

# Public Document Pack



**Barry Keel**  
Chief Executive

Plymouth City Council  
Civic Centre  
Plymouth PL1 2AA

[www.plymouth.gov.uk/democracy](http://www.plymouth.gov.uk/democracy)

Date: 16 April 2012

Please ask for: Nicola Kirby, Senior Democratic Support Officer (Cabinet)  
T: 01752 304867 E: [nicola.kirby@plymouth.gov.uk](mailto:nicola.kirby@plymouth.gov.uk)

## **CABINET**

**Date:** Tuesday 24 April 2012

**Time:** 10am

**Venue:** COUNCIL HOUSE, PLYMOUTH

**Members:**

Councillor Mrs Pengelly, Chair

Councillor Fry, Vice Chair

Councillors Ball, Bowyer, Jordan, Michael Leaves, Sam Leaves, Monahan, Ricketts and Wigans.

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.

Please note that unless the chair of the meeting agrees, mobile phones should be switched off and speech, video and photographic equipment should not be used in meetings.

**Barry Keel**  
Chief Executive

# **CABINET**

## **AGENDA**

### **PART I – PUBLIC MEETING**

#### **1. APOLOGIES**

To receive apologies for non-attendance submitted by Cabinet Members.

#### **2. DECLARATIONS OF INTEREST**

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

#### **3. MINUTES**

**(Pages 1 - 10)**

To sign and confirm as a correct record the minutes of the meeting held on 27 March 2012.

#### **4. QUESTIONS FROM THE PUBLIC**

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

Questions, of no longer than 50 words, can be submitted to the Democratic Support Unit, Corporate Services Department, Plymouth City Council, Civic Centre, Plymouth, PL1 2AA, or email to [democraticsupport@plymouth.gov.uk](mailto:democraticsupport@plymouth.gov.uk). Any questions must be received at least five clear working days before the date of the meeting.

#### **5. CHAIR'S URGENT BUSINESS**

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

### **CABINET MEMBERS: COUNCILLORS BOWYER AND JORDAN**

#### **6. PLYMOUTH PAVILIONS DEVELOPMENT CONTRACT AWARD**

**(Pages 11 - 14)**

The Director for People will submit a report on the contract award of the Plymouth Pavilions Development Contract following a tender process.

## **7. 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 the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

## **PART II (PRIVATE MEETING)**

### **AGENDA**

#### **MEMBERS OF THE PUBLIC TO NOTE**

that under the law, members are entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

#### **CABINET MEMBERS: COUNCILLORS BOWYER AND JORDAN**

### **8. PLYMOUTH PAVILIONS DEVELOPMENT (Pages 15 - 24) CONTRACT AWARD (E3)**

With reference to agenda item 6, the Director for People will submit a report on the confidential details relating to the contract award of the Plymouth Pavilions Development Contract following a tender process.

This page is intentionally left blank

**Cabinet****Tuesday 27 March 2012****PRESENT:**

Councillor Mrs Pengelly, in the Chair.

Councillor Fry, Vice Chair.

Councillors Ball, Bowyer, Michael Leaves, Sam Leaves, Monahan and Ricketts.

Apologies for absence: Councillor Wigens

Also in attendance: Councillor James, Barry Keel - Chief Executive, Adam Broome – Director for Corporate Services, Carole Burgoyne – Director for People, Anthony Payne – Director for Place, Malcolm Coe – Assistant Director for Finance, Efficiencies, Technology and Assets, Stuart Palmer – Assistant Director for Homes and Communities, Mark Turner – PFI Project Manager, Gareth Simmons – Programme Director for Learning Environments, Pam Marsden – Assistant Director for Joint Commissioning and Adult Social Care and Amelia Boulter – Democratic Support Officer.

The meeting started at 2.00 pm and finished at 3.30 pm.

*Note: At a future meeting, the Cabinet will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.*

137. **DECLARATIONS OF INTEREST**

In accordance with the Code of Conduct, the following declarations of interest were made, as follows –

Name	Minute	Reason	Interest
Councillor Michael Leaves	Minute 152 – Personal Budget Policy.	Owner of a residential home.	Personal.
Councillor Ian Bowyer	Minute 152 – Personal Budget Policy.	Wife is employed by an independent care home.	Personal.
Councillor Ian Bowyer	Minute 152 – Personal Budget Policy.	Wife is employed by an independent care home.	Personal.
Councillor Sam Leaves	Minute 153 – NHS Money for Social Care.	Employed by the Primary Care Trust.	Personal.

138. **MINUTES**

Agreed that the minutes of the meeting held on 6 March 2012 are confirmed as a correct record.

139. **QUESTIONS FROM THE PUBLIC**

There were no questions from the public for this meeting.

140. **CHAIR'S URGENT BUSINESS**

The Chair reported on the successful opening of the Life Centre. It was reported that 20,000 to 25,000 people visited the Life Centre during the opening weekend. A number of enquiries were still coming in with swimming being the most popular. On Monday morning there were 200 swimmers and a further 200 booked in for a gym induction. The Chair thanked all members and staff for their involvement in the Life Centre opening last Thursday and to the 700 people who took part in some type of activity on the opening day.

The Chair also reported that the official opening of High View Primary School took place on Monday and Conrad Humphreys, Sailor was present for the opening. Thanks to everyone that was involved.

141. **Impact of the restructure in revenues and benefits, customer services, cashiers, income and creditors**

Councillor James (Chair of the Overview and Scrutiny Management Board and Chair of Support Services Overview and Scrutiny Panel) submitted the task and finish report.

The Director for Corporate Services submitted a written report on the recommendations of the Support Services Overview and Scrutiny Panel's Task and Finish Group.

The report indicated -

- a. that the task and finish took place over 2 days and included a site visit to Ballard House;
- b. that staff were not negatively impacted following the restructure;
- c. trade unions were supportive of the restructure;
- d. that there were a high level of abandon adult social care calls which was a cause for concern.

Agreed that the recommendations of the task and finish group are accepted -

- I. Given the concerns identified with the call management in the Proof of Concept Team, the Health and Adult Social Care Overview and Scrutiny Panel add this issue to its work programme and request an update at a future meeting from the Cabinet Member for Health and Adult Social Care;

*(The high level of abandoned calls to the Adult Social Care team was a major safeguarding issue and one which should be addressed as a matter of urgency. The Overview and Scrutiny Management Board therefore supported Councillor McDonald's proposal that a recommendation regarding the installation of a dedicated phone line to enable customers to ring directly through to Adult Social Care be added to the report arising from the Safeguarding Vulnerable Adults Task and Finish Group).*

2. A dedicated cross-department training resource be established to help deliver a service function that has a more effective and consistent role in dealing with training requirements, interpreting and dealing with legislation changes and monitoring quality assurance. It is believed that the training team will alleviate conflicts, friction and pressure between staff as well as ameliorate staff morale and assist a service which has suffered from poor performance levels;
3. Malcolm Coe, Assistant Director for Finance, Assets and Efficiencies and Martine Collins, revenues & Benefits Manager to undertake a review of the role profiles for grade D and grade E posts and ensure that clear differentials are contained within the role profiles to bring clarity to the roles and alleviate confusion and friction between staff;
4. The Strategic Manager (Revenues and Benefits) role be re-evaluated through Job Evaluation process in an attempt to ensure fairness is established in the grading of strategic manager positions;
5. A single, central Customer Services location be developed as a part of the Corporate Accommodation Strategy to meet the needs of our customer base and allow for flexibility within disciplines;
6. An interim staff survey is conducted with all staff in May 2012, six months after the implementation of the new structure, and the results of which are shared with the Support Services Overview and Scrutiny Panel;
7. Malcolm Coe, Assistant Director for Finance, Assets and Efficiencies to undertake a review of the use of the flexible working policy within the affected departments;
8. John-Paul Sanders, Assistant Director for Customer Services to review an extension to the Customer Services department operating hours to deal with general public enquiries between the hours of 8am and 8pm Monday to Friday and 8am – 5pm on a Saturday;
9. Malcolm Coe, Assistant Director for Finance, Assets and Efficiencies to arrange the next stage of staff engagement workshops to follow through suggestions and recommendations raised by staff at the initial workshops;
10. Interview feedback is provided as a matter of urgency to all applicants unsuccessful or unsuccessful during the recruitment process;
11. Uniforms for customer facing staff at First Stop should be incorporated into the role as soon as practicable and that consideration should be given to all back office staff having to dress to an appropriate standard;
12. Mark Grimley Assistant Director for Human Resources and Organisational Development should give consideration to establishing a staff reward scheme which would improve staff morale and encourage staff to promote service improvement ideas that could develop future service delivery.

Additional recommendation from Overview and Scrutiny Management Board meeting –

13. that the circulation and implementation of the Action Plan be implemented with immediate effect;
14. the Action Plan is submitted to the next meeting of the Overview and Scrutiny Management Board on 28 March 2012 for further scrutiny.

(The Chair took agenda items 6 and 8 together to facilitate good meeting management).

142. **Response to Support Services Overview and Scrutiny Panel Task and Finish Group recommendations**

Please refer to minute 141.

(The Chair took agenda items 6 and 8 together to facilitate good meeting management).

143. **Children's Emotional Wellbeing and Mental Health**

Councillor James (Chair of the Overview and Scrutiny Management Board) submitted the task and finish report on behalf the Children and Young People Overview and Scrutiny Panel. In the absence of Councillor Stark, the Cabinet Member for Children and Young People, Councillor Sam Leaves reported that –

- a. the Children's Trust had accepted the recommendations made by the task and finish group;
- b. there were waiting time concerns and an action plan was produced by Plymouth Community Healthcare to monitor the waiting times;
- c. a communication was sent to all schools last November clearly outlining the interventions on offer through the Targeted Mental Health in Schools Project.

The Director for People submitted a written report on the recommendations of the Children and Young People Overview and Scrutiny Panel's Task and Finish Group.

Agreed the recommendations from the scrutiny task and finish and request as set out below and that the Children and Young People Overview and Scrutiny Panel continue to monitor progress against the action plan.

1. The Panel extends its congratulations to members of the Youth Cabinet for their work in carrying out the survey of attitudes towards mental health that is referenced in this report;
2. Representatives of Children and Young People Overview and Scrutiny Panel attend the Youth Cabinet to feed back on the report and recommendations following task and finish review;
3. The Council should consider the use of social media networks to promote consultation initiatives;



4. The Children's Trust allocates responsibility to a lead agency to develop a framework that clearly identifies the roles of statutory and non-statutory agencies and the resources available both in prevention and early intervention work with regard to mental health among children and young people;
5. The Children's Trust review reasons for non attendance of key professionals at Common Assessment Framework meetings, and make recommendations to ensure that such meetings are timely and properly resourced, with particular attention being paid to the role of Educational Psychologists and communication interaction professionals;
6. Plymouth Community Healthcare (PCH) prepare a communications strategy with respect to children and young people's mental health and revise content of media as appropriate;
7. The Panel commends the Excellence Cluster for their flexible approach to the delivery of services and the best practice demonstrated in their work;
8. PCC and PCT commissioners review the range of early intervention services available and assess the value for money of the range of options;
9. The Council ensures that key universal services including schools and youth services are notified of alternative counselling services available in the city;
10. The Council update the Panel regarding the impact of new multi-disciplinary locality teams on Children's emotional well being and mental health services in six months;
11. An urgent summit meeting to be arranged between strategic leads from CYPOSP, PCC, PCT and PCH regarding the findings of this report;
12. PCH review the cost effectiveness of participation support services for young people using mental health services;
13. The Children's Trust investigate and report on ways in which the work of clinicians and other children's professionals can be better coordinated with respect to mental health support;
14. The Children's Trust establishes a clear and transparent process for the identification, monitoring and escalation of issues such as those identified in this report;
15. Commissioners from the Children's Trust provide interim updates to CYPOSP on the response to these recommendations.

(The Chair took agenda items 7 and 9 together to facilitate good meeting management).

144. **Children and Young People's Overview and Scrutiny Panel's Emotional Wellbeing and Mental Health Task and Finish Report**

Please refer to minute 143.

(The Chair took agenda items 7 and 9 together to facilitate good meeting management).

145. **Housing Plan 2012-17**

The Director for People and Director for Place submitted a written report on the Housing Plan. The Housing Plan had been updated to reflect outturn statistics on this final year's delivery of the Housing Strategy, which precedes the new Housing Plan 2012 – 17.

Councillor Fry (Cabinet Member for Planning, Strategic Housing and Economic Development) presented the report which indicated that this was a 5-year housing plan which will grow the city and increase our economic prosperity.

Agreed that Cabinet –

1. approves the Housing Plan 2012 – 17 and recommends it to Council for adoption, with delegation to the Assistant Director for Homes and Communities to agree a final layout with the portfolio holder prior to publication;
2. instruct officers to develop delivery plans for each theme working with partner agencies to realise the objectives in the housing plan, and reporting annually to cabinet and relevant boards on their outcomes.

146. **Improving customers experience of interacting with the council**

The Director for Corporate Services submitted a written report on the modernisation of customer interaction to improve access for all and make Council services more open and accountable.

Councillor Ball (Cabinet Member for Customer Services) further reported that this was a corporate integration programme that would deliver significant savings across the council.

Agreed that Cabinet recommend Full Council approve the addition of this £3m project to the Capital Programme over years 2012/13 to 2015/16.

147. **Treasury Management Strategy Statement and Annual Investment Strategy 2012/13 update**

The Director for Corporate Services submitted a written report on the proposed amendments to the Treasury Management Strategy Statement and Annual Investment Strategy 2012/13 (approved by the City Council on 27 February 2012) and seeking Cabinet to recommend the amendments to the City Council for approval.

Agreed that –

1. the removal of the short-term rating requirement from the criteria required for the inclusion of organisations on the Council's list of proposed counterparties for new investment in 2012-13;
2. the organisations and counterparty limits as set out in Appendix A.

148. **Approve the Strategic Direction of a Replacement Materials Recycling Facility Service or Facility**

The Director for Place submitted a written report on the appraisal work undertaken for the replacement of a Materials Recycling Facility (MRF) service or facility and to seek approval of the strategic direction and procurement parameters to secure a replacement MRF service solution capable of recycling glass.

Agreed to approve the strategic direction and procurement parameters of a MRF service solution utilising either a new or existing facility located within or outside Plymouth being taken forward into a formal procurement for a replacement MRF solution capable of recycling glass.

149. **Services for Children and Young People Basic Need Programme**

The Director for People submitted a written report on proposals to vary the Services for Children and Young People Basic Need Programme to delay the expansion of Holy Cross Catholic Primary School and to add capacity at Montpelier Primary School, St Mary's CE Infant School and Victoria Road Primary School. Further approval was sought to commence consultation on the in-year expansion of Pilgrim Primary School and Lipson Vale Primary School for reception age pupils.

Agreed that –

1. due to the delay to the expansion of Holy Cross Catholic Primary School, Cabinet vary the proposals of Wave II by the addition of 'bulge' years at Montpelier Primary School, St Mary's CE Infant School and Victoria Road Primary School; an extra class of 30 pupils (additional to the PAN) at each school, allocated to one year group, which move through the schools' year groups until the pupils' transition to the secondary phase;
2. Cabinet approve the in-year expansion of Pilgrim Primary and Lipson Vale Primary Schools' PANs for reception age pupils; and :
  - approves the public consultation on the statutory proposals to expand the above two schools; and
  - authorises the Cabinet Member for Children and Young People, in consultation with the Director for People, to consider the outcomes and responses to any statutory notices, published as part of statutory school organisation processes, and in light of them to make a final determination on proposals.

3. Cabinet recommend Council to amend the Capital Programme to include the allocations for Waves III and IV of £2.657 million as set out in Section 6 of this report;
4. Cabinet recommend Council to amend the Capital Programme to include the allocations for condition, of £3 million as set out in Section 8 of this report.

150. **Capital Investment Delivery for All Saints Academy Plymouth**

The Director for Place submitted a written report on the preferred bidder to deliver the capital improvements to All Saints Academy Plymouth.

Agreed that –

1. Cabinet approves the appointment of BAM Construction Ltd as the selected panel member to deliver the capital improvements to All Saints Academy Plymouth and that expenditure of the design fees is awarded to this contractor.
2. the final approval to agree the scope and quality of works be delegated to the Director for Place.

151. **Establishment of Shadow Health and Wellbeing Board**

The Director for People submitted a report on the proposal to establish a Shadow Health and Wellbeing Board from May 2012.

Agreed the –

1. establishment of the Shadow Health and Wellbeing Board from May 2012;
2. membership of the Shadow Health and Wellbeing Board outlined in the draft terms of reference.

152. **Personal Budget Policy**

The Director for People submitted a report on the proposal to adopt the Personal Budget Policy. The Health and Adult Social Care Overview and Scrutiny Panel have also reviewed the report.

Agreed the Personal Budget Policy and for it to be implemented from 1 April 2012.

153. **NHS Money for Social Care**

The Director for People submitted a report on funding available in accordance with the annual Operating Framework for the NHS through the Primary Care Trust allocations and to be spent on social care services to benefit health and social care in 2011/12 and 2012/13.

Agreed that –

1. Cabinet note and support the investment plans as outlined;
2. Cabinet approve the carry forward of £1,420,000 from 2011/12 to 2012/13 subject to final outturn.

154. **EXEMPT BUSINESS**

Agreed that under Section 100(A)(4) of the Local Government Act, 1972, the press and public are excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

155. **Approve the Strategic Direction of a Replacement Materials Recycling Facility Service or Facility (E3)**

The written report of the Director for Place was submitted providing confidential details relating to the appraisal work to be undertaken for the replacement of a Materials Recycling Facility (MRF) service or facility and to seek approval of the strategic direction and procurement parameters to secure a replacement MRF solution capable of recycling glass.

(See also minute 148 above).

156. **PFI Contract Variation for Riverside Community Primary School to achieve Primary Basic Need (E3)**

The Director for Place submitted a written report on the proposal to vary the existing PFI contract at Riverside Community Primary School to design, build and operate additional classrooms.

Agreed the recommendations as set out in the report.

This page is intentionally left blank

**PLYMOUTH CITY COUNCIL**

<b>Subject:</b>	Plymouth Pavilions Development Contract Award
<b>Committee:</b>	Cabinet
<b>Date:</b>	24 April 2012
<b>Cabinet Member:</b>	Councillor Bowyer and Councillor Jordan
<b>CMT Member:</b>	Director for People
<b>Author:</b>	Tony Hopwood, Programmes Director
<b>Contact:</b>	Tel: 01752 30 4879 e-mail: tony.hopwood@plymouth.gov.uk
<b>Ref:</b>	Cabinet Paper_Pavilions Contract Award Part I
<b>Key Decision:</b>	Yes
<b>Part:</b>	I

---

**Executive Summary:**

1.1 The purpose of the report is to note the selection of Akkeron Leisure Limited as Preferred Bidder and to approve the award of the Plymouth Pavilions Development Contract to its special purpose vehicle Five Directions Limited, subject to the resolution of any outstanding clarifications to the satisfaction of the Chair of the Culture, Sport and Leisure Executive Programme Board.

**Background:**

1.2 A paper was discussed at the Cabinet meeting on 14<sup>th</sup> December 2010 where it was noted that the Pavilions was a strategic site, identified in the Mackay Vision, linking the city centre to Millbay. At the time there were no plans in place to enable the development of the site to be brought forward.

1.3 At that time, the city also had a number of intractable issues that it sought to resolve, namely:

- There was a requirement for an arena in the city
- We needed an ice facility in the city
- The council had to be in a position where it had low/no liabilities in the Pavilions site
- We required the subsidy that was being paid for the operation and management of the Pavilions to fund the unsupported borrowing required for the Plymouth Life Centre

1.4 It was acknowledged that the delivery of one and/or two of these objectives would be relatively straightforward however delivering all of them would be extremely complex and would require innovative, progressive steps to be taken to maximize the benefit to the city.

1.5 Through this procurement exercise the council will succeed in the delivery of all of these issues.

1.6 The aim of the Cabinet paper was to secure approval to seek expressions of interest in the Pavilions site and to establish whether there was any interest in the disposal of the site and, consequentially, the re-provision of ice and arena facilities in the city.

1.7 There had been previous work undertaken that established potential demand for an ice facility and an arena in the city.

1.8 Parties expressing an interest in the site would be asked to undertake, as a function of the purchase, to maintain the provision of the arena and ice facilities until such a time as new/remodelled facilities were provided. If the proposal was to redevelop the Pavilions to provide an arena and leisure ice then it was acknowledged that this may have necessitated a gap in provision.

1.9 The outcome of this exercise was to be presented to Cabinet in April 2011 for a decision on how to proceed.

1.10 A number of responses were received to the advertisement and these responses were reviewed and a further report presented to Cabinet on 29 March 2011. It was considered at the time that there was a viable and deliverable private sector solution that would enable the re-provision of arena and ice facilities and maintain continuity, so far as reasonably practicable, pending their re-provision.

1.11 The next logical stage was to progress to the procurement of a private sector development partner through the Official Journal of the European Union (OJEU). This was to commence in May 2011. The outcome was to be presented to a future Cabinet meeting.

1.12 The authority for the management and direction of the Project was delegated to the Chair of the Culture, Sport & Leisure Programme and Executive Programme Board. The project was overseen by the Customers and Communities Overview and Scrutiny Panel and, at a meeting of this panel it was confirmed that the project would result in an appointment in early 2012.

1.13 This decision is being made as an Urgent Key Decision given that the last forward plan was published on 15 March 2012 and the item could not be included for the following reasons:

1.13.1 The procurement of the Plymouth Pavilions Development Opportunity has been delivered through the Competitive Dialogue procurement route. Given changes in timescales to secure deliverable solutions (in agreement with bidders and the Culture, Sport & Leisure Programme Board and Executive Programme Board) the date for finalising the outcome of the procurement has been fluid. We are now in a position to announce a preferred bidder and seek urgent Cabinet approval for contract award.

1.13.2 The next forward plan will be for the period commencing on 1 June 2012 and it is impracticable to defer the decision until the next provisional Cabinet date in June 2012 because, given the significant implications on the Theatre Royal Company (that presently operates the Plymouth Pavilions site on behalf of the council) we need to ensure that the contract award is in place as quickly as is reasonable practicable to ensure that the impact of any delay can be minimised.

1.13.3 Council has set aside a budget of £800k in financial year 2012/13 for the continued operation of the Pavilions pending the outcome of this project. Any delay in entering into contract could impact on that budget and create additional pressures in already tight finances.

1.14 Devon Audit Partnership was fully engaged throughout the competitive dialogue process, attended the majority of project meetings and dialogue sessions and has been consulted at every stage of the procurement to ensure that it has been undertaken efficiently, effectively and transparently.

---

### **Corporate Plan 2012-2015:**

**Deliver growth:** In addition to meeting the baseline requirement of the tender process – i.e. the continued delivery of Arena and Ice facilities - the solution submitted will see significant investment in the city acting as enabling development for the delivery of the improved arena facility and ice rink. The developments will become regionally significant attracting income into the city economy and lever further inward investment contributing towards the growth agenda

**Raise aspirations:** The delivery of a full scale international ice rink will enable ice hockey teams to develop and the facility will act as a catalyst in the delivery of iced based sports in the city and the wider region.

**Provide value for communities:** Through this procurement the council will divest itself of the costs of operating non-core facilities in the city, by enabling the private sector to use their skills and finances to develop an innovative solution providing value for money.



There are a number of major items to be delivered over the life of the Corporate Plan, the award of this contract will deal specifically with the following:

1. Working with other organisations to reduce costs and improve services
2. Delivering on some key immediate challenges within the growth agenda – e.g. connectivity, particular rail and broadband; business support, especially in relation to the maritime sector, selling Plymouth as a place to invest in and building on the success of the America's Cup to bring in more visitors

---

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

The basis of this procurement has been to reduce the exposure of the Authority to the operating costs of the Plymouth Pavilions site. By implementing this decision the council will save over £1.5m per annum.

The basis of the deal is that the successful developer will be given the Plymouth Pavilions site and a contribution of £2m with no further recourse to council subsidy.

The staff employed by Theatre Royal (Plymouth) Limited that presently operate the Plymouth Pavilions site will be transferred to the new operator under TUPE regulations.

---

### **Other Implications: e.g. Community Safety, Health and Safety, Risk Management and Equality, Diversity and Community Cohesion:**

---

### **Recommendations & Reasons for recommended action:**

1. To note the selection of Akkeron Leisure Limited as the Preferred Bidder by the Chair of the Culture, Sport and Leisure Executive Programme Board and to approve award of the Plymouth Pavilions Development Contract to its special purpose vehicle Five Directions Limited, subject to the resolution of any outstanding clarifications to the satisfaction of the Chair of the Culture, Sport and Leisure Executive Programme Board.
2. To delegate authority to the Director for Place to oversee the delivery of the contract outputs and monitor the contractual performance and obligations of Five Directions Limited.
3. To delegate the authority to the Director for People to ensure that any costs resulting from termination of existing contracts at the Pavilions, employment related issues, etc. are monitored and resolved in accordance with the current Funding and Management agreements between the Council and Theatre Royal (Plymouth) Limited and in accordance with the Plymouth Pavilions Development Contract.

---

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

Undertaking a tender process for each of the elements of the Pavilions site, i.e. Arena and Ice, was considered however, due to the linkages between the facilities and their operations this was not deemed feasible.

---

### **Background papers:**

Pavilions Contract Award VI.04 (Part II only)

---

**Sign off:**

Fin	MC12 13.00 2	Leg	14541/ ALT	HR	n/a	Corp Prop	CJT/1 01/160 412	IT	n/a	Strat Proc	JK/SP U/CP/ 276/04 12
Originating SMT Member: Tony Hopwood											
Have you consulted the Cabinet Member(s) named on the report? Yes											

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank