect;
- (vii) aimed to produce estate action plans, improve communal areas and get more tenants gardening;
- (viii) aimed to improve opportunities for resident involvement, improve communications and implement a scrutiny process;
- (ix) aimed to invest £1m in ICT equipment, deliver efficiency targets and continue to resource the North Prospect project.

The Chair thanked Clive Turner, the Chief Executive of Plymouth Community Homes, for his presentation.

(this item was heard in the Council Chamber and was opened up to all Councillors.)

25. **WORK PROGRAMME**

The Panel noted their work programme and agreed to include the Local Investment Plan.

TRACKING RESOLUTIONS
Growth and Prosperity Overview and Scrutiny Panel

Date / Minute number	Resolution	Explanation / Minute	Officer	Progress	Target date
19 Feb 2010 51	<p>Plymouth City Council Housing Services. <u>Recommended</u> that –</p> <p>1) the Panel explore and review key areas of strategic housing, specifically Choice Based Letting and the private renting sector in order to identify how both areas are working;</p> <p>2) the Panel host two presentations by Plymouth Community Homes on the delivery of the transfer promises;</p> <p>3) the Panel host a review of Plymouth Community Homes twice yearly;</p> <p>4) a monitoring report on Devon Choice Lettings be incorporated into the Panel's future work programme;</p> <p>5) the Panel receive a report from the Peer Challenge on private rental;</p> <p>6) the Panel lead the scrutiny engagement with all services that fall under strategic housing;</p> <p>7) the Strategic Review of Homelessness and Housing Advice services be incorporated into the Panel's future work programme;</p>	<p>The Assistant Director for Strategic Housing and the Cabinet Member for Planning, Strategic Housing and Economic Development provided the Panel with an update on Plymouth City Council's Housing Service (as set out in the agenda, pages 123-134).</p>		<p>On 3 March 2010 Overview and Scrutiny Management Board meeting it was resolved under minute 94a that:</p> <p>1. with regard to Growth & Prosperity OSP draft minute no. 51 – Plymouth City Council Housing Services –</p> <p>a. in line with the scrutiny terms of reference, it be confirmed that the Growth & Prosperity OSP is the main panel for considering strategic housing issues;</p> <p>b. officers be requested to liaise with the Monitoring Officer to establish what was formally agreed when the housing stock was transferred to Plymouth Community Homes regarding scrutiny of the service;</p> <p>c. the Support Services OSP join with the Growth & Prosperity OSP to help with scrutiny of homelessness and housing needs issues;</p> <p>d. the Growth & Prosperity OSP invite the Chair and Vice-Chair of the Support Services OSP to meet with the Cabinet Member for Planning, Strategic Housing and Economic Development to discuss how best to take scrutiny of housing issues forward;</p> <p><u>The above resolutions were reported to the Growth and Prosperity OSP Panel on 22 March meeting. The Panel was informed that the recommendations submitted to the Management Board regarding Plymouth Housing Services would be followed up at the first meeting of the new municipal year once membership for the Panel had been agreed.</u></p> <p>This item was discussed at 12 July 2010 Panel meeting under tracking resolutions. The Panel were happy with recommendations a and b, however agreed to recommend to the Management Board that recommendation c be amended so that the Panel scrutinised homelessness and housing needs issues as a single panel.</p> <p>This item was discussed at 28 July 2010 Overview and Scrutiny Management Board meeting – the board approved with the above recommendation for the Panel to scrutinise homelessness and housing needs as a single Panel.</p>	

Overview and Scrutiny Management Board

Date/min number	Resolution / Recommendation	Explanation / Minute	Response	Explanation
14 June 2010 Growth and Prosperity OSP, minute 5	Panel Members noted the terms of reference and recommended to the Overview and Scrutiny Management Board that Council be asked to remove Community Services from the Panel's Terms of Reference due to the Housing Stock Transfer.	<p>Gill Peele, the Business Manager for Development and Regeneration, informed the Panel that Community Services should be removed from Panel's terms of reference as the Housing Stock Transfer had now taken place.</p> <p>Panel Members noted the terms of reference and recommended to the Overview and Scrutiny Management Board that Council be asked to remove Community Services from the Panel's Terms of Reference due to the Housing Stock Transfer.</p>	On 28 July 2010 Overview and Scrutiny Management Board meeting it was agreed under minute 26 (4) that Community Services is removed from the work programme.	
14 June 2010 Growth and Prosperity OSP, minute 8	The Chair thanked Nick Jones and his staff for the work undertaken on the Hoe Foreshore. It was agreed that the work of the previous Task and Finish Group, which had been tasked to ensure that the Hoe Foreshore reduced from a red risk to an amber risk, had been completed therefore it was recommended to the Overview and Scrutiny Management Board that the risk had reduced and this piece of scrutiny was now complete.	<p>Nick Jones, Head of Street Scene Services, informed the Panel that a full risk assessment had been carried out on the Hoe Foreshore and £406,000 of remedial works had been completed; the red risk had now reduced to an amber risk.</p> <p>In response to questions raised it was reported that –</p> <ul style="list-style-type: none"> (i) there were still a few minor repairs to the Hoe Foreshore that needed completion; (ii) it was not known how long the current risk was going to stay amber as remedial works on the Hoe Foreshore would be the result of a yearly inspection; (iii) it was not known if there was adequate budget to cover possible future remedial works as the yearly inspection for 2010 had not been completed; (iv) the recent remedial works to the Hoe Foreshore had slightly delayed the risk assessment which would normally take place in the Spring; (v) on page 35 of the agenda, the pool had to be filled in other than repaired as this was more cost efficient; <p>The Chair thanked Nick Jones and his staff for the work undertaken on the Hoe Foreshore. It was agreed that the work of the previous Task and Finish Group,</p>	On 28 July 2010 Overview and Scrutiny Management Board meeting it was agreed under minute 26 (5) regarding Growth and Prosperity Panel minute 8 14/06/10, the review of the Hoe Foreshore and the reduction of risks from red to amber had been a successful piece of scrutiny work and was now complete;	

Date/min number	Resolution / Recommendation	Explanation / Minute	Response	Explanation
		<p>which had been tasked to ensure that the Hoe Foreshore reduced from a red risk to an amber risk, had been completed therefore it was recommended to the Overview and Scrutiny Management Board that the risk had reduced and this piece of scrutiny was now complete.</p>		
<p>12 July 2010 Growth and Prosperity OSP, minute 17 (iii)</p>	<p><u>Agreed</u> that the Panel recommend to the Overview and Scrutiny Management Board that recommendation 'c' from its 3 March 2010 meeting, namely 'the Support Services OSP join with the Growth and Prosperity OSP to help with scrutiny of homelessness and housing needs issues', be amended to read the following:</p> <p>'that the Growth and Prosperity Panel scrutinise homelessness and housing needs issues as a single panel and add this to their work programme to be scrutinised in the future'</p>	<p>On 3 March 2010 Overview and Scrutiny Management Board meeting it was resolved under minute 94a that:</p> <ol style="list-style-type: none"> 1. with regard to Growth & Prosperity OSP draft minute no. 51 – Plymouth City Council Housing Services – <ol style="list-style-type: none"> a. in line with the scrutiny terms of reference, it be confirmed that the Growth & Prosperity OSP is the main panel for considering strategic housing issues; b. officers be requested to liaise with the Monitoring Officer to establish what was formally agreed when the housing stock was transferred to Plymouth Community Homes regarding scrutiny of the service; c. the Support Services OSP join with the Growth & Prosperity OSP to help with scrutiny of homelessness and housing needs issues; d. the Growth & Prosperity OSP invite the Chair and Vice-Chair of the Support Services OSP to meet with the Cabinet Member for Planning, Strategic Housing and Economic Development to discuss how best to take scrutiny of housing issues forward; <p>The above resolutions were reported to the Growth and Prosperity OSP Panel on 22 March meeting. The Panel was informed that the recommendations submitted to the Management Board regarding Plymouth Housing Services would be followed up at the first meeting of the new municipal year once membership for the Panel had been agreed.</p> <p>This item was discussed at 12 July 2010 Panel meeting under tracking resolutions. The Panel were happy with recommendations a and b, however agreed to recommend to the Management Board that recommendation c be amended so that the Panel scrutinised homelessness and housing needs issues</p>	<p>On 28 July 2010 Overview and Scrutiny Management Board meeting it was agreed under minute 26 (6) it was agreed that the Growth and Prosperity Panel scrutinise homelessness and housing needs issues as a single panel and add this to their work programme to be scrutinised in the future.</p>	

Date/min number	Resolution / Recommendation	Explanation / Minute	Response	Explanation
		as a single panel.		
12 July 2010 Growth and Prosperity OSP, minute 21.	<u>Agreed</u> that the Growth and Prosperity Panel recommend to the Overview and Scrutiny Management Board that they undertake a Task and Finish Group to scrutinise the Community Events and Road Closure Policy.	This item originated from Plympton Area Committee, minute 58, in which it was recommended to the Overview and Scrutiny Management Board that an appropriate Panel scrutinise this policy. This item was referred to the Growth and Prosperity Panel. On 12 July 2010 a briefing report was provided to the Panel and as a result the Panel wish to have a task and finish group.	On 28 July 2010 Overview and Scrutiny Management Board meeting it was agreed under minute 26 (7) that the Growth and Prosperity panel undertake a Task and Finish group to scrutinise the community events and road closure policy.	

Grey = Completed (once completed resolutions have been noted by the panel they will be removed from this document)

Red = Urgent – item not considered at last meeting or requires an urgent response

GROWTH & PROSPERITY OVERVIEW SCRUTINY PANEL**Briefing Note: Government Policy Changes****Sep 2010****1.Housing Benefit Changes**

In the emergency budget on 22 June 2010 the government announced significant changes to housing benefit and local housing allowance. The changes will mean an annual reduction of £1,765 million of government help with housing costs.

The impact of the proposed changes to housing benefit and local housing allowance will affect social and private landlords, tenants, and strategic housing authorities in the UK

Change	Date introduced	Directly affects	Annual saving to government
Capping the maximum LHA payable for each property size, and applying a four-bed limit: <ul style="list-style-type: none"> • £250 for one-bed • £290 for two-bed • £340 for three-bed • £400 for four-bed and larger properties 	April 2011	Private rented sector DWP expects it to affect just over 14,000 households. The vast majority of are expected to be within London	£65m by 2014/15
Increasing deductions for non-dependents: they will no longer be frozen at £7.40 per week for non-earners and will be linked to prices	April 2011	Social and private rented sector	£340m by 2014/15
Calculating Local Housing Allowance (LHA) rates using the 30th percentile of market rents rather than the 50th percentile	October 2011	Private rented sector	£425m by 2014/15
Linking LHA increases to	April 2013	Private rented	£390m by

the consumer prices index (CPI) which does not include housing costs rather than the higher retail prices index (RPI)		sector	2014/15
Time limiting full HB & LHA payable to people on Job Seekers' Allowance (JSA) so that after 12 months HB is reduced by 10%	April 2013	Social and private rented sector	£110m by 2014/15
Limiting housing benefit for working age tenants so that it only covers the size of property they are judged to need	April 2013	Social rented sector	£490m by 2014/15
		Total	£1,820m by 2014/15

Local Authorities with a strategic housing role may see:

- Movement of tenants from Central London to outer and eastern boroughs
- Changes in demand for services including schools and health
- Increased levels of overcrowding
- Increased demand for cheaper properties
- Increased applications for discretionary housing payments
- Higher demand for debt counselling services
- Higher demand on homelessness and housing options services
- Potential impact on temporary and/or bed and breakfast accommodation if tenants evicted are considered intentionally homeless
- Increased applications and demand from young people
- Increased transfer applications and bidding via choice based lettings
- Private landlords becoming more reluctant to let to families with older children who are approaching age 18
- Increased applications for discretionary housing payments.

<http://housing.cih.co.uk/memberbriefing/housingbenefit-July-2010.htm>

2.Organisation of Community events

- A Growth & Prosperity OSP Task and Finish has been established to look into the costs and charging for community/ charitable events across the city. The Government are seeking to reduce unnecessary bureaucracy. Further guidance has been received this week to promote less bureaucracy for small local events;

- The position on road closures for local events has been clarified with Dept for Transport. For most small street parties that do not affect the wider road network, there is no requirement in law for local authorities to advertise proposed road closures or carry out consultations. Neither are specific signs or other traffic management equipment required. Local authorities should act proportionately, wisely, and in the public interest and apply discretion to suit local circumstances. This advice will be considered by the panel as part of their deliberations.

<http://www.communities.gov.uk/newsstories/newsroom/1660358>

3. Reducing Street Clutter (Letter from Rt Hon Eric Pickles)

- Street furniture, including traffic signs and railings, is often over-provided in the mistaken belief that it is a legal necessity. Whilst certain signs are required by law, the message throughout Government advice is that for signs to be most effective they should be kept to a minimum. Our technical advice assists authorities in the discharge of their duties. It needs to be interpreted to suit the local area. This will continue to be the message in the sequel to the Manual for Streets, due for publication in September.
- Reducing street clutter is also a priority for our ongoing review of traffic signs policy and we expect to provide guidance for auditing and removing unnecessary traffic signs. This guidance will be available by the end of the year and will stress the benefits of local community involvement.
- It is not just traffic related street furniture which adds to clutter. For example, advertising equipment and telephone boxes also have a significant impact on the street environment, if not placed carefully. Where authorities adopt clear design principles for their streets it is easier to persuade local partners, communities and businesses to play their part in making streets better places.

4. Gypsies and travellers

- Aim is to give travellers the same rights as other mobile home residents
- Stronger tenancy rights on authorised council sites
- New incentives to build authorised sites
- Abolition of Whitehall guidance
- Stronger powers for councils to tackle unauthorised development

<http://www.communities.gov.uk/news/corporate/1700758>

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Growth & Prosperity Overview and Scrutiny Panel LSP Wealthy Theme Group update

13 September 2010

Changes to the Wealthy Theme Group

Since the appointment of a new Co-ordinator (David Draffan) and a new Chair (Douglas Fletcher from Plymouth Chamber of Commerce and Industry) the WTG has undergone a number of changes to ensure that it is fit for purpose.

The overarching focus for the WTG is the delivery of the Local Economic Strategy which includes an action plan. This document also provides the cornerstone for the work of Plymouth City Councils' Economic Development unit, thereby linking the work of the Economic Development unit in to the WTG and providing the background support.

Emphasis on the delivery of the LES and the changes to the WTG, agreed in consultation with the members of the Group, are now embodied within the Group's Terms of Reference and are outlined below:

Membership

The membership of the group has become more private sector focused. The WTG will now operate with 12 members (eight private sector members, including the Chair and representatives from regional and local government, the third sector and education (to link in with the Wise Theme Group). Officers from relevant LSP partner organisations will be asked to input into the discussions as required.

The new membership of the Wealthy Theme Group now includes the following people:

- Douglas Fletcher (PCCI) – Chair
- Graham Stirling (ESB/Bardon Corporation)
- Julian Beer (University of Plymouth)
- Nigel Halford (Tamar Science Park)
- Dawn Bebe (Cultural Board Member)
- Roger Pipe (Millfields)
- Paul Glossop (GOSW)
- Cllr. Ted Fry (PCC)
- Richard Thomas (FSB)
- Viv Gillespie (City College)

Meeting format

Meetings will be held five times a year with each meeting dealing with one of the five LES themes (outlined in Appendix 1). In order to facilitate this the Economic Development unit will co-ordinate the production of background papers circulated prior to the meetings. These will be prepared with representatives from the partner organisations relevant to that theme (e.g. the Skills theme meeting will require reports incorporating the HE/FE institutes, businesses, ESB as well as Council services such as Education etc.). These reports will then be presented to the WTG members at the meeting to facilitate discussion on the pertinent issues.

Each meeting will seek to ensure that the LES Action Plan themes are still correct, amend them and add new ones as necessary. This ensures that the LES Action Plan is being achieved and moved forward and that the right organisations input into and take ownership for delivery of the actions that will lead to the successful delivery of the LES. This will also provide a useful rolling update of the LES Action Plan.

At subsequent meetings actions from previous WTG meetings can be discussed to ensure that work is progressing.

For each of the meetings a brief outline has been created of the issues that could be discussed at them, including an extract from the LES on what the Action Plan contains, as well as identification of the organisations that need to be involved. One for each theme is currently being developed so that work can progress with partners well in advance of the meetings.

Forthcoming meetings

There will be five meetings of the WTG per year. Each will consider one of the five LES themes. The currently proposed dates and themes are:

20 September 2010	Induction
11 October 2010	Leadership
13 December 2010	Centres TBC
28 February 2011	Skills TBC
23 May 2011	Business TBC
18 July 2011	Participation TBC

The order of the themes has been proposed on the basis of work that is taking place around that time which may tie in with the theme.

The group will have its first meeting on 20 September where the members will be introduced to one another and the overview of the workings of the group given. The first formal meeting using the new working arrangements will be held on 11 October 2010. This will discuss the leadership issues affecting Plymouth.

As the City Development Company will soon cease, this first meeting of the WTG will deal with issues such as the emerging Local Enterprise Partnerships (LEPs) (proposals on how sub-regions can work together in the absence of the Regional Development Agencies) and how this has developed. The closing date for submissions of LEP proposals is the 6 September. Related to this, a consultation on the Regional Growth Fund (a fund being established to aid Local Authority areas with high public sector employment which may suffer in forthcoming budget cuts) also closes on 6 September. Responses to both of these consultations are being compiled by officers.

As well as these areas of activity, the first WTG will examine progress in relation to the establishment of Destination Plymouth and appointment of the new Waterfront Manager, as well as how the business community expects further progress on city marketing, work which was started by the City Development Company.

Minutes of previous WTG meetings

Please find attached at Appendix 2 the minutes of the WTG meetings from 29 March 2010 and 24 May 2010. Minutes from the meeting on 26 July are yet to be agreed.

Next Steps

As highlighted above, the first formal meeting of the WTG will take place on 13 October. This will inform how the group operates and be the first test of the new arrangements and membership. As such, future meetings will be amended accordingly to ensure that the group delivers.

A verbal update on the operation of the WTG will be provided at 18 October 2010 meeting to update Members further.

Jeffery Kenyon
Economic Development Co-ordinator
23 August 2010

APPENDIX 1

Business Overview

This theme seeks to increase gross value added by targeting and supporting 6 priority sectors Advanced Engineering; Business Services; Creative Industries; Marine Industries; Medical and Healthcare; Tourism and Leisure to create 42,000 additional jobs and therefore reduce the reliance of the economy on the public sector. The focus is to achieve a diverse and growing business base where a high proportion of employment is knowledge based. The strategy seeks to encourage enterprise and the creation of business clusters building on our strengths e.g the University, Derriford Hospital, Marine Science and the Dockyard.

Skills Overview

To become more competitive Plymouth's sub regional economy must be supported by a dynamic and flexible labour market that can react and adapt to the changing demands of the economy. In particular it is vital that employers can recruit the skills they require to embrace the new knowledge based economy that Plymouth aspires towards. It is also vital that we seek to raise aspirations.

Centres Overview

Plymouth needs to have well connected centres, high quality connectivity and good infrastructure assets to enable economic growth. This theme envisages the creation of a bi-polar economy, as suggested by David Mackay, comprising the regeneration of the City Centre (including Waterfront) and the development of a new district centre at Derriford. This will include developing a meaningful office accommodation offer, enhanced housing offer, and supporting employment sites linked to the priority sectors. The City will also need to ensure New Generation Access digital connectivity is a high priority along with investment Physical infrastructure such as the Eastern Corridor.


Partnership Overview

In order for Plymouth to achieve sustainable economic growth as set out in the LES there needs to be an uplift in economic activity, economic inclusion, income levels and access for all communities. This involves raising the aspirations of deprived communities supporting enterprise, encouraging new business start ups and tackling issues of economic inactivity and Worklessness.

Leadership Overview

The LES needs to be underpinned by a robust delivery and implementation plan. There are 2 distinct elements: Firstly a recognition of the likelihood of a funding gap and a strategy to attract investment from a wider variety of sources and secondly a coherent set of delivery vehicles managed and co-ordinated under the umbrella of the Wealthy Theme Group.


APPENDIX 2

	Minutes of Wealthy Theme Group Meeting Date: Monday 29 March 2010 Venue: Cité Restaurant Attachments: Next Meeting Date: Monday 24 May 2pm – 4pm	
Attendees Board Douglas Fletcher Chair (DF) David Draffan (DD) Richard Thomas (RT) Roger Pipe (RP) Paul Glossop (PG) Nigel Halford (NH) Charles Tharnthong (CTh) Graham Morris (GM) Viv Gillespie (VG) Standing advisers Carl Budden (CB) Supporting officers Lesley Allinson (LA) Jeffery Kenyon (JK) Chris Grace (CG) In Attendance Gavin Carrier Matthew Cross (MC) Stephen Hulance (SH) Sam Mills (SM) Philip Heseltine (PH) John Dixon (JD) Bob Bremner (BB) Apologies Julian Beer (JB) Jacki Williams (JW) Jackie Young (JY) Cllr Ted Fry (TF) Ian Gent (IG) Anthony Payne (AP)	Organisation Plymouth Chamber Plymouth City Council FSB Millfields Trust GOSW Tamar Science Park Ltd Jubb Consulting Engineers Employment & Skills Board City College Plymouth SWRDA Plymouth Chamber Plymouth City Council Plymouth City Council Plymouth CDC Plymouth CDC Plymouth CDC Plymouth City Council Plymouth City Council Plymouth City Council Devon & Cornwall Housing Association University of Plymouth Jobcentre Plus Plymouth City Council Plymouth City Council Business Link Plymouth City Council	Email chairman@plymouth-chamber.co.uk david.draffan@plymouth.gov.uk energy@dartguard.com Roger.pipe@millfieldstrust.com paul.glossop@gosw.gsi.gov.uk nrhalford@sciencepark.org.uk c.tharnthong@jubb.uk.com grahammorris@springwater.fsnet.co.uk vgillespie@cityplym.ac.uk carl.budden@southwestrda.org.uk lesley.allinson@plymouth-chamber.co.uk Jeffery.kenyon@plymouth.gov.uk Christopher.grace@plymouth.gov.uk mailto: Gavin.carrier@plymouthcdc.org.uk Matthew.cross@plymouthcdc.org.uk Stephen.hulance@plymouthcdc.org.uk Sunita.mills@plymouth.gov.uk Philip.heseltine@plymouth.gov.uk John.dixon@plymouth.gov.uk Bob.Bremner@dcha.co.uk julian.beer@plymouth.ac.uk jacki.williams@jobcentreplus.gsi.gov.uk Jackie.young@plymouth.gov.uk ted.fry@plymouth.gov.uk ian.gent@blpeninsula.co.uk Anthony.payne@plymouth.gov.uk
Distributed in hard copy for information only:		

Item	Details	Action	By Who	By When
1	<p>a. Welcome/Introductions/Apologies DF welcomed all to the meeting and thanked VG for hosting today.</p> <p>b. Minutes of previous meeting The minutes were agreed</p> <p>c. Matters arising</p> <ul style="list-style-type: none"> • DD advised that PCC Cabinet had approved the Place Management report. He added that the SPMO working group were currently working on the legal structure which needed to be completed before an advert could be placed for the manager post identified in the Cabinet report. The post was hoped to be filled in September. DF asked DD to update the WTG at the next meeting. • NH had volunteered for the task group to look at the group's representation. • The LAA targets had been amended with the group's recommendations. • RT and DD had met to discuss the Local Procurement but agreed that an additional meeting was required to plan progress. CG was asked to attend the meeting. <p>d. WTG Work Programme 2010 JK advised that the work programme had no updates. All were asked to advise JK of any items they would like added to the work programme.</p>	<p>Update on Waterfront BID</p> <p>Meet to discuss Local Procurement</p>	<p>DD</p> <p>RT, DD & CG</p>	<p>24 May</p> <p>25 April</p>
2.	<p>Local Transport Plan 3 – SM & PH (link to presentation - WTG LTP 3 presentation March10 290310.PDF) DF welcomed SM and PH to the meeting. PH advised the group that in the past LTPs had been for 5 years but LTP3 was be planned for 15 years as this would run in parallel to the Local Development Framework and the Regional Spatial Strategy which are longer-term strategies. To ensure success with LTP 3, buy-in from all sectors in the community is required and there was therefore a series of events panned, starting in April.</p>	<p>Final draft to be presented</p>	<p>PH & SM</p>	<p>26 July</p>


	<p>DF advised that he was keen for the WTG to assist where possible and asked PH & SM to show the final draft to this group before it was adopted. He thanked them for attending the meeting today. Any comments or questions on LTP3 to be forwarded to SM and/or PH.</p>			
<p>3.</p>	<p>Plymouth City Development Company work programme – GC, MC & SH</p> <p>GC advised the group that this was a draft business plan that was confidential, currently only the PCDC board had seen it. Before being adopted it required approval from the board, their funders - PCC, RDA and HCA. The presentation followed with SH and MC presenting their relevant departments, with a discussion following. GC advised that the business plan would be updated with the WTG recommendations, then shown to the PCDC board for finalisation before being sent for consideration by the funding partners. Once approved, the business plan would be adopted, this process taking approx 2-3 months. GC advised that the business plan was ambitious and for success would require buy-in from all city stakeholders. DF thanked GC & MC and SH for coming today and asked PCDC to update the WTG at the meeting on 24 May. He asked JK and DD to add the PCDC workplan to the work programme and future agendas. DF commented that the WTG were pleased with such a wide ranging review but they were cautious that the plan was in danger of lacking clear focus. From the scale of the agenda identified in the LES the PCDC could only deliver in close collaboration with partners and the private sector and it would be helpful if the business plan was able to clearly identify those activities that the PCDC will be undertaking and to advise what activities will be carried out by partners.</p> <p>It was felt that the PCDC risks having too broad a focus and should clearly define those projects where it can have most impact and be clear of the timescales to achieve. A better balance also needs to be struck between those projects that will be delivered over a 15 to 20 year period and those of a more short term nature.</p>	<p>Update on PCDC business plan</p> <p>Include on agendas</p>	<p>GC</p> <p>JK & DD</p>	<p>24 May</p> <p>24 May</p>

	<p>The WTG is also aware of the need to drive private sector funding as well in addition to the existing public sector grants for PCDC's future and it was felt the business plan is a good opportunity to identify how the private sector can best engage in this area.</p> <p>The WTG would like to have more confidence in the plan and this will be helped when they are advised that the PCDC board have approved the plan.</p>			
4.	<p>Plymouth Local Investment Plan (LIP) – JD (link to presentation - 100329 WTG LIP.ppt)</p> <p>JD advised that the LIP was a draft delivery plan for 12 months based on committed spend, but that it is hoped that in the future to produce a draft of a matrix for an informed approach and that stakeholders would be engaged at a much earlier stage. The LIP would be have a first draft soon as the document was being consulted upon.</p> <p>DF asked if DD could distribute a paper on how GVA is calculated and confirm the target percentage and date for the increase in GVA as per the LES.</p> <p>JD advised that the amendments discussed would be made before the first draft was distributed.</p> <p>It was agreed that it would be useful to identify Plymouth's top 10 priorities. Any comments or questions on Plymouth LIP to be forwarded to JD.</p>	Demystification piece on GVA	DD	24 May
5.	<p>Date of next meeting and finish:</p> <p>Monday 24 May 2010 at 2pm – 4pm at the Council House</p>			

	Results of Wealthy Theme Group Meeting	
<p>Attendees</p> <p>Board Douglas Fletcher Chair (DF) David Draffan (DD) Richard Thomas (RT) Paul Glossop (PG) Nigel Halford (NH) Graham Morris (GM) Viv Gillespie (VG) Cllr Ted Fry (TF) Ian Gent (IG) Jacki Williams (JW)</p> <p>Standing advisers</p> <p>Supporting officers Lesley Allinson (LA) Jeffery Kenyon (JK) Chris Grace (CG)</p> <p>In Attendance Gavin Carrier Matthew Cross (MC)</p> <p>Apologies Julian Beer (JB) Jackie Young (JY) Anthony Payne (AP) Roger Pipe (RP) Carl Budden (CB) Charles Tharnthong (CTh)</p>	<p>Organisation</p> <p>Plymouth Chamber Plymouth City Council FSB GOSW Tamar Science Park Ltd Employment & Skills Board City College Plymouth Plymouth City Council Business Link Jobcentre Plus</p> <p>Plymouth Chamber Plymouth City Council Plymouth City Council</p> <p>Plymouth CDC Plymouth CDC</p> <p>University of Plymouth Plymouth City Council Plymouth City Council Millfields Trust SWRDA Jubb Consulting Engineers</p>	<p>Email</p> <p>chairman@plymouth-chamber.co.uk david.draffan@plymouth.gov.uk energy@dartguard.com paul.glossop@gosw.gsi.gov.uk nrhalford@sciencepark.org.uk grahammorris@springwater.fsnet.co.uk vgillespie@cityplym.ac.uk ted.fry@plymouth.gov.uk ian.gent@blpeninsula.co.uk jacki.williams@jobcentreplus.gsi.gov.uk</p> <p>lesley.allinson@plymouth-chamber.co.uk Jeffery.kenyon@plymouth.gov.uk Christopher.grace@plymouth.gov.uk</p> <p>Gavin.carrier@plymouthcdc.org.uk Matthew.cross@plymouthcdc.org.uk</p> <p>julian.beer@plymouth.ac.uk Jackie.young@plymouth.gov.uk Anthony.payne@plymouth.gov.uk Roger.pipe@millfieldstrust.com carl.budden@southwestrda.org.uk c.tharnthong@jubb.uk.com</p>
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	<p>Plymouth” and the grid would be available for PCDC’s stakeholders from 27 May, the official reveal, onwards. Those who wished to use it were asked to contact MC. There would be no large launch event but MC felt it more important to raise the profile through schools, UoP, Theatre Royal and other stakeholders. The marketing toolkit would be delivered by Lloyd Northover with rules and restrictions for use, there would be an intranet site in the future to maintain ownership of the branding. The measurement of impact would be difficult but behaviour before and after would be gauged. The marketing plan was hoped to be a catalyst for increased inward investment. DF thanked MC & GC for their presentation and wished them good luck on their journey.</p>			
<p>3.</p>	<p>Revised Terms of Reference – DF & DD</p> <p>DF explained that the review work had been undertaken by PCC’s Economic Development team and he would like a decision made at the end of today’s meeting</p> <p>DD advised that a sub group – NH, DD & DF had met to review the remit of the group, membership of the group and frequency of meetings.</p> <p>The review of the TOR showed the need to refocus but not a complete rewrite. The LES was at the centre of the work undertaken by the WTG and it was the group’s responsibility to ensure that delivery partners were held to account. There were 5 themes in the LES – Business, Skills, Centres, Participation and Leadership.</p> <p>In the original WTG TOR it was stated that the group would be private sector led but this has been lost over the last 4 years.</p> <p>CG reported that the review had been done objectively to help move forward the work of the group. He advised that it was important to have TOR that were fit for purpose. The proposed change in membership was key to the success of the group as private sector representatives would have better understanding of the economy and the employment market. The group would have no more than 12 members and the Chair would be from the private sector, he reminded all the Chair was accountable to the LSP Board and could be deselected if felt necessary. The Chair would be asked to recruit suitable people from the private sector.</p>			

	<p>The proposed changes were agreed by those present with the following amendments/additions</p> <ul style="list-style-type: none"> • Sub/under groups for delivery to be formed • More information on the sub regional agenda 			
4.	<p>Proposed Future Work Programme – DF & DD</p> <p>DD proposed that future meetings follow the 5 themes in the LES, therefore there would be 5 meetings a year, each one focussing on a different theme. The meetings would start with an assessment of performance and identifying the gaps in delivery. A report after each meeting would then be sent to the LSP Board. The Economic Development team would undertake all the pre work. This format would enable annual refreshes for the action plans annexed to the LES which were currently out of date.</p>			
5.	<p>Any other business</p> <ul style="list-style-type: none"> • JW advised that some of the narratives on the LAA report were incorrect on the stretch targets. • GM reported on the GVA report that over the last 10 years reduced employment figures in the engineering sector actually resulted in increased productivity. • DF thanked all for attending and he would advise the revised membership once the review was complete. 			
6.	<p>Date of next meeting and finish:</p> <p>Monday 26 July 2010 at 2pm – 4pm at the Drake Suite, Tamar Science Park</p>			

	Results of Wealthy Theme Group Meeting Date: Monday 26 July 2010 Venue: Drake Suite, Tamar Science Park Attachments: Next Meeting Date: Monday 13 September 2pm – 4pm	
Attendees Board Douglas Fletcher Chair (DF) David Draffan (DD) Richard Thomas (RT) Paul Glossop (PG) Nigel Halford (NH) Graham Morris (GM) Cllr Ted Fry (TF) Ian Gent (IG) Jacki Williams (JW) Supporting officers Lesley Allinson (LA) Jeffery Kenyon (JK) Chris Grace (CG) Apologies Julian Beer (JB) Jackie Young (JY) Anthony Payne (AP) Roger Pipe (RP) Carl Budden (CB) Charles Tharnthong (CTh) Gavin Carrier (GC) Viv Gillespie (VG)	Organisation Plymouth Chamber Plymouth City Council FSB GOSW Tamar Science Park Ltd Employment & Skills Board Plymouth City Council Business Link Jobcentre Plus Plymouth Chamber Plymouth City Council Plymouth City Council University of Plymouth Plymouth City Council Plymouth City Council Millfields Trust SWRDA Jubb Consulting Engineers Plymouth CDC City College Plymouth	Email chairman@plymouth-chamber.co.uk david.draffan@plymouth.gov.uk energy@dartguard.com paul.glossop@gosw.gsi.gov.uk nrhalford@sciencepark.org.uk grahammorris@springwater.fsnet.co.uk ted.fry@plymouth.gov.uk ian.gent@blpeninsula.co.uk jacki.williams@jobcentreplus.gsi.gov.uk lesley.allinson@plymouth-chamber.co.uk Jeffery.kenyon@plymouth.gov.uk Christopher.grace@plymouth.gov.uk julian.beer@plymouth.ac.uk Jackie.young@plymouth.gov.uk Anthony.payne@plymouth.gov.uk Roger.pipe@millfieldstrust.com carl.budden@southwestrda.org.uk c.tharnthong@jubb.uk.com Gavin.carrier@plymouthcdc.org.uk vgillespie@cityplym.ac.uk
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Item	Details	Action	By Who	By When
1	<p>h. Welcome/Introductions/Apologies DF welcomed all to the meeting.</p> <p>i. Minutes of previous meeting The minutes were agreed</p> <p>j. Matters arising</p> <ul style="list-style-type: none"> • DD gave a brief update on the Waterfront BID. A legal company had been set up in the name Destination Plymouth with subsidiaries – Waterfront partnership and City Centre Company. The Board of Directors is chaired by Duncan Currall and consisted of Adrian Vinken, DF, Landlords from Prudential and Sutton Harbour, The Leader Vivien Pengelly and Barry Keel. The Waterfront BID manager is in the process of being recruited from a high standard of applicants. The comments made at the last WTG had been acknowledged and the focus for the visitor economy would no longer be the Hoe, the Barbican and the Waterfront but would include other areas. A visitor and tourism strategy will be drafted for April 2011 and will have clear targets. The Waterfront BID brief is attached to these minutes. • CG and RT had met with Jane Keeley and had identified the challenges. RT reported that the next Plymouth Procurement Forum meeting would look at refocusing the groups efforts away from Sell2Plymouth to include higher value contracts as many local companies had the ability to deliver much larger contracts than were currently offered on Sell2Plymouth. In the new updated WTG process Local Procurement would fit under the Business theme. • A website for the marketing of Plymouth would be available in August 2010. Branding templates were available now from PCDC. • The revised TOR would be discussed at the LSP board in August. DF advised that he had not yet recruited 7 private sector members but was keen for quality over quantity; he was also keen to 	<p>Distribute Waterfront brief</p>	<p>DD</p>	<p>13 September 2010</p>

	<p>recruit new people rather than the current pool of people on many boards within the city. TF offered DF some suggestions of people to approach</p>			
2.	<p>Proposed meeting dates for 2010-11 and outline of WTG Operation – JK JK advised the group of the new proposed future dates Monday 28 February 2011 Monday 23 May 2011 Monday 18 July 2011 The dates and times of future meetings would be dependant on the new members so were provisional currently. Papers in future would be distributed 10 days prior to the meetings to enable members to read the increased number of papers. Each meeting would be focussed on a theme and updates from previous meetings to ensure work is being carried forward. Meetings would now be planned in advance as reports would be commissioned and reviewed prior to the meetings. Partners would be invited to sub meetings to compile and agree reports prior to meetings and would be asked to send a small delegation to present to the group on their specific topic. DD & JK would work on commissioning future meeting reviews in advance. Future themes were discussed and JK was asked to distribute a cruise liner briefing paper to the group – attached to the minutes.</p>	<p>Distribute Cruise liner brief</p>	<p>JK</p>	<p>13 September 2010</p>

<p>3.</p>	<p>Digital Plymouth Update - DD DD advised the group that decent progress had been made on the Digital Plymouth project, which was led by PCDC and PCC. The project's target was to deliver super fast broadband to homes and businesses in Plymouth and the surrounding area. Fibrecity had approached Plymouth approx 3 years ago. Previous blockages had been queries on reinstatement solutions for different road surfaces and a worry of future pricing due to their monopoly. The process was at the last stage, terms & conditions needed to be agreed. Once queries were resolved the contract with Fibrecity could be signed in late August with work starting in January. No public money was required for the project merely PCC cooperation. The possibility of Adjacency Funding for Plymouth in light of the Broadband initiative in Cornwall was discussed, CG was asked to research with the help of SWRDA. DD would update the group on Digital Plymouth at the next meeting. Digital Plymouth summary - Adroit: http://www.plymouth.gov.uk/digital_plymouth_report.pdf</p>	<p>Research Adjacency Funding</p> <p>Update on project</p>	<p>CG</p> <p>DD</p>	<p>13 September 2010</p> <p>13 September 2010</p>
<p>4.</p>	<p>Update on Plymouth City Airport - DD DD updated that Air Southwest had been put up for sale by Sutton Harbour. PCC were being kept informed and working through any issues. It was a complex sale but all involved wanted a resolution suitable for the city. The group would be updated at the next meeting. DD was asked to distribute the York Aviation report undertaken in 2008 which helped form ASW's 5 year business plan. Airport Study - York Aviation: http://www.plymouth.gov.uk/homepage/environmentandplanning/planning/planningpolicy/ldf/ldfbackgrounreports/brairportstudy.htm</p>	<p>Distribute York Aviation report</p>	<p>DD</p>	
<p>5.</p>	<p>Plymouth City Development Company - DF DF advised that after a discussion with GC it had been agreed to remove the PCDC business plan off the agenda as questions on future funding had not yet been resolved and it was thought this would take precedence at the meeting. The PCDC board had signed off the business plan but the 3 funding partners had yet to do so. The group would be updated at the next meeting.</p>	<p>Update on PCDC</p>	<p>GC/DF</p>	<p>13 September 2010</p>

6.	<p>Impact of unemployment and the public sector – JK</p> <p>JK reported that it was an uncertain picture as he had struggled to get confirmed numbers for job losses within the city. All agreed that large job losses either in or outside the city could have consequences for the area. JK was offered suggestions of job losses not in his report, he asked all to email him with any up-to-date figures or intelligence as it becomes available. The importance of a joined up task force for those who lost their jobs was key to the future retention of skills within the city, this would avoid duplication and confusion. If guidance and support was given as early as possible it would help individuals. All were aware that the partners currently on the task force could soon need a task force.</p>	<p>Examination to make sure Task Force is fit for purpose</p>	<p>JW</p>	<p>13 September 2010</p>
7.	<p>AOB</p> <p>DF thanked NH for hosting the meeting today.</p>			
8.	<p>Date of next meeting – Monday 13 September 2010, 2pm until 4pm at the Council House in the Temeraire Room</p>			

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CITY OF PLYMOUTH

Subject: Planning Obligations Monitoring
Committee: Growth and Prosperity Overview and Scrutiny Panel
Date: 13 September 2010
Author: Paul Barnard, Assistant Director of Development & Regeneration, Planning Services
Contact: Tel: 01752 304305
e-mail: paul.barnard@plymouth.gov.uk

Introduction

1. This report explains what planning obligations are and sets out how these are monitored. The report gives details of the planning obligation financial contributions that have been made relating to developments in Plymouth. It provides an overview of the current position relating to planning obligations across the city, and the steps being taken to manage them effectively.

Planning Obligations

Legislative Background and National Planning Policy

2. Section 106 of the Town and Country Planning Act 1990 (as amended by Section 12 of the Planning and Compensation Act 1991 and the Planning & Compulsory Purchase Act 2004) provides for developers to enter into planning agreements or unilateral undertakings in order to “make acceptable development which would otherwise be unacceptable in planning terms” (Paragraph B3, ODPM Circular 05/05). Planning obligations can be used to:
 - restrict development or use of land
 - require specific operations or activities to be carried out in relation to the land
 - require payment of sums of money to help lessen the impact of the development, help with ongoing maintenance etc
 - require land to be used in a certain way.
3. Planning obligations are secured by way of a Section 106 agreement or Unilateral Undertaking (also called a Unilateral Obligation), and are binding on the land. They are therefore enforceable against all successors in title.

4. Planning obligations are an established and valuable mechanism for securing planning matters arising from a development proposal. They are commonly used to bring development in line with the objectives of sustainable development as articulated through the relevant local, regional and national planning policies. Several Planning Policy Guidance Notes and Planning Policy Statements refer to how the use of planning obligations relate to particular forms of development. Detailed guidance on planning obligations are set out in Circular 05/05. Planning obligations are secured through negotiations with developers as part of the open, transparent and democratic decision-making process of determining planning applications in order to address infrastructure or other impacts of the proposed development. For example, new development often creates a need for additional infrastructure or improved community services and facilities, without which there could be a detrimental effect on local amenity and the quality of the environment. Planning Obligations are the mechanism used to secure these measures.
5. Planning obligations help to ensure that new development is sustainable and can assist in meeting the objectives of the Sustainable Community Strategy and the Local Development Framework and other relevant local and national policies. Planning obligations can include, for example:
 - Affordable housing
 - Providing educational facilities and additional school places
 - Providing health facilities
 - Designing out crime (for example street lighting, CCTV)
 - Infrastructure (for example highway improvements, drains) to be provided
 - Land to be dedicated and equipped as open space or playgrounds
 - Sums to be paid for the provision of off-site infrastructure or the long term maintenance of open space
 - Creation of open spaces, public rights of way,
 - Travel plans and contributions to support public transport
 - Local employment and training strategies
 - Measures to encourage sustainability and bio-diversity
6. Planning Obligations are strictly governed by legislation. Regulation 122 of the Community Infrastructure Levy Regulations 2010 makes it unlawful for a planning obligation to constitute a reason for granting planning permission unless it meets all of three statutory tests:
 - The obligation is necessary to make the development acceptable in planning terms. This means that planning obligations should be used to make development acceptable which would be otherwise unacceptable in planning terms in accordance with published local, regional or national planning policies.
 - The obligation is directly related to the development. This means that there should be a functional or geographical link between the development and the item being provided as part of the agreement.

- The obligation is fairly and reasonably related in scale and kind to the development. This means that developers may reasonably be expected to pay for or contribute towards the cost of additional infrastructure provision which would not have been necessary but for their development. A reasonable obligation should at least seek to restore facilities, resources and amenities to a quality equivalent to that existing before the development.
7. These 3 tests replaced the original set of 5 tests set out in Circular 05/05 and are now statutory, carrying a right of legal challenge from 6th April 2010. It is therefore critical that all Planning Obligations related to planning application decisions made after this date complies with these new tests.

Types of Contribution

8. Contributions may either be in kind or in the form of a financial contribution. In the case of financial contributions, payments can be made in the form of a lump sum or an endowment, or, if beneficial to all parties and not unduly complex, as phased payments over a period of time, related to defined dates, events and triggers.
9. Where the combined impact of a number of developments creates the need for infrastructure, local planning authorities are able to pool developer contributions to allow for infrastructure to be secured in a fair and equitable way. Where a local authority wishes to pool contributions, for example towards a bigger project, or if it wishes to charge maintenance payments these need to be set out in the Local Development Framework.
10. Where contributions are secured through planning obligations towards the provision of facilities which are predominantly for the benefit of the users of the associated development, it may be appropriate for the developer to make provision for subsequent maintenance (i.e. physical upkeep). Such provision may be required in perpetuity. As a general rule, however, where an asset is intended for wider public use, the costs of subsequent maintenance and other recurrent expenditure associated with the developer's contributions should normally be borne by the body or authority in which the asset is to be vested.

The Policy Framework

11. The adopted Plymouth Core Strategy sets out the policy framework for planning obligations and affordable housing. Policy CS33 of the Core Strategy sets out the Council's overall policy on planning obligations.
12. In addition the Planning Obligations and Affordable Housing Supplementary Planning Document (SPD) sets out the City Council's detailed approach to planning obligations and affordable housing when considering planning applications for development in Plymouth. New development has a cumulative impact on infrastructure and often creates a need for additional or improved community services and facilities without which the development could have an adverse effect upon amenity, safety or the environment.

13. The objective of the SPD is to provide clarity to developers, planners, stakeholders and local residents regarding the basis on which planning obligations and affordable housing will be sought. It assists in implementing local objectives in respect of the provision of sustainable development across the city by contributing towards the delivery of the Plymouth adopted Core Strategy.
14. The SPD provides detailed guidance to supplement the Core Strategy for all those involved in the submission and determination of planning applications where planning obligations will be required. It also details the type of obligations that may be required, thresholds where appropriate and indicates the relative importance that the Council might place on the varying types of obligation in different parts of Plymouth.
15. The original Planning Obligations and Affordable Housing SPD was adopted by the City Council on 1st December 2008. It includes two main approaches to the negotiation of planning obligations:
 - a) The Plymouth Development Tariff – an indicative charge to secure pooled contributions to managing the cumulative impacts of development on the need for infrastructure.
 - b) The “Negotiated Element” – a bespoke part of a planning obligation, designed to tackle specific impacts for which a tariff-based approach is not appropriate, and to deliver affordable housing.
16. It is the City Council’s intention to limit as far as possible the need for a “Negotiated Element” and to address infrastructure implications of development, where possible, through the Tariff. Both will be implemented through standard Section 106 Agreements or Unilateral Undertakings.
17. The SPD sets out how each of its planning obligation elements has the potential to meet each of the three statutory tests, but each planning obligation will still also need to be justified on its own merits.
18. The recent review of the Planning Obligations SPD has firmed up on the Council’s policy and brought it into line with the new Regulations. The revised Planning Obligations and Affordable Housing SPD was adopted at Full Council on 2nd August 2010. What can be negotiated will be determined by the specific nature of the impact of the development. Strategic infrastructure is that which is associated with the growth of the city and includes transport, sports/leisure and green infrastructure. Local infrastructure is that which relates to the neighbourhoods or sub areas of the city, such as primary schools, libraries and local green space, but where there has to be an identifiable local need which the tariff will address. The changes are to ensure compliance with the new Regulations and offer the best prospect of maximising planning obligation contributions.

19. It needs to be remembered that the tariff is primarily gap funding, designed to supplement other sources. It is difficult to predict the level of tariff that will be available at any moment because it is dependent on financially viable developments coming forward to be able to generate the contributions, and there has been a significant decline in such developments during the economic downturn. The risks associated with tariff contributions to projects must therefore be acknowledged in project development. The Capital Delivery Board will play a key role in the governance of tariff spend, ensuring that funds are used in the most effective way and in accordance with the requirements of Planning legislation.
20. Since April 2010 local authorities have the option of introducing a Community Infrastructure Levy (CIL) which is a mandatory standard charge on development to pay for infrastructure to support development of an area. The CIL will ultimately replace tariff regimes, but it is for the City Council to still consider whether to adopt such an approach or to revert to a more bespoke approach to planning obligations. The City Council will be considering this matter during the course of 2010 and 2011, once the Coalition Government has firmed up its thoughts on the future of CIL.

Negotiating Planning Obligations

21. Planning obligations or planning agreements are negotiated between the planning authority and the developer. Negotiations are often complex and the eventual agreement is often a balance between what is needed to mitigate the impacts of a development and the viability of that development. Clearly if we seek to include too much in an agreement this can affect the viability of a development and it may not therefore go ahead. There are also complex negotiations between the different issues that need to be addressed in an agreement, for example the balance between affordable housing and green space provision.

Market Recovery Measures

22. Between 14th October 2009 – 31st December 2010 a Market Recovery Action Plan sought to encourage developers to put forward sites to secure flexibilities in relation to planning obligation and section 106 matters. In this period 37 sites were put forward and 16 were accepted under the initiative. 10 sites have been granted planning permission, with one currently on site. All the Market Recovery Action Plan sites have benefited from shorter 2 year consents reflecting the agreement by Planning Committee of a wide range of flexibilities to stimulate development activity in response to the recession. These sites continue to be monitored through the Planning Services Strategic Development Panel and further progress will be included as part of the 2010 Annual Monitoring Report, which will be reported to this Overview and Scrutiny Panel in early 2011. Because of the success of the Market Recovery Action Plan it was decided to “mainstream” market recovery measures as part of the revision of the SPD. Where there is robust evidence of market failure in relation to delivery of development, the City Council may introduce temporary measures to stimulate the market's recovery. The City Council will select the most appropriate measures from the ‘menu’ set out in Appendix 1 of the SPD. The measures will be enacted by resolution of the Council’s Cabinet and clearly publicised at the time.

Section 106 Financial Contributions

Managing Section 106 Financial Contributions

23. Planning Services is legally responsible for the management of all Section 106 agreements. This is done through the Planning Delivery Team. Since January 2006 a Section 106 database has been established, along with a tracking model to enable the proper monitoring and recording of all the clauses in all the Section 106 agreements, going back to 1970. These will run into hundreds of clauses in hundreds of agreements. Since June 2006 developers have been encouraged to use a more standard Section 106 template to speed up the validation of their applications, with at least heads of terms being submitted with the planning application, and the production of signed Section 106 agreements as soon after Planning Committee have resolved to grant planning permission within a set timeframe, otherwise delegated authority is given to refuse the application. Both these robust approaches have addressed what was the most significant factor affecting planning application performance prior to the substantial performance improvements seen since 2006. The receipt of Section 106 contributions is contingent on works starting on site (sometimes a development may not proceed and the Section 106 obligations are then not required to be contributed). Payment of financial contributions, or compliance with providing in-kind obligations, will be triggered by a certain phase of the development being implemented, such as commencement, occupation, or completion.
24. Normally the City Council will invoice the developer when the appropriate trigger point is reached. When payment is received it is logged onto a database and the appropriate spending department informed. The spending department then puts together a project plan and applies for a spending certificate so that approval can be sought from the Capital Delivery Board.
25. The Section 106 database has been designed in-house and enables Planning Services to track all the signed Section 106 agreements thereby ensuring that a proactive approach is taken to tracking the receipt of all monies collected, thus ensuring it is spent appropriately and in accordance with the original agreements.
26. Sometimes the Section 106 contribution is only part of the funding required for a particular project, and sometimes other approvals need to be sought before a project can be implemented. This means that often there is a time delay before the expenditure occurs. For example, the spending service cannot work on a project until the contribution has actually been received, otherwise any preparation work will be "at risk". Sometimes projects are complex and the Section 106 funding will be only part of the funding package. Therefore preparation does not start until all funding is in place. This is in accordance with financial regulations. Many projects require a number of stages such as preliminary design, detailed costing, public consultation, stakeholder input, refinement of design, planning permission. Therefore this can take many months (and sometimes years) to get to project completion. The result of this sensible and structured project management is that at any one time there will be Section 106 funds "in the bank" but not yet spent, as further project development work progresses.

27. By their nature, all Section 106 contributions collected by the City Council have an agreed purpose. For each development, the Section 106 agreement will specify, often quite precisely, how the monies are to be spent. Sometimes the project required by the agreement turns out to not be required after all, for a variety of reasons. Following established case law, most agreements set a time limit of 5 years, and if the contribution is not spent within this time frame the contribution may have to be repaid to the developer. Inevitably, there will be occasions where contributions will have to be repaid, for example where circumstances have changed since the signing of the agreement, or where public consultation on the project that was originally envisaged to address the impact of the development determines that a modified or reduced scheme is required. Because the legal provisions of the relevant Section 106 clause must take precedence, there are only very limited opportunities for the reallocation of funds to another project. In these cases sometimes money could be returned but again, the Section 106 database enables Planning Services to minimise these occurrences.

Current Section 106 Financial Resources

28. Table 1 provides a summary of the financial contributions that have been received by the City Council up to July 2010. It identifies:
- the broad purposes for which these financial contributions have been collected
 - the total sum that has been negotiated
 - the amounts received by the council to date, bearing in mind that we normally only receive monies when construction commences or is completed, and not all of the money negotiated will be realised because some planning permissions lapse and do not get built, for a variety of reasons)
 - the contributions which have been spent up to the end of the last financial year
 - The contributions that have been committed by the spending department but not yet spent, ie specific detailed projects have been identified
 - The balance that remains, ie that no specific proposals have yet been put forward by the spending department

Table 1: Section 106 Contributions – Overall summary

Contribution	Total Negotiated	Total Received	Actual Expenditure	Committed Expenditure	Remaining Balance
Affordable Housing	£5,331,057.00	£2,024,267.00	£1,407,690.51	£616,576.49	£0.00
CCTV	£75,000.00	£76,687.00	£56,687.00	£0.00	£20,000.00
Public Realm	£1,292,473.00	£545,466.60	£276,469.80	£198,579.80	£70,417.00
Community Facilities	£1,171,989.00	£697,573.98	£400,785.49	£144,214.51	£152,573.98
Education					
Infrastructure	£5,598,743.85	£1,763,596.32	£590,964.57	£1,154,631.75	£18,000.00
Health	£405,000.00	£0.00	£0.00	£0.00	£0.00
Highways					
Infrastructure	£7,366,772.38	3,461,110.70	1,609,583.05	£838,932.92	1,012,594.73
Nature Conservation	£158,150.00	£103,280.00	£98,280.00	£0.00	£5,000.00
Play	£2,305,297.10	£1,416,865.63	£1,041,831.66	£196,939.00	£178,094.97
Public Open Space	£1,219,831.00	£841,684.00	£715,271.97	£69,012.03	£57,400.00
Public Transport	£6,799,506.42	£2,540,648.01	£1,512,791.39	£26,538.00	£1,001,318.62
Sport and Recreation	£1,004,385.00	£611,000.00	£213,415.99	£76,000.00	£321,584.01
Other	£4,202,674.00	£1,163,099.50	£1,015,853.00	£0.00	£147,246.50
Total	£36,930,878.75	£15,245,278.74	£8,939,624.43	£3,321,424.50	£2,984,229.81

29. Table 1 provides a snapshot of the agreements that have been negotiated to date. Clearly the position changes daily as expenditure is incurred and obligations discharged, or when new payments are triggered and received: or when old agreements are replaced by new agreements as schemes are re-designed and the Section 106 agreements associated with them are re-negotiated. Table 1 shows that Planning Services have negotiated a total of £36.9 million in contributions. £15.2 million of this has so far been received. The remaining £21.7 relates to some developments that have not yet commenced or reached the relevant trigger point. Some of these developments of course may not happen at all, and therefore the Section 106 payments listed in Table 1 will never materialise. To date £8.9 million has already been spent and there are commitments from spending departments amounting to a further £3.3 million. This leaves a remaining balance of received but not yet spent sum of £2.9 million.
30. Table 2 below shows the tariff contributions received so far, apportioned to the different tariff “categories” in accordance with the original version of the Planning Obligations and Affordable Housing SPD. Planning Services are currently working to amend the “categories” to bring them into line with the recently reviewed version of the SPD so that the difference between strategic and local infrastructure is recognised. The first column shows the different “categories”, the second gives a total amount so far negotiated and the third column the amounts so far received.

Table 2: Tariff Contributions

Contribution	Negotiated (£)	Received (£)
Education		16,209.50
Health		3,241.00
Libraries		1,656.00
Open Space & Children's Play space		19,031.50
Recreation & Sport		29,301.00
Strategic Natural Environment		807.50
Transport		67,223.21
Total	£1,318,494.00	137,469.71

Making Effective Use of Section 106 Funds

31. The Section 106 database is critical to the effective management of the contributions. Each agreement is logged and then tracked to ensure that invoices are sent at the right times, income is recorded, and expiry times monitored to ensure that contributions are spent within time and on the right things.
32. The management of the overall Section 106 process is the responsibility of Planning Services. However it is the spending departments who actually deliver the projects. It is therefore important that effective communications channels exist and to this end a Planning Obligations Forum has been established, attended by each spending department with Planning Services. It meets quarterly to enable effective communication and discussion of key issues.
33. Regular meetings have now been established with individual spending services to explore the actions that need to be taken to ensure that the Section 106 money that is coming to the end of its expenditure time limit can be spent. Some spending departments, such as transport, have a well established forward planning process. These discussions with other services ensure that future expenditure plans are put in place by all spending departments to make certain that when tariff funds become available there is a robust plan in place that will highlight where they will need to use tariff funding, and provide an audit trail of where this expenditure has occurred on the ground. There have also been steps put in place to achieve better control of financial information ensuring officers are all working with the latest versions and the correct financial information. This has included a large reconciliation project has been undertaken with Finance to ensure that all financial records within the budget ledger are the same as the records shown on the Section 106 database. Work is currently being undertaken to ensure that records continue to stay accurate and up to date, including looking into upgrading the Section 106 database system so that it incorporates automatic synchronisation and real time information on financial changes.
34. Finance has also been brought more closely into the approval process, and the Section 106 "application to spend" certificate has been altered to include an initial approval by Finance that the money being sought is available.

35. The Capital Delivery Board gives approval for projects that need to be included in the City Council's Capital Programme. Where these projects require Section 106 contributions as part of their funding package, there are additional checks now in place to ensure that the spend is in accordance with the relevant Section 106 Agreement, the contribution has been received, and that the spend is also in accordance with the prevailing CIL Regulations. The remainder of this report now focuses on the actions being taken by spending departments with respect to the remaining balance as shown in Table 1.

Spending Summary

36. The following section takes a look at each spending department, and gives an overview of the outstanding balance and the actions taken so far to secure spending. Tables 3 – 15 show the outstanding balance available to each spending department, taken from Table 1.
37. The outstanding balance is then broken down into three categories:
- **Expires After 2012:** Where the funding expires after 2012, no immediate action is necessary by spending departments but preparatory work on projects will be being undertaken where the contribution relates to a larger project, and Planning Services monitors these clauses on a quarterly basis.
 - **Being Actioned:** Where funding is close to expiring, a number of urgent actions are being taken by spending departments to ensure that projects are completed within the time limit. This category also includes contributions that were spent many years ago and where the records are still being verified.
 - **Required to be Spent by 2012:** This category is where the funding is required to be spent by 2012 and spending departments have been prioritising the development of appropriate projects before the expiry deadline.

Affordable Housing

Table 3: Outstanding Balance - Affordable Housing

	Number of Obligations		
Outstanding Balance		£0.00	
Expires after 2012	0		£0.00
Being Actioned	0		£0.00
Required to be spent by 2012	0		£0.00

38. The percentage of affordable housing funding received already spent or committed is 100%. There are therefore no unspent sums in relation to affordable housing. Affordable housing contributions are usually from developments where it is not possible to provide affordable units on site and so a commuted sum enables the affordable homes to be provided elsewhere within the city. Strategic Housing work very closely with Planning Services and has a well developed pipeline of projects to ensure that these Section 106 funds are used alongside funding from the Homes and Communities Agency and other grants to maximise the number of units being delivered in the city. Affordable housing targets have continued to be met over the last 3 years and last year 76% of homes built were affordable (amounting to 555 units in 2009/2010).

CCTV**Table 4: Outstanding Balance - CCTV**

	Number of Obligations		
Outstanding Balance		£20,000.00	
Expires after 2012	0		£0.00
Being Actioned	0		£0.00
Required to be spent by 2012	1		£20,000.00

39. The percentage of CCTV funding received already spent or committed is 74%. Contributions towards the provision of CCTV are rare and are made when there are particular community or highway safety issues related to a proposed development. The remaining £20,000 needs to be spent by August 2011 towards CCTV surveillance of the traffic signals junction on Plymouth Road and Woodford Avenue.

Public Realm**Table 5: Outstanding Balance – Public Realm**

	Number of Obligations		
Outstanding Balance		£70,417.00	
Expires after 2012	3		£30,000.00
Being Actioned	2		£19,417.00
Required to be spent by 2012	1		£21,000.00

40. The percentage of public realm funding received already spent or committed is 87%. Two contributions are currently being investigated by Transport & Highways totaling £19,417. A further contribution expires before 2012 relating to the provision of public realm enhancements around Sutton Harbour, in connection with the Sutton Harbour Heritage Trail.

Community Facilities**Table 6: Outstanding Balance – Community Facilities**

	Number of Obligations		
Outstanding Balance		£152,573.98	
Expires after 2012	0		£0.00
Being Actioned	0		£0.00
Required to be spent by 2012	1		£152,573.98

41. The percentage of community facility funding received already spent or committed is 78%. There is one contribution that expires before 2012. This contribution is to be used towards changing facilities at the Manadon Football Centre and is being actioned by Leisure Services.

Education Infrastructure

Table 7: Outstanding Balance – Education infrastructure

	Number of Obligations		
Outstanding Balance		£18,000.00	
Expires after 2012	0		£0.00
Being Actioned	1		£18,000.00
Required to be spent by 2012	0		£0.00

42. The percentage of education infrastructure funding received already spent or committed is 99%. Children's Services is one of the largest beneficiaries of Section 106 contributions and works closely with Planning Services to ensure that spatial planning and school place planning is coordinated so that when future Section 106 financial contributions are made they can be used alongside other capital resources speedily. There is one contribution of £18,000 being actioned and none required to be spent by 2012.

Health

Table 8: Outstanding Balance - Health

	Number of Obligations		
Outstanding Balance		£0.00	
Expires after 2012	0		£0.00
Being Actioned	0		£0.00
Required to be spent by 2012	0		£0.00

43. No contributions have so far been received for health projects, because the developments at Millbay, from which contributions are due, have yet to commence.

Highways Infrastructure

Table 9: Outstanding Balance – Highways Infrastructure

	Number of Obligations		
Outstanding Balance		£1,012,594.73	
Expires after 2012	18		£389,435.65
Being Actioned	10		£446,073.10
Required to be spent by 2012	6		£177,085.98

44. The percentage of highway infrastructure funding received already spent or committed is 71%. Transport & Highways is one of the largest receivers of Section 106 contributions. It is also one of the most complex in terms of financing, because the use of funds secured as a result of very varied development impacts reflected in Section 106 clauses are often used alongside Local Transport Plan capital funds to achieve outcomes on the ground. Often a number of different funding sources will be used to facilitate a project and therefore delivery of the project is sometimes not immediate. The six obligations required to be spent by 2012 are all due to be approved as part of the Capital Expenditure Programme in November 2010 and breakdown as follows:

- £20,000 towards implementation of a resident's car parking scheme on Albert Road
- £1,000 towards improvements roundabout at Old Laira Road
- £13,000 for the further provision of refuge islands on Henderson Place and Melville Road
- £64,944.08 towards pedestrian crossings on North Hill and North Road East
- £60,141.90 for further highway infrastructure
- £18,000 which is split as £15,000 for real time bus information and £3,000 for traffic modelling work in Millbay.

Nature Conservation

Table 10: Outstanding Balance – Nature Conservation

	Number of Obligations		
Outstanding Balance		£5,000.00	
Expires after 2012	1		£5,000.00
Being Actioned	0		£0.00
Required to be spent by 2012	0		£0.00

45. The percentage of nature conservation funding received already spent or committed is 95%. There are no outstanding issues with the nature conservation contributions, managed by Planning Services. The only remaining sum does not expire until after 2012.

Play

Table 11: Outstanding Balance - Play

	Number of Obligations		
Outstanding Balance		£178,094.97	
Expires after 2012	9		£124,760.82
Being Actioned	0		£0.00
Required to be spent by 2012	2		£53,334.15

46. The percentage of play funding received already spent or committed is 87%. Two contributions expire before 2012. One of them is a £40,141.04 contribution that is in relation to a skateboard ramp in the Eggbuckland area. Street Services have confirmed that this facility is no longer needed by the local community and alternative projects are currently being investigated. The remaining £13,193.11 is in relation to the provision of play equipment outside a development site at Cumberland Road. Street Services have been advised about the time limits in relation to these two remaining obligations.

Public Open Space

Table 12: Outstanding Balance – Public Open Space

	Number of Obligations		
Outstanding Balance		£57,400.00	
Expires after 2012	3		£57,400.00
Being Actioned	0		£0.00
Required to be spent by 2012	0		£0.00

47. The percentage of public open space funding received already spent or committed is 93%. The 3 contributions relating to open space that are still outstanding all expire after 2012.

Public Transport

Table 13: Outstanding Balance – Public Transport

	Number of Obligations		
Outstanding Balance		£1,001,318.62	
Expires after 2012	17		£925,403.00
Being Actioned	2		£34,671.00
Required to be spent by 2012	6		£41,274.62

48. The percentage of public transport funding received already spent or committed is 61%. By securing contributions to support bus services, public transport obligations can help developments be more sustainable and be more accessible to all. Whilst new homes or employment uses can in theory create the demand for a bus service, a financial contribution can help ensure that a bus service is viable, especially in the early days before full occupation of a development, and can even contribute to a better quality and frequency of service. Financial contributions can enable the purchase of an additional vehicle to provide a better service to all on the route including the residents of any new development.
49. The 6 obligations that are required to be spent before 2012, all expire in 2011. Three obligations (£10,000, £5,000 and £4,000) are all in relation to providing real time bus information boards throughout the city. The other three are contributions of £7,000, £10,774.62 and £4,500 are towards the provision of bus borders in Henderson Place, North Hill and Tamerton Foliot Road respectively. The six obligations required to be spent by 2012 are all due to be approved as part of the Capital Expenditure Programme in November 2010.

Sport and Recreation

Table 14: Outstanding Balance – Sport and Recreation

	Number of Obligations		
Outstanding Balance		£321,584.01	
Expires after 2012	3		£250,000.00
Being Actioned	1		£71,584.01
Required to be spent by 2012	0		£0.00

50. The percentage of public transport funding received already spent or committed is 47%. The contribution being actioned is currently undergoing public consultation to assist in the detailed design of the project, and there are no obligations that are required to be spent by 2012.

Other

Table 15: Outstanding Balance – Other Miscellaneous

	Number of Obligations		
Outstanding Balance		£147,246.50	
Expires after 2012	4		£147,246.50
Being Actioned	0		£0.00
Required to be spent by 2012	0		£0.00

51. The percentage of other funding received already spent or committed is 88%. The one outstanding contribution expires after 2012.

Contributions Repaid

52. So far only two contributions have had to be returned. The first was in relation to providing a speed camera on Elburton Road. The reason the contribution was returned was due to the decision that providing a speed camera on Elburton Road was inappropriate due to the changes in management associated with speed enforcement cameras.
53. St Budeaux Controlled Parking Zone is the other project where Section 106 contributions will be repaid. Money was secured through the development process for design, consultation and for delivery of a parking scheme arising from a local food retailer scheme. However through the design and consultation process it was rejected by the local residents and the funds secured are being repaid.

Conclusions

54. It is a tremendous achievement that £8.9 million of contributions have delivered significant projects throughout the city, improving the quality of life and making real differences to communities, and that a further £3.3 million of investment to benefit local communities is in the course of being delivered. This is really good news for the city and there is more to come with several further projects in the pipeline being worked on by officers in several spending departments.
55. Of the £36.9 million negotiated by Planning Services 41.2% (£15.2 million) has already been received, despite the impact of the recession on development activity nationally. 80.4% of this funding has already been spent or committed. Of the remaining balance of £2.9 million only £465,268.73 (or 15.6%) is required to be spent by 2012. An additional £0.6 million of contributions (or less than 3% of the total negotiated) are currently being actioned by spending departments.
56. The establishment of the Section 106 database in 2006 has enabled over 600 agreements each containing multiple clauses (many of which relate to financial contributions) to have been proactively monitored. The database has been brought up to date and reconciled to the budget ledger to improve still further monitoring arrangements. Governance arrangements have also been improved. It has been an immense task to ensure that the database is complete, contains all historical records, as well as ensuring that it is continually up to date with the latest agreements. Planning Services continues to work closely with spending departments to proactively manage the spending of Section 106 funds and further improvements to the database are being implemented during 2010/2011 as part of the Planning Services Business Plan and Service Improvement Plan.

Background papers:

Town and Country Planning Act 1990
Planning and Compensation Act 1991
Planning and Compulsory Purchase Act 2004
ODPM, Circular 05/2005, July 2005
LDF Local Development Scheme
LDF Core Strategy, adopted April 2007
LDF Planning Obligations & Affordable Housing SPD, adopted December 2008
Market Recovery Action Plan, December 2008
LDF and Planning Obligations & Affordable Housing SPD evidence base documents
LDF: Annual Review of Planning Obligations and Affordable Housing SPD report to Cabinet 15th December 2009
Planning Obligations and Affordable Housing SPD First Review, report to Cabinet 13th July 2010
Department of Communities and Local Government, New Policy Document for Planning Obligations, March 2010
Community Infrastructure Regulations 2010

Growth & Prosperity Overview and Scrutiny Panel

Local Transport Plan 3 (LTP3)

This agenda item will introduce the overview, content and timetable for the planning, preparation and consultation on LTP3. The panel will be asked to consider the most appropriate engagement with the scrutiny process during the next 6 months.

The proposed forward plan is as below;

Draft report to CMT	9th Sept
CMT	14th Sept
Draft report to Cabinet	29th Sept
Cabinet Planning	5th Oct
Final Report	7th Oct
Cabinet	19th Oct
Consultation Start	25th Oct / 1st Nov
Consultation End	14th Jan / 21st Jan
Draft report to CMT	17th Feb
CMT	22nd Feb
Draft report to Cabinet	9th March
Cabinet Planning	15th March
Final Report	17th March
Cabinet	29th March
Full Council	11th April

There will also be a presentation on Equality of Opportunity (new name for Accessibility Planning) one of the many themes of the LTP3

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South West Devon Waste Partnership

A joint scrutiny report on the proposals to procure an energy from waste plant to serve South West Devon

REPORT TO THE SOUTH WEST DEVON WASTE PARTNERSHIP JOINT COMMITTEE

SEPTEMBER 2010



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Further copies of this report can be obtained from:

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1. Executive Summary

- 1.1 This report provides details of the Joint Scrutiny Review of the South West Devon Waste Partnership and the ongoing procurement of a long term solution to treat and dispose of residual waste from Plymouth, Torbay, South Hams, West Devon and parts of Teignbridge.
- 1.2 Given the sensitivities and legalities surrounding the procurement process of the proposed energy from waste plant, the timing and scope of the review was limited. However, scrutiny was seen as part of the quality assurance mechanism of the project and questions about the validity of the Outline Business Case given the recent changes in the political and economic climate should rightly be asked.
- 1.3 The Joint Review Panel focussed on four areas of questioning:
 - Funding and affordability
 - Population and waste stream projections
 - Lessons learnt elsewhere
 - Contingency plans
- 1.4 From the information it received, the Joint Review Panel is satisfied that the Outline Business Case remains valid at this time. The Panel is, however, aware of the continually changing national picture, in terms of changes in Central Government policy, legislation and guidance and the still uncertain economic situation. Equally the Panel is aware of the advances in technology in relation to residual waste solutions.
- 1.5 The Panel is clear that the main focus of each partner authority (and the associated district councils) is that the waste hierarchy should continue to be strictly adhered to and, in particular, re-use and recycling should be prioritised. Local authorities have a role to play in ensuring that legislators are lobbied to make waste prevention a priority. Each council also needs to ensure that focus continues on increasing re-use and the recycling of waste. Raising public awareness of the need to implement the waste hierarchy and the reasons behind it also needs to take place. In addition, the contract for the proposed plant needs to ensure that it provides every opportunity to allow for increased recycling.
- 1.6 The Panel's main recommendations are around flexibility in the 25 year contract, waste reduction and the continued improvement in recycling across the Partnership area.
- 1.7 The Joint Review Panel will meet again to provide challenge once the Joint Committee makes recommendations through to each Council's Executive. This will mean that duplication of effort across each partner authority can be avoided. The Panel will also consider a continued role as the contract is implemented in policy development, performance management and ensuring that lessons are learnt.

2. Introduction

- 2.1 Devon County Council, Plymouth City Council and Torbay Council each have a Municipal Waste Strategy with a preferred option to dispose of residual waste which is not recycled or composted via a new thermal treatment process.
- 2.2 In April 2008, all three councils approved a Joint Working Agreement and Outline Business Case to procure a long term (25 year) solution to treat and dispose of residual waste from Plymouth and Torbay, the districts of West Devon and South Hams and most of Teignbridge.
- 2.3 The South West Devon Waste Partnership Joint Committee (including at least one councillor from the Executives of the three councils together with an observer member from the main opposition party on each council) was established to oversee and make decisions relating to the joint procurement and subsequent management of the services procured under a Private Finance Initiative (PFI) arrangement for the long term solution. A Project Executive consisting of senior officers from each council was also established to ensure that the project is delivered in line with the agreed Business Case.
- 2.4 The procurement process commenced in late 2008 following its acceptance by the Department of the Environment, Food and Rural Affairs (Defra) for £95 million of PFI credits. As at April 2010, the procurement had two bidders remaining both of whom are proposing a single energy from waste solution, either at a site within Plymouth at North Yard HM Naval Base Devonport or just outside Plymouth at Lee Mill near Ivybridge. The Partnership aims to select a Preferred Bidder in early 2011.
- 2.5 Scrutiny of the procurement process and the wider project is seen as a vital third strand, together with the Devon Audit Partnership and Defra, of the Quality Assurance mechanism for the project.
- 2.6 To this end, a Joint Review Panel was established, made up of three overview and scrutiny councillors from each of the three Councils, namely:

Councillor Black	Councillor Berrow	Councillor Addis (Chair)
Councillor Hook	Councillor Coker	Councillor Horne
Councillor Radford ¹ (Devon County Council)	Councillor Nicholson (Plymouth City Council)	Councillor Stocks (Torbay Council)

- 2.7 The Joint Review Panel's objective was:

To provide an overview of the procurement process being followed to secure a long-term waste treatment solution for the South West Devon Waste Partnership partner councils and to assess how the project will achieve its aims.

¹ Councillor Radford withdrew from the Joint Review Panel following the first meeting due to a conflict of interest.

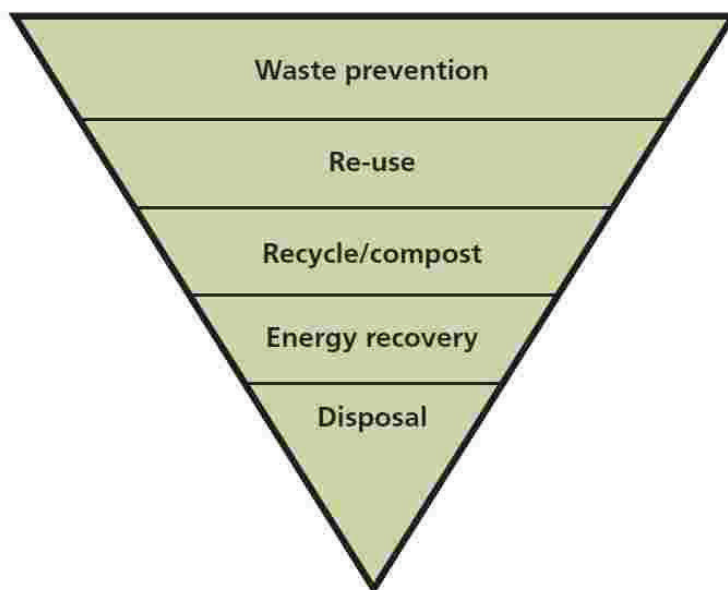
- 2.8 The Joint Review Panel was mindful that the need for a residual waste treatment solution with a thermal element had previously been agreed through each authority's Municipal Waste Management Strategy and that the Outline Business Case had been approved by each authority. However, given the change in the economic and political climate since these documents were agreed, the Panel determined that the scope of the review was:
1. *To review the validity of the Outline Business Case of the South West Devon Waste Partnership given the political and economic changes since it was first agreed.*
 2. *To ensure that the lessons learnt from other authorities undertaking similar procurement processes are incorporated into the work of the Partnership.*
 3. *To review the contingencies associated with the project.*
- 2.9 The Joint Review Panel met four times during July and August 2010 and received reports and heard presentations from members of, and advisors to, the South West Devon Waste Partnership Project Executive and Joint Committee. The Panel received written reports from two local authorities – one of which had procured energy from waste plants and one which had decided not to pursue this option.
- 2.10 The Panel was advised that some information about the Partnership's ongoing procurement was commercially sensitive and therefore it could not always receive the depth of information requested. This did not hinder the questioning process, but some answers received were generalised as the detail of the bids are confidential.

3. The Current Situation

3.1 Background

3.1.1 There are a number of waste management challenges facing councils across the Country. As a rural peninsula, Devon and Cornwall arguably have a greater challenge to face in balancing the needs of their communities. The issues to consider include the environmental impact of waste and the associated carbon footprint. There is a public and political will to do more to satisfy the waste hierarchy in Figure 1.

Figure 1: Waste Hierarchy



3.1.2 The financial cost of disposing of household waste to landfill is significantly increasing in line with environmental concerns. The European Union and Central Government is using the penalty of fines and increased cost as a driver to reduce landfill and stimulate a more efficient use of waste.² Landfill Tax has increased in recent years from its inception at £7 a tonne in 1996 and to a projected £80 a tonne in 2018. Local authorities will also have to meet stringent fines at £150 per tonne if they exceed their Landfill Allowance Trading Scheme biodegradable municipal waste tonnage allocations.

3.1.3 There is diminishing landfill void space available to serve the communities in Torbay, Plymouth, South Hams, West Devon and Teignbridge with Heathfield Landfill Site near Newton Abbot scheduled to be at capacity in 2016. Chelson Meadow in Plymouth was at capacity in 2008 and as a result was closed. The reducing capacity means that commercial gate fees for landfill are increasing in addition to increasing landfill tax.

² Waste Strategy – Annual Progress Report 2008/2009 – Defra (October 2009)

- 3.1.4 To meet this clear directive of a move away from landfill, local authorities have to find waste solutions now for the long term future. The South West Devon Waste Partnership was formed against this backdrop to respond to the increasing waste challenge. The Partnership authorities entered into a legally binding Joint Working Agreement in April 2008.
- 3.1.5 The subsequent change in Government in May 2010 has led to a national review of waste policies that is due to report preliminary findings in April 2011. The first line of the terms of reference states: 'The Government is committed to working towards a zero waste economy'³. The document goes on to identify areas to be considered:
- Do more on waste prevention and reuse
 - Continue to increase recycling rates when it's the best option
 - Maximise the cost-effective generation of renewable energy from waste
 - Move towards zero waste to landfill⁴
- 3.1.6 It is assumed that the current core policies on recycling and composting levels and compliance with European Union Landfill Directives will continue to apply (or be enhanced). The work of the South West Devon Waste Partnership is in line with these policies.
- 3.1.7 Each of the authorities within the Partnership had previously independently prepared their own Waste Management Strategies which identified that, having increased recycling and minimised waste, a thermal treatment solution was appropriate to deal with residual waste. By working together, the three councils are able to benefit from economies of scale and attract central government support in the form of PFI credits.
- 3.1.8 Having identified the common need for a new residual waste treatment solution and the potential for a jointly procured approach, the South West Devon Waste Partnership began by modelling various options incorporating a range of solutions and scoring them against a range of criteria, including planning, technical, environmental, financial and economic considerations. The optimum solution was identified as a single shared facility using a tried and tested thermal technology.
- 3.1.9 The legal procurement process is complex and began in 2008 when companies were invited to bid for the contract. The tender invitation is output based and hence was not prescriptive of the required solution (i.e. the procurement did not specifically request an energy from waste plant; the most appropriate solution was left to the market to propose). Whilst a 'thermal element' was required there are alternatives to energy from waste

³ Review of Waste Policies – Terms of Reference, Defra (2010)

⁴ Ibid

that could have met this condition. Significantly all of the bidders chose to identify and propose an energy from waste plant, albeit at different locations.

3.1.10 Initially the project started with six bidders and nine outline solutions and, following a series of negotiations and assessments, at the current stage there are two possible companies, each with a proposed solution:

- MVV Umwelt proposing solutions located at North Yard HM Naval Base Devonport, Plymouth
- Viridor proposing a solution located at New England Quarry, Lee Mill, near Ivybridge

3.2 Funding and Affordability

3.2.1 The successful private sector contractor will include within its bid a project specific financial model which will contain all of the project costs, running costs and expected income during the 25-year operational period.

3.2.2 The capital investment for a new facility probably costing between £100 million and £200 million will be provided by the contractor either through "project finance" (raising money from external banks that lend specifically to projects) or through "corporate finance" (from the contractor's own company reserves). Once operational the private contractor is responsible for all repair, maintenance and running costs for the life of the contract. The method of securing capital investment for the project would have little or no impact on the operational aspects of the contract.

3.2.3 The Partnership will pay a gate fee for each tonne of residual waste delivered to the contractor. The gate fee will include elements to cover all operating costs and the repayment of capital and interest on the initial borrowings. Third party revenues from the sale of any electricity, steam, renewable energy benefits and spare capacity also provide a revenue stream to the contractor. Where these are guaranteed by the contractor, they will reduce the gate fee paid by the Partnership and are an important component of the project.

3.2.4 In order for the contractor to ensure it can cover its upfront investment costs, the Partnership will agree either to provide a minimum tonnage of residual waste per year ("guaranteed minimum tonnage") or a guarantee to provide the contractor with all its residual waste after re-use or recycling has taken place ("exclusivity"). Discussions are currently ongoing with both bidders on the arrangement into which the Partnership will enter. If the final contract is based on a guaranteed minimum level of waste, this amount is across the whole Partnership (i.e. there would not be a guaranteed minimum per Authority within the contract). The penalties for the Partnership of not meeting the guaranteed minimum would only come into force if the overall minimum was not met. The risk of this occurring for the Partnership is

partially reduced as Devon County Council has a more flexible waste stream which is currently being processed in other facilities.

- 3.2.5 The onus would be on the Partnership to provide the contractor with the residual waste flows for the contract period. However, the contractor must make certain that the scale of the facility is appropriate to ensure the right balance of having sufficient capacity to deal with any increases in residual waste whilst recognising each authority's commitment to increase recycling levels. Currently forecast estimates indicate that, of the waste dealt with at the facility, 35% will be from Devon County Council, 47% from Plymouth City Council and 18% from Torbay Council although, as Partnership waste increases with the population, there will be diminishing excess capacity over the life of the facility to deal with third party waste.
- 3.2.6 The gate fee per tonne of residual waste has yet to be finalised as the procurement is ongoing. However, the principle that each constituent authority of the Partnership will pay the same gate fee has been agreed. The gate fee will be set at Day 1 with inflationary increases each year. The actual payment made by each authority to the contractor each month will be based on actual tonnages of residual waste delivered (plus or minus other agreed variations such as non-performance deductions and additional third party income). Original Outline Business Case projections indicate that an energy from waste solution looks to be in the region of £60million cheaper than landfill not including the additional benefit of the PFI credit support.
- 3.2.7 Once the facility has been commissioned, the partner councils will also receive a PFI grant which has been approved at £95 million (based on 2008 values). This grant is index-linked and will be provided through a quarterly Government grant for 25 years. The actual value of the grant will be determined by the final capital value of the facility with each authority receiving its share of the grant in a proportion to the tonnage of residual waste it delivers to the facility.
- 3.2.8 The support funding via the PFI is dependent on the relevant Department of Environment, Food and Rural Affairs (Defra) criteria including:
- The need to follow the standard form of contract with terms acceptable to Defra and HM Treasury
 - The credits to be used to fund a new residual waste treatment process build for the project needs
 - An expected close of contracts by March 2011⁵
- 3.2.9 A PFI credit promissory note will be provided by Defra following the approval of the Final Business Case which is expected in early 2011. This promissory

⁵ If the contract is closed after this date, the PFI approval is not lost but there are risks that changes will be put forward by Defra/HM Treasury.

note will confirm the PFI credit amount although any departure from the terms set out in the Final Business Case could affect the entitlement to PFI credits. The credits will contribute towards the expected capital cost of the facility (which was set in the Outline Business Case at £140 million (based on 2008 prices)). Regular information exchange between the Partnership and Defra minimises the risk of any changes to the PFI credit allocation.

3.2.10 At the final tender stage, the contractors will be instructed to use a particular Euro exchange rate for any capital costs denominated in Euros. This will be provided in order to standardise terms for evaluation purposes. Within the final tender documentation, contractors will be encouraged to submit proposals for mitigating foreign exchange risk to the Partnership to the point when the bidder will fully accept this risk. The foreign exchange relationship will be between the contractor and any of its sub-contractors although the final Contract will reflect any agreement to share this risk between the contractor and the Partnership.

3.2.11 Any potential increased costs for the project in terms of borrowing costs and construction inflation resulting from the global recession should have been offset by the revised (lower) contract tonnages from the Partnership (and the subsequent reduction in the size of the facility) and increased third party revenues (as a result of increased landfill taxes and energy costs). It is expected that the final contract value will be within the previously approved figures within the Outline Business Case.

3.2.12 The new Coalition Government is still entering into PFI contracts for waste facilities in summer 2010. There are currently 24 energy from waste⁶ plants operational throughout the Country with a further four under construction and one not operational. Of the 61 further proposed plants, 15 have been granted planning permission, eight have submitted planning applications with no decision yet reached, 15 are in the planning stage, 12 are currently PFI reference cases (including the one subject to this scrutiny review) and 10 have had a planning application rejected or withdrawn.⁷

3.3 Population and Waste Projections

3.3.1 The long term population and residual waste projections for each of the Partnership councils are included within the Outline Business Case for the project.

3.3.2 As part of the Outline Business Case, a detailed future waste flow model was developed for the Partnership area. This set a baseline for each council within the Partnership based on 2006/2007 audited waste statistics and then modelled different scenarios such as waste and population growth, demographic change, waste minimisation and increased reuse and recycling.

⁶ This definition follows the Waste Incineration Directive 2000 and includes gasification and pyrolysis as well as conventional energy from waste plants.

⁷ The World of Waste, Alan Metcalfe, The University of Sheffield, 2010

The model was then used to predict the amount of future residual waste that would need to be treated from the area served by the facility.

- 3.3.3 The modelling was based on the then latest 2004 Sub-National Population Projections. The model was refreshed in October 2009 to take account of the updated 2008/2009 waste statistics, the latest population predictions and the 2008 Sub-National Population Projections.
- 3.3.4 The refreshed modelling resulted in the Partnership reducing its likely annual total of residual contract waste at 2039 from approximately 259,000 tonnes to 203,000 tonnes per annum (a reduction of 22%). These predictions assume continued improvements in recycling and a permanent decline in waste per head of population.
- 3.3.5 Whilst the new Government had revoked the Regional Spatial Strategy (and with it the centralised house building targets), no further announcements had been made on planning policy or the growth agenda and therefore the Partnership was still working to the adopted strategies and plans and the growth level projections. In particular, the proposals for the Sherford New Community are contained within the adopted Local Development Frameworks for Plymouth and South Hams. A planning application is currently being considered and there are currently no indications that Sherford will not be developed. (The delay to the start of the development has been taken into account in the refreshed modelling discussed above.)
- 3.3.6 The housing allocations put forward for each district will be subject to review. Those put forward for the Plymouth area remain unchanged and, similarly the Core Strategies⁸ for West Devon and South Hams are adopted and include the same housing figures as the Regional Spatial Strategy. It is likely that the long term figures for Torbay will be reduced and the Core Strategy for Teignbridge is still undergoing consultation.
- 3.3.7 The refreshed waste modelling by the Partnership in 2009 included sensitivity testing which looked at the effects of both increased housing and population and decreased housing and population compared to the anticipated housing and population growth. This sensitivity modelling produced high, medium and low waste growth scenarios. The potential impacts on the project had been identified.
- 3.3.7.1 Increased growth could result in the plant's capacity being exceeded towards the end of the life of the contract. However, it was felt that, by that stage, other factors (such as more lightweight packaging, use of different materials and changing lifestyles) could all contribute to lower waste tonnages per household.

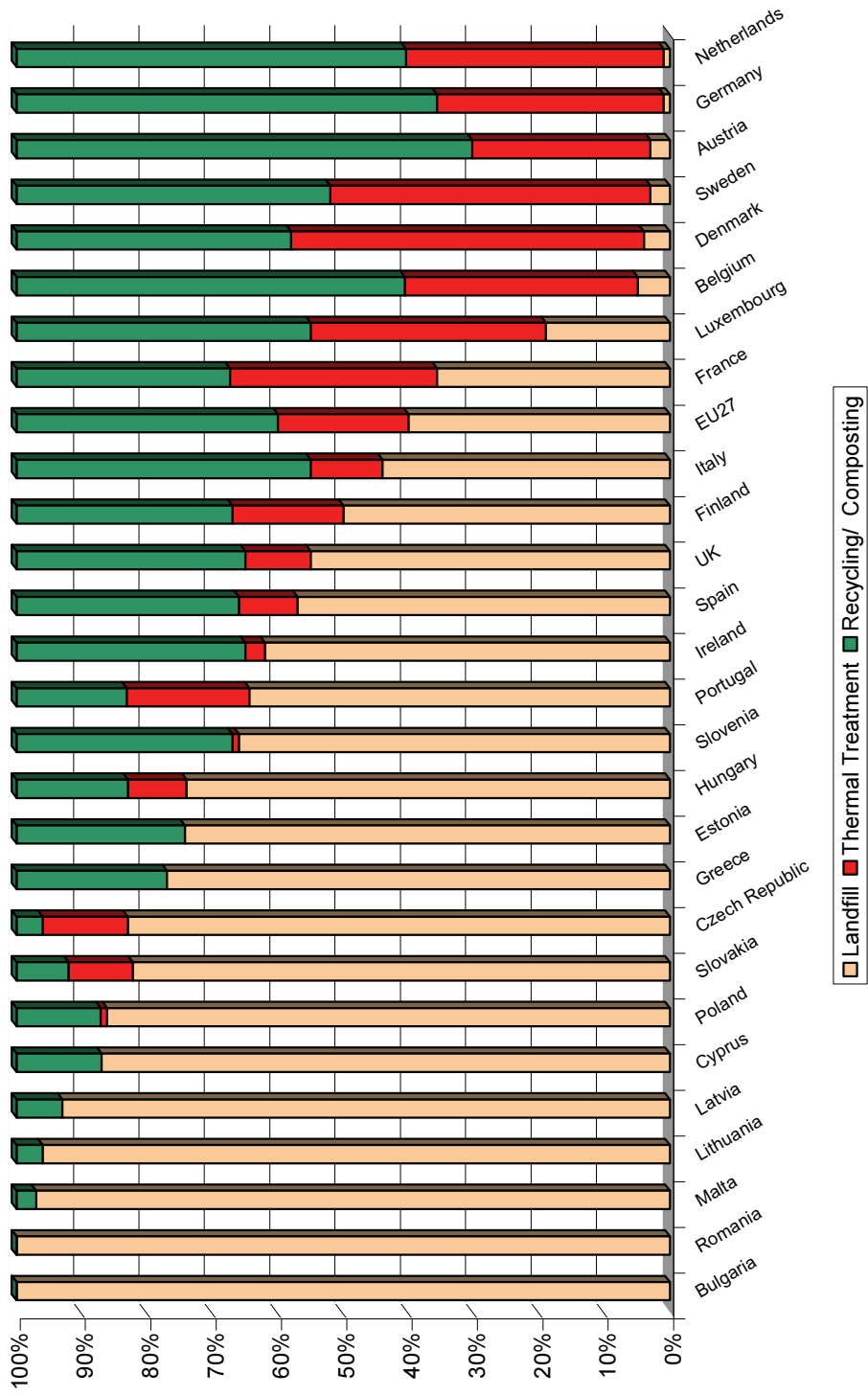
⁸ A compulsory local development document which sets out the principles relating to development and use of land in each local authority area.

- 3.3.7.2 Lower than expected growth could lead to under-capacity issues although it was anticipated that there would be sufficient demand locally for other waste streams to fill the capacity (such as business waste) and that the PFI contract would cater for this eventuality.
- 3.3.8 From an historical perspective, waste trends mirror economic trends. In the case of Devon, there was a near doubling of waste arising between 1991 and 2005 (following the recession of the late 1980s/early 1990s). However, residual waste only increased by 70% due to the increases in recycling at this time. It is probable that the current economic downturn has made a significant contribution to the reduction in waste in recent years. The Partnership have taken the view that increased waste minimisation will prevent a reoccurrence of a similar growth in waste following the current recession. The projections have assumed that waste growth will be broadly in line with population increase.

3.4 Impact on Recycling

- 3.4.1 The Partnership has stipulated that the PFI solution will only cater for residual waste after allowing for increased recycling across all partner councils. The contractor will only have access to the waste delivered by the councils and so the opportunity for increased recycling from this contract is limited. Notwithstanding this, the Partnership will assess each bidders' final solution and will score more highly those that offer any increased recycling benefits.
- 3.4.2 It is estimated that 2-3% of the residual waste stream processed by the facility will be metal and if this is all recovered then this could add around 1-2% to each council's recycling rate subject to proposed legislation. This would be in addition to the expected future recycling rates quoted in the Outline Business Case.
- 3.4.3 In addition, the Partnership is encouraging bidders to provide a solution to process the bottom ash for use as a secondary aggregate, which can be used productively in road construction or in concrete. Should this be secured then a further 20-25% of the contract waste could be deemed to be gainfully used albeit that this would not currently be permitted to be shown within Council recycling rates. However there is currently some concern over the classification of bottom ash due to the presence of zinc oxide. At the moment, this is classified as non-hazardous waste and is split between being used as aggregate and sent to landfill. If it were to be reclassified due to its potential ecotoxicity there could be significant financial implications as hazardous waste is far more expensive to dispose of, as well as undermining any potential increase in recycling.
- 3.4.4 Statistics from Europe (Figure 2) show that countries which use energy from waste technology also have high recycling rates indicating that the technology needs to form part of an effective, integrated waste management solution and needs to fit within the waste hierarchy.

Figure 2: Waste Disposal Methods in European Union 2008 (Source: Eurostat 2010)

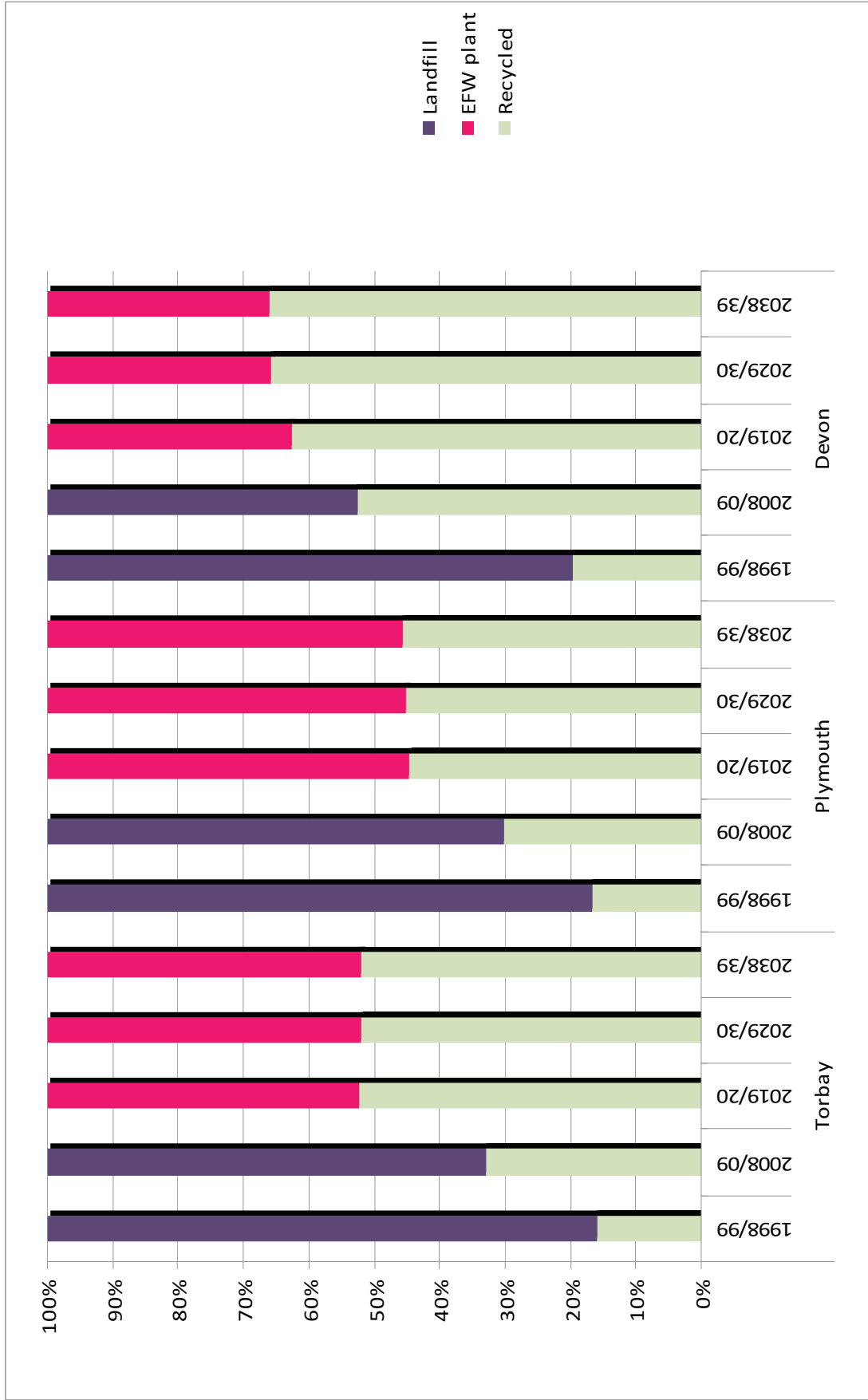


- 3.4.5 The forecasts for partner authorities' recycling rates continue to show a steady rise except in Torbay where a "step-change" is planned following the creation of TOR2, a joint venture company which has taken over delivery of the services previously delivered by the Direct Services and Waste division of the Council. From September 2010, changes are planned in the kerbside collection recycling scheme including an increased range of recyclable materials collected at the kerbside, collection of food waste and scraps, greater separation of waste (leading to purer materials for re-processing) and improved recycling for flats with shared facilities.
- 3.4.6 The change in Torbay are expected to lead to a 22% reduction in household residual waste tonnage in 2010 increasing to 40% in 2013, a reduction of 2,267 tonnes per annum in overall waste arisings due to the behavioural change caused by separate collection of food waste and kerbside collected recycling and composting rate increased from 35% to 45% in the first year and achievement of the 50% recycling target by 2012 (5 years early).
- 3.4.7 The new recycling regime in Torbay has been taken into account within the 2009 updated waste modelling for the South West Devon Waste Partnership.
- 3.4.8 The change in how waste has been and continues to be managed within the three partner authorities is shown in the chart in Figure 3.

3.5 Lessons Learnt Elsewhere

- 3.5.1 A number of waste treatment proposals and developments are at various stages of completion around the country. Each proposal and development is different and has often been developed to address a particular set of local requirements and policy objectives.
- 3.5.2 Examples put forward of developments around the Country included Cornwall Council where the proposed Energy from Waste plant is the subject of an ongoing planning appeal, Hampshire County Council who secured three Energy from Waste plants within built-up areas and Surrey County Council who could not secure planning permission for Energy from Waste plants and were subsequently pursuing alternative means of disposing of residual waste.
- 3.5.3 Three themes have emerged as the main "lessons learnt" from proposals and developments elsewhere in the Country.
- 3.5.3.1 The Partnership believes there is a need to provide continual and ongoing **communication and engagement** with all stakeholders throughout the development of the project. In the Partnership's case, this has involved liaison and consultation with councillors from each Partnership authority, key influencers and local communities on a regular basis. The objective has been to communicate facts through frequent engagement, even when there is little actual procurement progress to report.

Figure 3: Waste Disposal Methods in Devon, Plymouth and Torbay (Source: South West Devon Waste Partnership)



- 3.5.3.2 The need to achieve a **successful planning outcome** is critical and the bidders have been encouraged to, wherever possible, engage early with the planning authority and statutory consultees. This is to help ensure that the bidders take on board their requirements and issues before a planning application is submitted.
- 3.5.3.3 It is also considered important that the planning committees have an appropriate understanding of what the planning applications will constitute and the context for the applications from both a national and local perspective, before they consider the proposal in the committee forum.
- 3.5.3.4 With respect to the contractual lessons learnt, the need to allow sufficient time within the contract for the planning process (including any appeal) has been highlighted together with the need to have firm positions negotiated within the contract to cater for any potential delays and alternative contingency arrangements.
- 3.5.3.5 It is important to have **clear and realistic procurement objectives** and that the bidders are kept aware of the requirements of the Partnership and any developments on the Partnership's side. There is a clear need to conduct the procurement in a manner which reduces the risk of legal challenge.
- 3.5.4 The Partnership was also drawing on lessons from other major procurements through both formal and informal networks. Nationally recognised consultant advisors have been appointed who are specialists in the waste and PFI sectors. Given that these advisors are working on numerous waste procurements simultaneously (and are often advising Defra and other Government bodies), this enables latest thinking and emerging problems and solutions to be considered quickly and directly within the Partnership.
- 3.5.5 Other learning and sharing opportunities have come from quarterly meeting with six other PFI procurements which were approved at the same time as the South West Devon Waste Partnership. Areas of learning and innovation are regularly discussed and shared.
- 3.5.6 The Project Manager for the Partnership is experienced in PFI projects with the Project Delivery Team having a mix of officers from each partner authority. The skills of the Project Delivery Team are a blend of project management, procurement, planning and waste specialists.
- 3.5.7 The Partnership is involved with the Defra Waste Infrastructure Delivery Programme (WIDP) which was established to support local authorities to accelerate investment in, and delivery of, the large-scale infrastructure required to treat residual waste. WIDP provides support through PFI credits, a dedicated "transactor" who provides guidance and support to individual projects and generic guidance on waste infrastructure projects and procurement. Throughout the process, liaison with WIDP has continually

alerted the Partnership to problems faced with other procurements and offered advice and learning on best practice solutions adopted elsewhere. The Joint Working Arrangement in place for the Partnership is now being provided to others as an example of good practice.

- 3.5.8 As a result of recent experience, the Environment Agency has changed the permitting system which ensures that the permit decision is more robust with less opportunity for challenge by either the contractor or opponents.

3.6 Community Engagement

- 3.6.1 The Partnership has been proactive in offering to provide information to communities and the concerns of local communities are being captured through a variety of means such as regular exhibitions, written and telephone enquiries and briefings with individuals and opposition groups. To date the Partnership have held 22 public road shows in the Partnership area, briefings held every three months for Councillors and Members of Parliament and a series of other presentations and communications.
- 3.6.2 All concerns and enquiries are investigated by the Partnership and every letter is responded to where possible. To date the Partnership has received 45 letters of enquiry about the project with around 1500 representations being received by the planning department of Devon County Council in response to the planning application for the Lee Mill site (paragraph 3.7.3). In many cases, the public feedback and issues are shared by the Partnership with the bidders for their consideration within the solutions being offered. In the selection process additional weighting has been given to bidders undertaking early engagement with the public.
- 3.6.3 There will be a formal opportunity for communities and groups to respond to the proposed solutions through the planning and permit approval processes. Any representations made at that stage will be fully considered by the relevant agency.

3.7 Contingency Plans

- 3.7.1 As explained earlier, the project started with six bidders and nine outline solutions. There are currently two bidders each with a proposed solution. It is considered very unlikely that either of the remaining bidders will withdraw from the procurement at this stage unless there is a fundamental reason why their solution cannot be delivered or be commercially viable. The process has been ongoing for over 18 months and is within two months of calling for final tenders and seven months of contract award. The remaining bidders have been determined through an ongoing process of assessment, review and shortlisting by the Partnership and many months of detailed negotiation. Both bidders will have probably invested around £1 million on the bids and have a commercial imperative to try to win the contract.

- 3.7.2 The main risks to the project associated with the planning process are in respect of planning failure or, more likely, a delay as a result of planning refusal, planning call-in, appeal or judicial review. These risks are being mitigated as much as possible by the Partnership encouraging the bidders to have early engagement with the Local Planning Authority and other statutory planning consultees, such as the Environment Agency.
- 3.7.3 Viridor have already submitted a planning application to Devon County Council for its proposed solution at New England Quarry at Lee Mill. This site is allocated within the Devon County Council's Waste Local Plan and has an existing permission as a mineral site. The initial two month consultation period for the application concluded in April 2010. Following the initial assessment of the statutory and technical consultees' responses, further information has been requested by Devon County Council planners in order to enable a proper assessment of the likely environmental effects of the proposal and the appropriate mitigation required. Until this additional information is provided, the determination of the application is on hold.
- 3.7.4 The Development Control Committee at Devon County Council have undertaken a range of training to gain an understanding of the issues they may need to consider when it comes to determine the planning application. The training has included presentations from both the Environment Agency and the Health Protection Agency.
- 3.7.5 The site proposed by MVV Umwelt at HM Naval Base Devonport is not an identified allocated waste site within the planning framework for the area. However, a policy is in place in relation to unallocated sites and this would come into force for the consideration of this site with the bidder being asked to provide evidence of how it meets this policy and other relevant policies.
- 3.7.6 Many planning scenarios have been considered by the Partnership and extensive legal and procurement advice has been taken to ensure that the Partnership adopts the optimum position within the contract to cater for such eventualities. Each planning application which is determined around the country is being reviewed and evaluated by the Project Team in terms of its implications for the South West Devon Waste Partnership.
- 3.7.7 The cost of a two year planning delay has been estimated at £66 million within the original Outline Business Case which has been included within the approved affordability envelope as contingency headroom.
- 3.7.8 The Partnership does not have a single "Plan B". A range of contingency plans would be needed and would depend on the type of failure experienced by the Project. A detailed revised project plan would only be prepared at the time of failure although various scenarios have been considered in advance. In procurement terms, an alternative solution cannot currently be developed in the market place as this would be against procurement law. If there were to be a delay in the medium term, each authority would continue to use landfill.

4. Conclusion

- 4.1 Given the advanced stage of the procurement process of the South West Devon Waste Partnership, the scope of the Joint Scrutiny Review was limited to challenging the validity of the Outline Business Case, ensuring that lessons have been learnt from elsewhere in the Country and reviewing the contingencies associated with the project. The Joint Review Panel felt that these were valid objectives given the economic and political changes which had taken place since the original Outline Business Case was agreed by each partner authority. The timescales imposed on the review (together with the procurement constraints) meant that a focussed approach needed to be taken.
- 4.2 The Joint Review Panel agreed a clear set of questions for the Project Executive and received detailed written and verbal answers, for which it is grateful. From the information it received, the Panel is satisfied that the Outline Business Case remains valid at this time. The Panel is, however, aware of the continually changing national picture, in terms of changes in Central Government policy, legislation and guidance and the still uncertain economic situation. Equally the Panel is aware of the advances in technology in relation to residual waste solutions.
- 4.3 The Panel sought assurances from the Project Team about the continued fluctuation in projected population growth and waste streams, together with changes in targets for both housing and waste. It was demonstrated to the Panel that the modelling which feeds into the Business Case has been amended during the process to reflect these changes and, indeed, the proposed facility has been downscaled as a result.
- 4.4 The Joint Review Panel gave examples of energy from waste plants in Europe where the heat and/or electricity generated from the plant was used by residents living near to the site. Whilst taking on board the responses to these questions by the Project Team (including the difficulties that can be encountered when the residential infrastructure is already in place), the Panel feels that it would appear that not using the heat from the plant (either commercially or as a community benefit) is a missed opportunity and that there is a possibility that this could be utilised in future.
- 4.5 The Panel is clear that the main focus of each partner authority (and the associated district councils) is that the waste hierarchy should continue to be strictly adhered to. Local authorities have a role to play in ensuring that legislators are lobbied to make waste prevention a priority. Each council also needs to ensure that focus continues on increasing re-use and the recycling of waste. Raising public awareness of the need to implement the waste hierarchy and the reasons behind it also needs to take place. In addition, the contract needs to ensure that it provides every opportunity to allow for increased recycling.

- 4.6 The member training that has been provided to the members of the Devon County Council planning committee is welcomed. However, changes in technology and legislation and the need to enforce the waste hierarchy would make further education of all councillors valuable.
- 4.7 Concern was expressed at the start of the review about the value that could be added to the procurement process by the Joint Review Panel given the timescales and commercially sensitive information. Throughout the review, the Panel has heard of the opportunities that were available within each partner council to challenge the different stages of the project (from the agreement of the Municipal Waste Management Strategy to the approval of the Outline Business Case and Joint Working Agreement). Given the knowledge gained during the course of the review, the Panel will meet again to provide challenge once the Joint Committee makes recommendations through to each Council's Executive. This will mean that duplication of effort across each partner authority can be avoided. The Panel will also consider a continued role as the contract is implemented in reviewing policy development, performance management and lessons learnt.

5. Recommendations

The Contract

- 5.1 That consideration be given to setting a review period within the contract to allow adjustment for possible changes in technology, waste streams and population, in particular given the large difference between projections and historical data for both waste and population.
- 5.2 That the contract be based on a guarantee from the Partnership to provide all its residual waste after re-use and recycling (i.e. "exclusivity") as this favours the promotion of recycling, rather than providing a minimum tonnage of residual waste per year (i.e. "guaranteed minimum tonnage") which could see the minimum made up by recyclable materials.
- 5.3 That the contract should have enough flexibility to ensure that, if the level of residual waste diminishes, the contractor is encouraged to develop its own waste streams in order to reduce gate fees and hence the cost to council tax payers.

Recycling and Waste Management

- 5.4 That each partner authority re-affirms its commitment to the waste hierarchy within each Municipal Waste Management Strategy with all authorities obliged to meet challenging recycling targets through shared learning across the Partnership.
- 5.5 That each partner authority makes representations to its local Members of Parliament and the European Parliament and the Local Government Association to prioritise legislation needed to minimise waste production (for example through reducing packaging).
- 5.6 That each partner authority be encouraged to respond to the current Government consultation on waste.

Increasing Awareness

- 5.7 That each partner authority work to encourage the ownership of waste by the public through communication and education in line with the waste hierarchy.
- 5.8 That wider member training be encouraged and continued in relation to waste management issues (including recycling and new technologies).

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**Growth and Prosperity Overview and Scrutiny
Work Programme 2010/11**

Work programme	J	J	A	S	O	N	D	J	F	M	A
Growth & Regeneration											
Director briefing on priorities and delivery programmes	14										
Written update on Government Policy changes		12		13	18	8		10		7	4
Review of Sub regional Growth Governance arrangements and Programme Board delivery plans								10			
Local Investment Plan											
Strategic Housing											
Private Sector Housing Peer Review – Improvement Plan		12									
Twice Yearly Plymouth Community Homes – progress report on delivery of transfer promises.(GPOSP host presentation to all members of the council)		12				8					
Economic Development											
LSP Wealthy theme group minutes and updated themed action plans	14			13	18			10		7	
Transport & Highways											
LTP3 (15year Strategy and 3yr Implementation plan)				13							

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Subject: Growth & Prosperity Overview and Scrutiny Panel Quarterly Report
Committee: Growth & Prosperity Overview and Scrutiny Panel
Date: 13 September 2010
CMT Member: Anthony Payne (Director for Development & Regeneration)
Author: Gill Peele (Growth & Prosperity Overview and Scrutiny Panel Lead Officer)
Contact: gill.peele@plymouth.gov.uk
Ref: GP-OSP1st qtr report 2010.11
Part: Part I

Executive Summary:

This report sets out a review of the Growth & Prosperity Overview and Scrutiny Panel for the period March 2010 to July 2010

Corporate Plan 2010-2013:

The Growth & Prosperity Overview and Scrutiny Panel provide strategic scrutiny of the following Corporate Improvement Priorities and key areas:

- CIP5 - Providing better and more affordable housing
 - CIP11 - Improving access to the city
 - CIP12 - Delivering Sustainable Growth
 - The strategic and operational activities of the Department for Development & Regeneration
-

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

None

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

None

Recommendations & Reasons for recommended action:

That the report is noted

Alternative options considered and reasons for recommended action:

N/A

Background papers:

Growth & Prosperity Overview and Scrutiny minutes and forward plan

Sign off: N/A

CITY OF PLYMOUTH

**Growth & Prosperity Overview and Scrutiny Panel Report
March 2010 – July 2010**

1. Introduction

1.1 This report describes the work of the Growth & Prosperity Overview and Scrutiny Panel during the period March 2010 – July 2010. This includes the following meetings;

- a) Monday 22nd March 2010
- b) Monday 14th June 2010
- c) Monday 12th July 2010

2. Scope of the Overview and Scrutiny Panel

2.1 The Growth & Prosperity Overview and Scrutiny Panel are primarily concerned with the strategic scrutiny of the following Corporate Improvement Priorities and key areas:

- CIP5 - Providing better and more affordable housing
- CIP11 - Improving access to the city
- CIP12 - Delivering Sustainable Growth
- The strategic and operational activities of the Department for Development & Regeneration

2.2 The detailed terms of reference for the panel are contained in Appendix 1.

2.3 As this report covers meetings held during two municipal years, the tables below show the membership and attendance of the panel separately.

March 2010	Name	Attendance
Councillor (Chair)	D.Viney	1
Councillor (Vice Chair)	M.Coker	1
Councillor	R.Ball	1
Councillor	M.King	0
Councillor	Martin Leaves	0
Councillor	D.Reynolds	1
Councillor	B. Roberts	1
Councillor	Mrs J.Nelder	0
Councillor	G.Wheeler	1
Councillor (substitute)	N.Wildy	1
Councillor (substitute)	Mrs P Nicholson	1
Lead Officer	G.Peele	1
Democratic Support	H.Rickman	1

June / July 2010	Name	Attendance (2 meetings)
Councillor (Chair)	P.Nicholson	2
Councillor (Vice Chair)	Mrs J.Nelder	2
Councillor	B. Roberts	2
Councillor	K. Foster	2
Councillor (substitute)	Beer	1
Councillor (substitute)	Browne	1
Councillor	Martin Leaves	1
Councillor	Mrs S.Stephens	1
Councillor	P. Berrow	2
Councillor	M. Wright	2
Councillor	G. Wheeler	2
Lead Officer	G.Peele	2
Democratic Support	H.Rickman	2

Task and Finish Groups did not meet during the period of this report.

- 2.4 The Panel, through effective strategic and operational scrutiny, supports the following cabinet members and CMT officers

Title	Name
Cabinet Member (Planning, Strategic Housing & Economic Development)	Ted Fry
Cabinet Member (Transport)	Kevin Wiggins
Director for Development & Regeneration	Anthony Payne

- 2.5 The panel has a budget of £2,000 to support the scrutiny work

3. Key achievements during this period

3.1 March 2010

- Growth & Regeneration for the city

This meeting focussed on understanding the priorities for the Development & Regeneration Department and what is needed to turn strategic planning of the Growth agenda for the city into the delivery of the vision. The new Director of Development & Regeneration gave a presentation on how the department has been restructured to help drive forward and support the delivery of growth & regeneration, and provided information on the previous years inward investment and successes. The panel considered and supported proposals for new governance arrangements, which are needed to achieve more efficient and effective coordination with partners both across the city and sub region. However the panel recommended that criteria be set for effective measurement of success and that an update and progress report against each programme Board is provided at a future meeting in the 2010/2011 work programme.

- Accessibility Planning

The panel scrutinised progress with the implementation of Accessibility Action Plans for Derriford Hospital and Young People. Although the panel were please that the Derriford

AAP has been adopted it expressed concern that work in support of the young people AAP had not progressed as far. It was agreed that a further review of Accessibility Planning take place in the new municipal year.

3.2. June / July 2010

- Hoe Foreshore Maintenance

A task and finish group had been actively meeting on site visits during the municipal year 2009/2010 to review the health & safety improvement works being carried out on the Hoe foreshore. As it was not possible to arrange a final meeting with the task and finish panel members during March 2010, the panel arranged for officers to present a final report and risk assessment to evidence that improvements carried out have reduced the health & safety risk rating to amber from red, as required by the Audit Committee.

- Growth & Regeneration for the city

Due to the changes in the panel membership, the first meeting of the new municipal year the panel focussed again on the Growth & Regeneration priorities and the key challenges namely; to deliver the Local Economic Strategy, Local Transport Plan 3 and to develop a fit for purpose Strategic Housing service to improve the quality of private sector housing and to increase the supply and mix of housing and regeneration of key neighbourhoods. This briefing provided a firm base from which the panel were able to plan their work programme effectively.

- Economic growth

The Chair of LSP Wealthy theme group attended and discussed the planned new approach for the Wealthy theme group to become private sector led and delivery focussed, and that meetings would be based around the delivery of the five Local Economic Strategy themes; Skills, Business, centres, Participation and Leadership. It was agreed that minutes of WTG meetings be circulated and that the work programme will include an update on the themed action plans in the autumn. The panel will then consider any specific area of work or theme that they feel requires closer scrutiny.

- Port of Plymouth Study

The panel requested that officers provide an update on the Port of Plymouth Study, which was to provide an evidence base for a port master plan, the Local Development Framework, Core Strategy review, the Local Economic Strategy review and the Local Transport Plan 3. The members were keen to know how far this study had got. The panel considered the SWOT analysis and the possible next steps with an appreciation that targeted diversification or major step change / reuse of waterfront land are preferred by stakeholders. An update report was requested during the year.

- Private Sector Housing : Peer Challenge

This was the first of the service reviews provided by Strategic Housing and was centred on the Improvement Plan completed following an Idea peer challenge review. The panel requested that the officers report back on progress against the Improvement Plan and plans for 2011/2012 later in the work programme.

- Plymouth Community Homes

The panel hosted an all member event to receive a progress report on Plymouth Community Homes, as part of the agreement at transfer. The panel were satisfied at this stage post transfer but look forward to hosting and receiving a further update report in November 2010. The panel will be particularly interested in the Government funding commitments and how Plymouth Community Homes plan to improve opportunities for resident involvement and scrutiny.

- Task and Finish groups

Task and Finish groups have been established for reviews of Highways Maintenance and Events Management & Road Closure Charging Policy. Meetings will take place from August onwards.

4. On the Horizon

- 4.1 The work programme has been agreed in principle but the actual content needs to be flexible depending upon the impact of future announcements on Government funding. The panel will continue to maintain an oversight of progress on long term growth targets/projects, but are specifically interested in maximising revenue opportunities and the emerging role of the new Economic Development service. The panel receive a briefing note from officers at each meeting explaining the impact of the Government policies and will be wishing to understand how the Local Enterprise Partnerships will set alongside the proposed new governance arrangements for the Growth & Regeneration agenda.

5. Recommendation

- 5.1 That the progress of the Growth & Prosperity Overview and Scrutiny panel is noted by the Overview and Scrutiny Management Board

Gill Peele

Lead Officer Growth & Prosperity Overview and Scrutiny Panel

23rd Aug 2010

Growth & Prosperity Overview and Scrutiny Panel

Terms of Reference

Terms of Reference

- To review new and existing policies and consider how they may be improved and developed;
- To monitor the budget and performance of the Cabinet Member, Department and partners to ensure that the priorities for the area are being delivered upon;
- To monitor performance against the relevant Corporate Improvement Priorities;
- To review Policies within the Budget and Policy Framework;
- To consider Equality Impact Assessments against new and existing policies;
- To investigate local issues to find out how the council and its partners can improve to meet the needs of local people;
- To make recommendations about service delivery to the Cabinet (via the Board)
- To review and scrutinise the performance of partner organisations
- To set up Ad-Hoc Working Groups as and when required;
- To produce quarterly progress reports to go to the management board

Cabinet Members

- Transport
- Safer and Stronger Communities (until Housing Stock Transfer)
- Planning, Strategic Housing and Economic Development
- Customers Services (Street Scene, Waste and Sustainability) formally Street Scene, Waste and Sustainability

Directorate

- Development and Regeneration
- Planning
- Transport
- Strategic Housing
- Economic Development
- Sustainability and Climate Change

Corporate Improvement Priorities (CIPs)

- Better Homes (CIP 5)
- Waste and Recycling (CIP 10) (This is first part only, i.e. long term waste disposal solution)
- Transport (CIP 11)
- Sustainable Growth (CIP 12)

LSP Link

- Wealthy Theme Group