

# Public Document Pack



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Date: 3-8-2012

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## **CABINET**

**Date:** Tuesday 14 August 2012  
**Time:** 2 pm  
**Venue:** COUNCIL HOUSE, PLYMOUTH

**Members:**  
Councillor Evans, Chair  
Councillor Peter Smith, Vice Chair  
Councillors Coker, Lowry, McDonald, Penberthy, Vincent and Williams.

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.

**Bob Coomber**  
Interim Chief Executive

# **CABINET**

## **AGENDA**

### **PART I – PUBLIC MEETING**

#### **1. APOLOGIES**

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

#### **2. DECLARATIONS OF INTEREST (Pages 1 - 2)**

Cabinet Members will be asked to make any declarations of interest in respect of items on this agenda. A flowchart providing guidance on member interests is attached to assist councillors.

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

To sign and confirm as a correct record the minutes of the meeting held on 12 July 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.

#### **6. COMMUNITY RIGHT TO CHALLENGE (Pages 13 - 18)**

The Director for Corporate Services will submit a written report on the provision of the Localism Act 2011 which has created the community right to challenge. The provision will give the community and voluntary sector organisations and groups of council staff the right to challenge local authorities by putting forward an expression of interest in running their services. The report will recommend that the Council will set an initial timescale after which, expressions of interest will be accepted under the community right to challenge.

**7. COMPULSORY PURCHASE ORDER RESOLUTION FOR THE REGENERATION OF PHASE 2, NORTH PROSPECT (Pages 19 - 36)**

The Director for Place will submit a written report seeking approval to make a Compulsory Purchase Order in the future, if necessary, as part of the second phase of the North Prospect regeneration project. This relates to properties that were within the estate transferred to Plymouth Community Homes as part of the housing stock transfer on 20 November 2009.

**8. RECOMMENDATIONS FOR RESIDENTIAL / NURSING CARE HOME FEE REVIEW 2012 - 15 (Pages 37 - 66)**

The Director for People will submit a written report making recommendations on the level of fees for residential and nursing care for older people / older people with dementia in residential and nursing care and their implementation. A separate confidential report will also be submitted (see item 14 below).

**9. ACTIVITIES AND OPPORTUNITIES FOR VULNERABLE ADULTS FRAMEWORK (Pages 67 - 70)**

The Director for People will submit a written report on the recent tender process for a framework of suppliers to deliver day opportunities to meet the needs of vulnerable adults. A separate confidential report will also be submitted (see item 15 below).

**10. PUBLIC HEALTH TRANSITION - POSITION STATEMENT (Pages 71 - 78)**

The Director for People will submit a written report on the status of the transfer arrangements of public health prior to a final report due at Cabinet in December 2012.

**11. PROCUREMENT OF STREET LIGHTING MAINTENANCE SERVICES (Pages 79 - 84)**

The Director for Place will submit a written report seeking authority to retender the contract to enable continuity of street lighting services beyond 31 March 2013.

**12. CAPITAL INVESTMENT FOR REPLACEMENT OF MINIBUSES (Pages 85 - 118)**

The Director for Place will submit a written report on Phase II of the Vehicle Replacement Programme. This phase relates to the purchase of 28 new minibuses currently used for adult social care and under statutory duty for home to school transport. The report considers options to achieve the required outcome. A separate confidential report will also be submitted (see item 16 below).

### **13. 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 I 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.

#### **14. RECOMMENDATIONS FOR RESIDENTIAL / NURSING (Pages 119 - 140) CARE HOME FEE REVIEW 2012 - 15 (E3)**

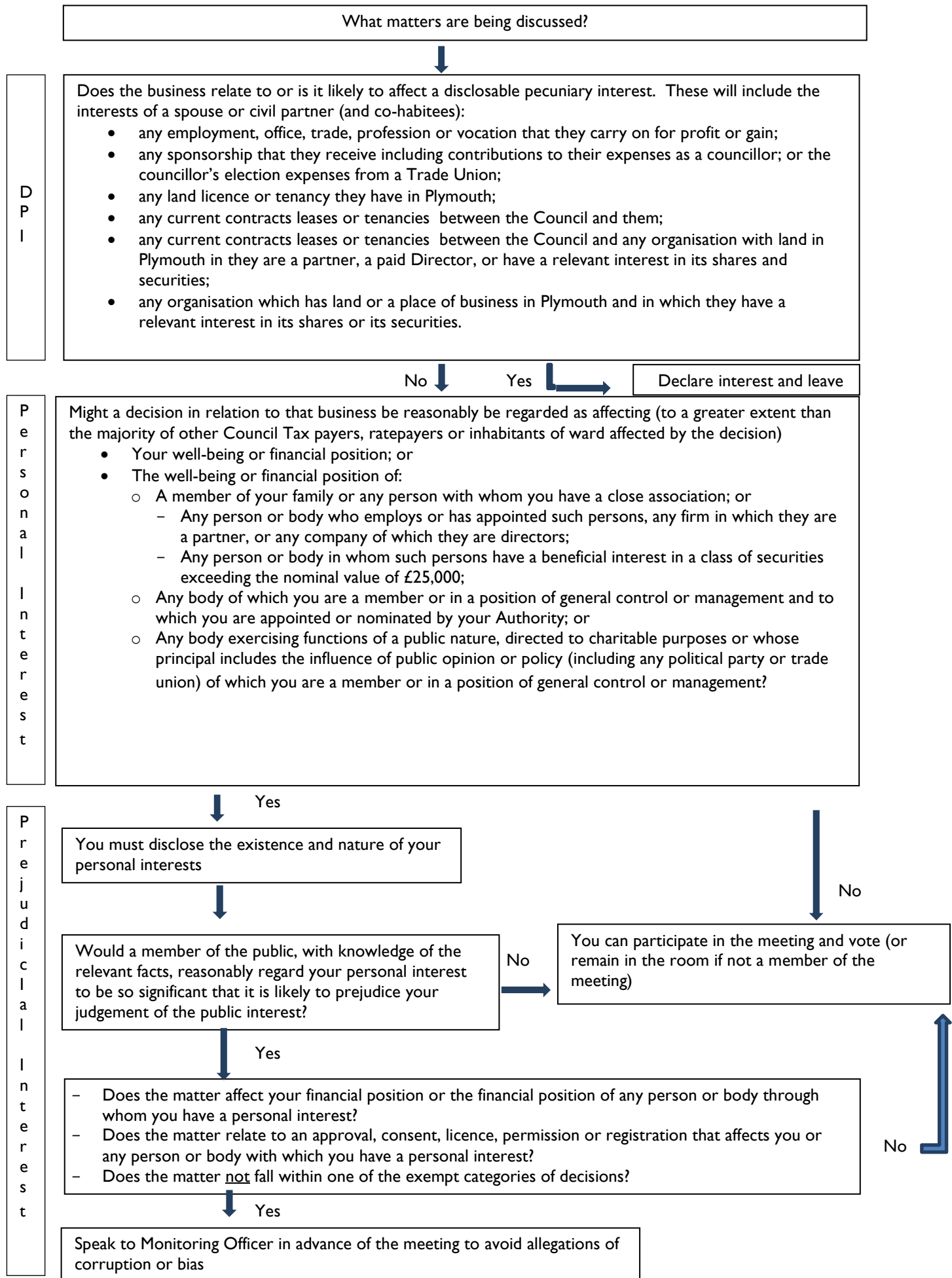
Further to item 8 above, the Director for People will submit a confidential written report on the level of fees for residential and nursing care for older people / older people with dementia in residential and nursing care and their implementation.

#### **15. CONTRACT AWARD: ACTIVITIES AND (Pages 141 - 152) OPPORTUNITIES FOR VULNERABLE ADULTS FRAMEWORK (E3)**

Further to item 9 above, the Director for People will submit a confidential written report on the recent tender process for a framework of suppliers to deliver day opportunities to meet the needs of vulnerable adults.

#### **16. CAPITAL INVESTMENT FOR REPLACEMENT OF (Pages 153 - 158) MINIBUSES (E3)**

Further to item 12 above, the Director for Place will submit a confidential written report on the capital investment for the replacement of minibuses.



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## Cabinet

Thursday 12 July 2012

### PRESENT:

Councillor Evans, in the Chair.

Councillor Peter Smith, Vice Chair.

Councillors Coker, Lowry, McDonald, Penberthy, Vincent and Williams.

Also in attendance: Councillor Mrs Aspinall – Chair of the Overview and Scrutiny Management Board, Bob Coomber - Interim Chief Executive, Tim Howes – Director for Corporate Services, Carole Burgoyne – Director for People, Anthony Payne – Director for Place, and Ross Jago – Democratic Support Officer.

The meeting started at 5.00 pm and finished at 6.45 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.*

### 17. DECLARATIONS OF INTEREST

| Name             | Minute   | Reason                  | Interest |
|------------------|--|-------------------------|----------|
| Councillor Coker | Minute 24 Local Development Framework: Adoption of Shopping Centres Supplementary Planning Document. | Employed by Sainsbury's | Personal |

### 18. MINUTES

Agreed that the minutes of the meetings held on 12 June 2012 are confirmed as a correct record.

### 19. QUESTIONS FROM THE PUBLIC

One question was submitted by the public, for this meeting in accordance with Part B, paragraph 11 of the Constitution, as set out below.

In the absence of Mr Sharpe, the question and the response were circulated and the written response would be sent to him.

| Question No | Question By   | Cabinet Member                        | Subject      |
|-------------|---------------|---------------------------------------|--------------|
| 3 (12/13)   | Mr F E Sharpe | Councillor Peter Smith, Deputy Leader | HMS Plymouth |

Please could the Plymouth City Council Cabinet look at ways to try to bring H.M.S. Plymouth back to its home port. And could they also read comments left on web site [www.petition.co.uk/hmsplymouth](http://www.petition.co.uk/hmsplymouth)?

**Response:**

As a city we are very proud of our naval heritage and fully recognise the affinity that HMS Plymouth has with Plymouth given her role in the Falklands conflict and her close links to Devonport. It is very sad that it now appears that she could be sent for scrap.

However, the experience of HMS Plymouth demonstrates the difficulties of making historic ship attractions financially viable.

The on-going costs involved in a project of this size and the severe pressures on the Council's budget unfortunately mean that it is highly unlikely we would be able to provide financial support to an attempt to bring the ship back to Plymouth without impacting on frontline services to local residents.

The Council itself does not own any potential berths for a ship of this size.

The Council is very interested in any artefacts from the ship and is exploring the potential of securing some suitable items for display in Plymouth.

20. **CHAIR'S URGENT BUSINESS**

There were no items of Chairs urgent business.

21. **TASK AND FINISH GROUP GROWTH AND PROSPERITY OVERVIEW AND SCRUTINY PANEL - YOUTH UNEMPLOYMENT**

Councillor Mrs Aspinall, Chair of the Overview and Scrutiny Management Board, submitted recommendations of the growth and prosperity task and finish group into youth unemployment.

It was reported that –

- (a) due to the current economic climate youth unemployment was an issue of high priority, with young people making up a third of job Seekers Allowance claimants’;
- (b) the report highlighted issues of confusion amongst partners due to the number of groups contributing to the skills and employability agenda;
- (c) the experience of young people undertaking jobs searches had not been positive.

In response to the issues raised in the report, Councillor Williams reported that –



- (d) the work undertaken by the task and finish group was positive and had provided strong recommendations;
- (e) Councillor Danny Damarell had been appointed the City's champion for youth unemployment;
- (f) work was underway with schools and employers to ensure the careers advice offer was the right one.

The Leader commented that the recommendations of the Task and Finish Group would also be considered as part of the Employment Task Force.

Cabinet agreed that –

- (1) the responsibility for matters of employability should rest with the Plymouth Growth Board and its relevant sub groups, that progress reports should be sent to scrutiny and that a non-cabinet councillor be appointed Champion for Youth Unemployment;
- (2) the Worklessness Sub Group should find ways of bringing employers and employment agencies closer together to improve the communication of available opportunities. Greater engagement between employers, employment agencies, educational establishments and associated bodies to be facilitated by the Council in an effort to forge greater understanding of the requirements of each sector and develop an excellent working relationship;
- (3) Human Resources should look at increasing the scope of apprenticeships available within the organisation, and the Apprenticeship Co-ordinator post should be extended beyond the current twelve month period;
- (4) the Worklessness Sub Group should establish a task and finish group to develop and implement a “1000 jobs in 1000 companies” initiative.

## 22. **REVISED CORPORATE PLAN 2012 - 2015**

Bob Coomber, Interim Chief Executive, submitted a written report on the revised Corporate Plan 2012-15. The report focused on –

- (a) the Co-operative Council and its impact on the organisation. The Co-operative Council would put people in control of their communities, with staff having a stronger stake in how services were improved and delivered;
- (b) the Council's commitment to open government, including the opening up of decision making, increasing public involvement in the services and improving interactive communication;
- (c) the vision for Plymouth to be “one of Europe's finest, most vibrant waterfront cities where an outstanding quality of life can be enjoyed by everyone”, which remained a central tenet of the corporate plan. The four

long-term priorities for the city, shared with partners, also remained in the plan:

- Deliver growth
- Raise aspirations
- Reduce inequalities
- Provide value for communities

Councillor Mrs Aspinall, Chair of the Overview and Management Board presented the Overview and Scrutiny Management Board recommendations from their scrutiny of the plan.

Councillor Mrs Aspinall thanked the Cabinet for bringing the revised plan for pre-decision scrutiny.

The Leader commented that the scrutiny session had set the tone for the way in which the Cabinet hoped to be scrutinised in the future which would ensure political accountability and oversight. Cabinet members responded to each of the Overview and Scrutiny Management Boards recommendations in turn, it was reported that –

- (d) youth unemployment would be considered by the Task Force for Jobs. The Growth and Prosperity Overview and Scrutiny Panel would be able to evaluate the program every six months, the first scrutiny should take place following the publication of the Plan for Jobs;
- (e) an action plan to increase voter registration was in place and a timetable would be provided for the Overview and Scrutiny Management Board;
- (f) the Co-operative Council ethos was being delivered by all Cabinet members within their departments;
- (g) work was taking place to limit underage drinking and there would be an increase in test purchases. There was further work to do to ensure the balance between a vibrant night time economy and keeping residents safe and healthy. The Cumulative Impact Policy would be reviewed;
- (h) regarding child poverty, the cross party working group was still active and a paper regarding child poverty would be presented to Cabinet in August. The Chair of the Overview and Scrutiny Management Board would be present at the next meeting of the working group where the relationship with the scrutiny function could be defined. An action plan for child poverty would be presented to the council in the spring of 2013. There was a nationally and internationally agreed definition of child poverty;
- (i) the Older People's Charter was currently based within Adult Social Care as there was a pressing need to deal with the most vulnerable in society. The Charter would move to cover all council services as the views of older people were taken into account;
- (j) the energy supply company initiative was featured in the forward plan, there

were robust plans in place and detailed proposals regarding a co-operative model for energy solutions would be set out between September and December 2012;

- (k) a paper would be presented to Cabinet in August regarding unfunded capital investment projects. The Cabinet would consider options for quick wins which would be considered carefully in the new arrangements for the capital programme;
- (l) the transition of vulnerable children into adulthood was a high priority for the Cabinet. Councillor Williams and Councillor McDonald would be working closely with each other and partners to identify gaps and address them through an action plan. Increased joint commissioning would greatly assist in this area guided by joint strategies agreed at a partnership level.

Cabinet agreed to recommend to Full Council the adoption of the revised Corporate Plan 2012-15 subject to the following agreed scrutiny recommendations –

- (1) that the progress of the task force for jobs is subject to a six month evaluation by the Growth and Prosperity Overview and Scrutiny Panel;
- (2) that the Council produces an action plan for increased voter registration, including joint work with the University, other higher education institutions and with schools;
- (3) that the Cabinet seek and publish partners' agreed approaches to the Co-operative Council ethos, including those of service delivery partners, such as Amey;
- (4) that Cabinet provide clarity about how the city will balance the needs of the night time economy against the health impacts of alcohol misuse;
- (5) that Cabinet agree with the Overview and Scrutiny Management Board a brief for its input into the development of the city's Child Poverty Strategy;
- (6) that within nine months child poverty in Plymouth will be defined by Cabinet, following appropriate consultation, including referral to the Children's Trust Board and brought to Council;
- (7) that the Cabinet provide clarity that the Older People's Charter is a cross service, rather than a social care initiative;
- (8) that stronger impetus is given to the energy supply company initiative, to provide the earliest possible relief to those in fuel poverty;
- (9) Cabinet will bring forward proposals as to how unfunded capital investment priorities can be considered in a transparent way prior to funding becoming available;
- (10) Cabinet will demonstrate that plans are in place to ensure a smooth and

seamless transition for vulnerable children to adulthood.

23. **CO-OPERATIVE TRUST SCHOOLS MODEL**

Councillor Williams, Cabinet member for Children and Young People, introduced a report on the Co-operative Trust Schools model. It was reported that –

- (a) there were already a variety school models in place in Plymouth, all with the common aim of providing the best possible education;
- (b) children achieved the best outcomes when supported at home and in the community and schools in Plymouth had been encouraged to provide extended hours and develop community involvement;
- (c) there was an ambition to transfer school assets to the community;
- (d) the Co-operative trust schools model would allow schools to support each other, drive forward school improvement and work together in a changing educational environment.

Cabinet agreed –

- (1) to authorise a consultation with schools and Governors to identify views on moving towards a co-operative trust model that supports schools to move to Co-operative Trust status in line with the new administration's aspirations as a Co-operative Council;
- (2) that a further report is presented to Cabinet following the consultation indicating the views of schools and Governors, providing clear evidence relating to improvements in standards and highlighting risks and benefits and the financial implications for the council.

24. **LOCAL DEVELOPMENT FRAMEWORK: ADOPTION OF SHOPPING CENTRES SUPPLEMENTARY PLANNING DOCUMENT**

Councillor Vincent, Cabinet Member for Environment, introduced the Shopping Centres Supplementary Planning Document (SPD).

This report related to the adoption of the Shopping Centres SPD. It was reported that –

- (a) the overriding purpose of the SPD was to protect local and district shopping centres as vital community assets;
- (b) the SPD would make sure that shops and key services were maintained in centres, and would set a framework for future improvements;
- (c) shopping centres were crucial in vulnerable communities and contributed to community cohesion and the provision of essential services;

- (d) the draft consultation was subject to consultation in early 2011, and the SPD had been updated to incorporate findings of a recent shopping study and updates to sustainable neighbourhoods information.
- (e) the next stage would be the formal adoption of the SPD as part of the Local Development Framework.

Councillor Vincent moved the recommendations outlined in the report, with a further recommendation as detailed at (4) below.

The Cabinet agreed to –

- (1) recommend to Full Council that the Shopping Centres Supplementary Planning Document First Review be formally adopted;
- (2) delegate authority to the Assistant Director of Development (Planning Services) to approve the final publication version of the Supplementary Planning Document;
- (3) instruct the officers to implement as soon as practicable all the statutory procedures associated with the adoption process;
- (4) that officers from the Economic Development Service be encouraged to work on the development of shopping centres in vulnerable communities in order to maximise regeneration opportunities.

25. **LOCAL DEVELOPMENT FRAMEWORK: ADOPTION OF PLANNING OBLIGATIONS AND AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT**

Councillor Vincent, Cabinet Member for Environment, introduced a report on the adoption of the Planning Obligations and Affordable Housing Supplementary Planning Document (SPD). It was reported that the main driver for the review of the SPD was the introduction of the Community Infrastructure Levy (CIL). Rules for planning obligations had been changed by national legislation and as such the SPD needed to be updated to reflect these changes, the main changes being proposed were -

- (a) that the Plymouth Development Tariff comes to an end and is replaced by CIL;
- (b) that planning obligations would still be used to secure financial contributions to infrastructure that CIL does not help fund, but this would be limited to the cases which were lawfully permitted;

The affordable housing provisions had been updated to reflect the new National Planning Policy Framework and the draft was subject to consultation in early 2012. The next stage is the formal adoption of the SPD as part of the Local Development Framework. In response to Questions it was reported that –

- (a) the section 106 process had been subject to review by the Devon Audit

Partnership and a report could be published;

- (b) the Growth and Prosperity overview and Scrutiny Panel had added the section 106 process to their future work programme;
- (c) work was being undertaken by the constitutional working group with regard to the member involvement in the section 106

This is related and there is a separate piece of work ongoing with constitutional working group to address this and hope to report to next full council,

The Cabinet agreed to –

- (1) approve the Planning Obligations & Affordable Housing Supplementary Planning Document Second review and recommend to Full Council that the SPD be formally adopted;
- (2) delegate authority to the Assistant Director for Planning to approve the final publication version of the SPD;
- (3) instruct the officers to implement as soon as practicable all the statutory procedures associated with the adoption process.

26. **CONTRACT AWARD - ADVICE AND INFORMATION SERVICE**

The Director for People submitted a report on the contract award for an Advice and Information Service.

Following evaluation of tenders, the award of a contract was recommended.

The attention of Cabinet Members was drawn to the separate confidential report on the tenders received, referred to in minute 28 below.

Councillor McDonald (Cabinet Member for Public Health and Adult Social Care) presented the report which –

- (a) outlined that the contract was for three years with an option to extend for a further three years;
- (b) the contract would provide financial inclusion services alongside health and social care advice;
- (c) information and advice would be provided locally to communities, but would also be accessible from a central location;
- (d) the services would help those in receipt of social care make choices about the services they received through the personalisation agenda;
- (e) it was expected that the service would also help maintain people in their homes for longer;

- (f) the contract award brought a number of differing contracts together, both improving the quality of service for local people, whilst also realising some efficiency savings.

Agreed to award a three year contract, containing an option to extend the contract for a further three years, to the 'most economically advantageous tenderer' as identified in the contract award report.

27. **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.

28. **CONTRACT AWARD - ADVICE AND INFORMATION SERVICE (E3)**

With reference to minute 26 above, the Director for People submitted a confidential written report on the tenders received for the Advice and Information Service Contract Award. The report noted the selection of Plymouth Citizens' Advice Bureau as the 'most economically advantageous tenderer'.

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**PLYMOUTH CITY COUNCIL**

**Subject:** Community Right to Challenge  
**Committee:** Cabinet  
**Date:** 14 August 2012  
**Cabinet Member:** Councillor Penberthy  
**CMT Member:** Adam Broome, Director for Corporate Services  
**Author:** Tim Howes, Assistant Director for Democracy and Governance  
**Contact:** Email:tim.howes@plymouth.gov.uk Tel: 01752 305403  
**Ref:**  
**Key Decision:** No  
**Part:** I

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**Purpose of the report:**

The Localism Act 2011 has created the community right to challenge, which will give community and voluntary sector organisations and groups of council staff the right to 'challenge' local authorities by putting forward an expression of interest in running their services. This report recommends that the Council set an initial timescale after which, expressions of interest will be accepted under the community right to challenge.

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**Corporate Plan 2012 – 2015:**

There are no direct implications at this stage, but any successful expressions of interest will have an impact.

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

There are no implications at this stage, but if an expression of interest is accepted then resources will be required to undertake the procurement exercise. If a service is then put out to contract, there will be other legal, financial and human resource implications.

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

None at this stage.

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**Recommendations & Reasons for recommended action:**

It is recommended:

That the Council agree and publish an initial timetable for the receipt of expressions of interest and not accept any expressions of interest under the community right to challenge until after the 5 November 2012.

The reason for this recommended action is to allow time to develop the policy and process for reviewing expressions of interest. This will provide clarity to those who wish to submit an expression of interest.

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

There are no alternative options for consideration.

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**Background papers:**

Localism Act 2011 Sections 81-85 and Regulations made under this part of the Act  
Draft Guidance on the Community Right to Challenge

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**Sign off:**

|  |                |     |               |    |                    |              |  |    |  |               |  |
|--|----------------|-----|---------------|----|--------------------|--------------|--|----|--|---------------|--|
| Fin  | MCI213.<br>006 | Leg | I5298/<br>DVS | HR | 1207/<br>002<br>MG | Corp<br>Prop |  | IT |  | Strat<br>Proc |  |
| Originating SMT Member: Tim Howes, Assistant Director for Democracy and Governance |                |     |               |    |                    |              |  |    |  |               |  |
| Have you consulted the Cabinet Member(s) named on the report? Yes                  |                |     |               |    |                    |              |  |    |  |               |  |

**1.0 Introduction to the Community Right to Challenge**

That part of the Localism Act 2011 relating to the community right to challenge came into force on the 27 June 2012. At the same time, both the supporting regulations were enacted and draft guidance was published.

The community right to challenge requires the Council (as a **relevant authority**), to consider expressions of interest in carrying out a **relevant service** from **relevant bodies**. Where the expression of interest is accepted, the Council must carry out a procurement exercise for the service.

The Act does not give an automatic right to the organisation expressing an interest to deliver the service, nor is it guaranteed the organisation will be successful in any procurement exercise.

The **relevant bodies** that can submit expressions of interest are:

- A voluntary or community body
- A body of persons or a trust established for charitable purposes only
- A parish council
- Two or more City Council employees
- Any other person or body specified by the Secretary of State

The **relevant services** that can be the subject of an expression of interest are those provided by or on behalf of a relevant authority in the exercise of its functions. It only relates to services of the authority rather than its functions. Those services jointly commissioned with health, are excluded (either temporarily or permanently). Services commissioned or managed by individuals using direct payments are also excluded.

## **2.0 Submitting expressions of interest.**

The Council may choose to specify periods during which expressions of interest may be submitted in relation to a particular service. This will allow the council to manage the flow of requests and synchronise them around commissioning cycles for services. The 'timetable' for submissions of interest must be published, including publication on the Council's website. In the event we choose not to specify periods, then they can be submitted at any time.

## **3.0 Requirements of expressions of interest.**

Expressions of interest must be in writing and conform to other requirements as specified in the regulations. The Council may request further information but it must be made clear that it is optional. The required information includes:

- Information about the financial resources of the relevant body (or bodies) submitting the expression of interest.
- Evidence that demonstrates that by the time of any procurement exercise the relevant body submitting the expression of interest will be capable of providing or assisting in providing the relevant service.
- Information about the relevant service sufficient to identify it and the geographical area to which the expression of interest relates.
- Information about the outcomes to be achieved by the relevant body or, where appropriate, the consortium of which it is a part, in providing or assisting in the provision of the relevant service, in particular:
  - How the provision or assistance will promote or improve the social, economic or environmental well-being of the relevant authority's area; and
  - How it will meet the needs of the users of the relevant service.
- Where the relevant body consists of employees of the relevant authority, details of how that relevant body proposes to engage other employees of the relevant authority who are affected by the expression of interest.

## **4.0 Notifying decisions on an expression of interest**

The Council must specify the maximum period that it will take to notify a relevant body of its decision on an expression of interest. Different periods may be specified for different services.

The notification must be made in writing within 30 days of the closure of the period for submitting expressions of interest.

## **5.0 Grounds for rejecting an expression of interest**

The Council may reject an expression of interest only on one or more of the following grounds:

1. The expression of interest does not comply with any of the requirements specified in the Act or in regulations.
2. The relevant body provides information in the expression of interest which in the opinion of the relevant authority, is in a material particular inadequate or inaccurate.
3. The relevant authority considers, based on the information in the expression of interest, that the relevant body or, where applicable-
  - (a) any member of the consortium of which it is a part, or
  - (b) any sub-contractor referred to in the expression of interestis not suitable to provide or assist in providing the relevant service.

4. The expression of interest relates to a relevant service where a decision, evidenced in writing, has been taken by the relevant authority to stop providing that service.
5. The expression of interest relates to a relevant service -
  - (a) provided, in whole or in part, by or on behalf of the relevant authority to persons who are also in receipt of a service provided or arranged by an NHS body which is integrated with the relevant service; and
  - (b) the continued integration of such services is, in the opinion of the relevant authority, critical to the well-being of those persons.
6. The relevant service is already the subject of a procurement exercise.
7. The relevant authority and a third party have entered into negotiations for provision of the service, which negotiations are at least in part conducted in writing.
8. The relevant authority has published its intention to consider the provision of the relevant service by a body that 2 or more specified employees of that authority propose to establish.
9. The relevant authority considers that the expression of interest is frivolous or vexatious.
10. The relevant authority considers that acceptance of the expression of interest is likely to lead to contravention of an enactment or other rule of law or a breach of statutory duty.

### **6.0 Modifying an expression of interest**

If the Council might otherwise reject an expression of interest, it may seek instead for it to be modified.

### **7.0 Period between accepting an expression of interest and a procurement exercise starting**

The Council must specify the period between accepting an expression of interest and a procurement exercise starting. In specifying these periods, the Council should consider:

1. The need to provide employees of the Council, and other relevant bodies, with a fair, reasonable and realisable opportunity to bid in the procurement exercise for the service;
2. The nature, scale and complexity of the service being procured. For example, it may take relevant bodies longer to prepare to bid for larger, complex services than smaller more straightforward ones; and
3. The timescales for any existing commissioning cycle relevant to the service being procured, or any other relevant authority processes. These may include Council Cabinet decision making or budget setting processes.

### **8.0 The procurement exercise**

When an expression of interest is accepted, the Council must carry out a procurement exercise for the service. This must comply with procurement law and will be in accordance with our existing processes.

### **9.0 Comment and Next Steps**

At one level, these provisions could be seen as a good thing in that the right to challenge is consistent with a range of Council commitments to better engage with the local community through pursuing cooperative working and direct service provision. In so doing, communities and voluntary sectors can take direct action in the provision of a local service for the local community themselves.

However, the Council and the local community it serves needs to be alert to concerns contained with the right to challenge provisions which appear to mitigate against this.

For example, it is worth noting that a relevant body may submit an expression of interests in partnership with other relevant or non-relevant bodies. So an expression of interest can be submitted with a partner from the private commercial sector.

There appears to be no restriction in terms of which non-relevant bodies may partner a local community or voluntary/community body. Accordingly, there must be an inherent risk that, as opposed to being used as a vehicle to support local communities in public service provision for community benefit, this will be used as an opportunity for hostile takeovers of services for profit from partner bodies with little or no local community connection or local community interest.

The Council has the right under the Localism Act 2011, to set time periods within which it will consider expressions of interest. In addition, the Council can reject expressions of interest it receives outside that time period.

Mindful of these concerns and with the intention of allowing the Council time to develop the policy and process for reviewing expressions of interest, it is recommended that the Council start accepting expressions of interest after the 5 November 2012 and that none will be considered prior to this date.

The matters to be the subject of further development include:

- The production of a comprehensive and workable timetable for submitting expressions of interest (see 2.0 above)
- The determination of what additional information will be required of those submitting expressions of interest (see 3.0 above)
- The setting of a timetable for making a decision on expressions of interests (see 4.0 above)
- The setting of the timetable for a procurement exercise (see 7.0 above)

It is planned that these matters will be the subject of a pre-decision report to Overview and Scrutiny in September and to Cabinet on the 16 October 2012 after which, the information will be published on the website.

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**PLYMOUTH CITY COUNCIL**

|                        |  |
|------------------------|--|
| <b>Subject:</b>        | Compulsory Purchase Order Resolution for the Regeneration of Phase 2, North Prospect |
| <b>Committee:</b>      | Cabinet  |
| <b>Date:</b>           | 14 August 2012   |
| <b>Cabinet Member:</b> | Councillor Lowry   |
| <b>CMT Member:</b>     | Anthony Payne, Director for Place  |
| <b>Author:</b>         | Paul Barnard, Assistant Director for Planning Services                               |
| <b>Contact:</b>        | Tel: 01752 304077<br>e-mail: paul.barnard@plymouth.gov.uk                            |
| <b>Ref:</b>            | N/A  |
| <b>Key Decision:</b>   | No   |
| <b>Part:</b>           | I  |

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**Purpose of the report:**

This report seeks approval to make a Compulsory Purchase Order (CPO) in the future, if necessary, as part of the second phase of the North Prospect regeneration project. This request relates to properties that were within the estate transferred to Plymouth Community Homes (PCH) as part of the Housing Stock Transfer on 20th November 2009.

Approval for CPO is being sought by PCH under provisions laid out in schedule 24 of the Housing Stock Transfer Agreement, to ensure that landownership within Phase 2 of the development is unified and clear title can be provided to the developer to enable the proposed redevelopment to take place. The circumstances in which we would be making a CPO would include the failure to purchase a freehold or leasehold property by agreement with the owner, or the need to deal with covenants or secure other interests in the land. This action would only be taken where all other negotiated approaches fail. A similar resolution to make a CPO was approved for Phase 1 of the development, and in that case a CPO was not required as all properties were acquired by negotiation.

The properties that would fall within the boundaries of the CPO are located within the following streets and shown on a plan in annex 1:

- a. Ash Grove: 1-25 [odds] and 2-42 [evens]
- b. Cookworthy Road: 11-31 [odds]
- c. Floyd Close: 1-21 [odds]
- d. Foliot Road: 51-95 [odds] and 92-118 [evens]
- e. Grassendale Avenue: 1-51 [odds] and 2-82 [evens]
- f. North Prospect Road 205-219 [odds]
- g. Overdale Road: 1-6
- h. Woodville Close: 1-55 [odds] and 2-82 [evens]

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**Corporate Plan 2012-2015:**

The regeneration of North Prospect contributes to a number of the Council's corporate priorities, most specifically Delivering Growth, Reducing Inequality and Raising Aspirations. This is being achieved by demolishing existing properties that are in poor repair, and refurbishing existing properties where repairs are cost effective and by building a range of new properties for sale and rent. This is likely to improve both the quality of life and the health of the residents living in the improved houses.

In addition improved community facilities are being created in the area, with the construction of a 'community hub' building which will provide space for a new library, early years children's centre, community café and kitchen, community hall, shops and office space.

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

Provision has been made within the Housing Stock Transfer Agreement for PCH to meet the costs of acquisition and associated home-loss compensation, disturbance and all legal costs. Therefore there is no direct cost implication for the Council.

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

The regeneration of North Prospect will have the effect of reducing rates of child poverty within the neighbourhood by changing the overall tenure mix of the area, introducing new homes for open market sale and low cost homeownership. Community safety should also be improved by designing new houses that achieve the Secured by Design accreditation.

The project and risk management form part of the governance arrangements between Plymouth City Council, PCH and the Homes and Communities Agency.

The issue of diversity and community cohesion forms a part of a wider action plan being co-ordinated by the City Council to ensure that the new and existing communities become well integrated.

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**Recommendations & Reasons for recommended action:**

It is recommended that Cabinet make a CPO resolution, in the event that it is required for properties within Phase 2 of North Prospect defined as:

- a. Ash Grove: 1-25 [odds] and 2-42 [evens]
- b. Cookworthy Road: 11-31 [odds]
- c. Floyd Close: 1-21 [odds]
- d. Foliot Road: 51-95 [odds] and 92-118 [evens]
- e. Grassendale Avenue: 1-51 [odds] and 2-82 [evens]
- f. North Prospect Road 205-219 [odds]
- g. Overdale Road: 1-6
- h. Woodville Close: 1-55 [odds] and 2-82 [evens]

As follows:

*Resolved that, Cabinet make a Compulsory Purchase Order pursuant to S17 of the Housing Act 1985 in respect of the areas outlined in red on the plan submitted (appendix one).*

*The Cabinet specifically notes the considerations that arise under the Human Rights Act (1998) in respect of the proposed CPO and has had full regard to the rights of those that would be affected by the CPO but, for the reasons set out in this report, determines nevertheless to authorise CPO procedure.*



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

It is considered that there is no alternative option to CPO that would guarantee delivery of the regeneration in a timely manner, should the situation arise where an interest in the land cannot be acquired by agreement. Although every effort will be made to achieve a negotiated outcome to the acquisition of a property, the redevelopment cannot proceed unless the option of making a CPO is available in the event that it is needed.

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**Background papers:**

- **Appendix One** - Plan of CPO area
- **Appendix Two** - Schedule 24 of the Housing Stock Transfer Agreement – Nov 2009
- Draft Area Planning Statement- July 2012 (*available after 15 August – David Taylor - Planning Coordinator*)
- Draft Plymouth Housing Plan 2012-2017  
[http://www.plymouth.gov.uk/housing\\_plan\\_consultation.pdf](http://www.plymouth.gov.uk/housing_plan_consultation.pdf)

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**Sign off:**

|   |   |     |                  |    |   |           |   |    |   |            |   |
|---|---|-----|------------------|----|---|-----------|---|----|---|------------|---|
| Fin   | PC Place<br>FPC1213<br>004.<br>30.07.12 | Leg | I528<br>4/<br>AC | HR | X | Corp Prop | X | IT | X | Strat Proc | X |
| Originating SMT Member – Paul Barnard< Assistant Director for Planning Services |   |     |                  |    |   |           |   |    |   |            |   |
| Have you consulted the Cabinet Member(s) named on the report? Yes               |   |     |                  |    |   |           |   |    |   |            |   |

**1.0 Introduction**

1.1 The Cabinet meeting on the 19<sup>th</sup> October 2009, followed by Council on the 23<sup>rd</sup> November 2009 agreed the transfer of housing stock from Plymouth City Council to Plymouth Community Homes. This included a joint agreement to proceed with the Masterplan for the North Prospect regeneration. Since that time considerable progress has been made with the first new build houses within Phase 1 of the development being occupied over the last few months. In addition discussions on the form of development within Phase 2 have reached a stage where a planning application has recently been submitted and is currently being determined. At the same time the first of the refurbished homes are shortly due to be completed and re-occupied.

1.2 Schedule 24 of the Housing Stock Transfer agreement (North Prospect Covenant – see attached appendix two) states in section 6.1 that “the Council agrees to work with the Association (PCH) as it acquires or extinguishes any Third Party Rights necessary to allow the Association to undertake the Redevelopment”

1.3 PCH are now requesting that Cabinet takes the first step in the process by agreeing a resolution to make a CPO, should the need arise, in the event that properties in Phase 2 of the redevelopment cannot be acquired by agreement. PCH does not have compulsory purchase powers and therefore Cabinet is required to make a CPO, if needed, on their behalf.

## 2.0 Proposals

2.1 It is proposed that Cabinet agrees a resolution to make a CPO for those properties which are in private ownership in the following streets:

- a. Ash Grove: 1-25 [odds] and 2-42 [evens]
- b. Cookworthy Road: 11-31 [odds]
- c. Floyd Close: 1-21 [odds]
- d. Foliot Road: 51-95 [odds] and 92-118 [evens]
- e. Grassendale Avenue: 1-51 [odds] and 2-82 [evens]
- f. North Prospect Road 205-219 [odds]
- g. Overdale Road: 1-6
- h. Woodville Close: 1-55 [odds] and 2-82 [evens]

## 3. Justification for Using CPO Powers

3.1 CPO powers are very much seen as a last resort to be used only in the event that properties in private ownership cannot be acquired by agreement. A similar resolution was made for Phase 1 of the development, and in that case all properties were successfully acquired by PCH without the need to resort to CPO powers. It is very much hoped that this can also be achieved for Phase 2 of the development, which this report seeks to address.

3.2 However this cannot be guaranteed and it is necessary to have the agreement of Cabinet to make a CPO should the need arise to ensure that the regeneration of North Prospect is able to continue.

3.3 The following reasons are set out by way of justification for the use of CPO powers:

- PCH have advised the City Council that there is considerable building survey evidence that confirms the need for major redevelopment in North Prospect to the extent that repair and rehabilitation work in Phase 2 is not practicable.
- Resolving the housing conditions in North Prospect was a key requirement of the transfer of Plymouth City Council's housing stock to PCH to unlock the investment for the city wide Decent Homes Programme.
- The regeneration of North Prospect is identified as an investment priority in the City Council's Local Investment Plan and also within the Plymouth Housing Plan. In order to achieve the scale of change needed in the area, it is essential that the next phases of development continue through to completion.
- Without the use of CPO powers as a backstop solution, PCH are not able to offer a guarantee of site assembly to its developer partner, which in this case is Barratt Homes. Without this certainty the developer partner would be unable to enter a contract for the redevelopment of the phase and the redevelopment would not continue.

## 4. Consultation

4.1 A substantial amount of work has also been undertaken to understand the views and needs of the community affected by the redevelopment proposals, and in particular the needs of the owners of properties in future phases of the development. Within Phase 2 of the development 47 owners have been identified, some of whom are also occupiers whilst others are renting out their properties to private tenants.

- 4.2 To date the following actions have been undertaken to engage with these owners:
- Letters have been sent to all owners in the Phase 2 area, explaining the regeneration proposals for the area, and the likely impact upon those owners.
  - Drop in events have been held on a number of occasions to allow owners to meet with representatives of PCH, to discuss the terms of sale and details of the compensation offer that would be available.
  - PCH have offered 1-1 interviews with the owners of properties and have provided a detailed information pack outlining the offer that PCH are able to make available.
  - PCH have agreed to cover the costs of providing Independent Financial Advice for owners, paying both the open market value of property as assessed by an independent Valuer and the statutory compensation required by legislation.
- 4.3 So far 28 owners have agreed terms and have sold their properties to PCH. A further 9 are expected to agree an offer with PCH shortly. This leaves a total of 10, who are in negotiations and are yet to agree an offer. PCH will continue to make every effort to reach agreement with these remaining owners however in the event that this is not possible, within a reasonable timeframe, it will be necessary for the City Council to proceed with making a CPO in order to resolve the issue of ownership and enable the redevelopment process to continue.

### **5. Legal Basis**

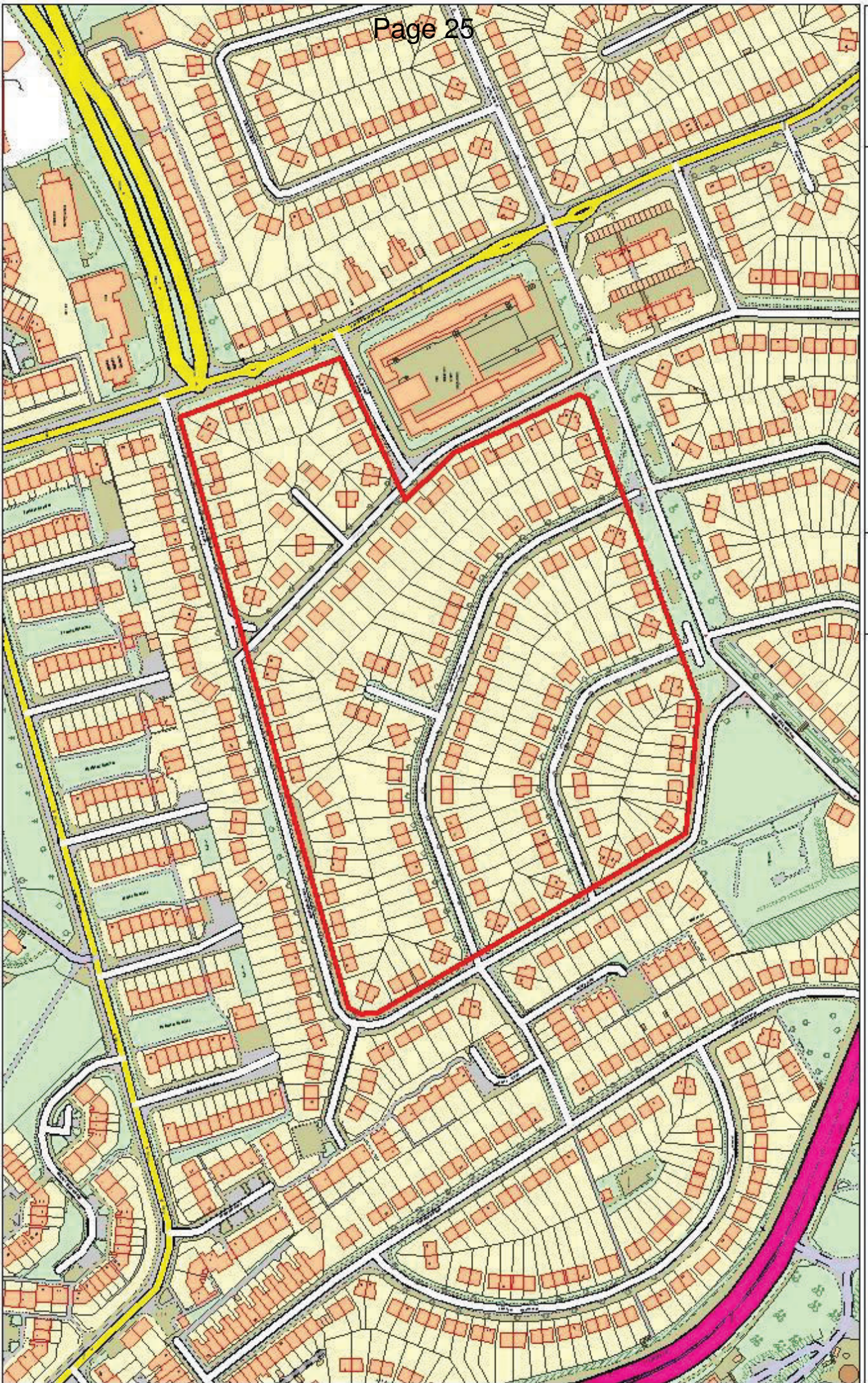
- 5.1 The CPOs are to be made under S17 of the Housing Act 1985 to provide a quantitative or qualitative increase in housing provision and will follow a similar justification to that used in Phase 1 of North Prospect.
- 5.2 The City Council is fully aware of its responsibilities under the Human Rights legislation arising from the European Convention of Human Rights (2008) and of the need to address the rights of the individual in any action considered.

### **6.0 Conclusion**

- 6.1 PCH are requesting that Cabinet agree a resolution to make a CPO, in the event that all interests in land in Phase 2 of the development cannot be acquired by agreement. Without making this resolution, and in turn the CPO itself, should it be required, the continuing regeneration of the North Prospect area will be put at risk, as the other options to achieve the redevelopment have been considered and dismissed for the reasons stated above.
- 6.2 The resolution to make a CPO will provide a level of certainty of achieving unified land ownership to both PCH and their developer partner Barratt Homes to proceed with the development at Phase 2. To date substantial progress has been made to acquire the privately owned units by agreement and PCH will continue to make every effort to acquire all remaining interests without resorting to a CPO. However as this cannot be guaranteed it is considered necessary for Cabinet to agree a resolution to make a CPO should it be required.

Appendix One







Appendix Two

**SCHEDULE 24**

**NORTH PROSPECT COVENANT**

**North Prospect Covenants**

**For the purposes of this covenant,  
the following definitions also apply:-**

**“Community Engagement Steering Group”**

means the group responsible for engaging with the local community in relation to the Master Plan and in particular (but not limited to) those aspects set out in paragraph 3.1.1;

**“Disposal”**

means the transfer of or grant or creation of any interest in any part of the North Prospect Site to any person or body before completion of the Redevelopment other than pursuant to an agreed overarching marketing and disposal strategy for any non-Social Housing New Dwellings on the North Prospect Site (and references to “Dispose” or “Disposes” shall be construed accordingly);

**“First Phase”**

means the first phase of the Project as described in paragraph 2.1.1;

**“HCA”**

means the Homes and Communities Agency or any statutory successor body thereto;

**“Infrastructure Works”**

means the highway improvement works (including improvements to existing highways and the construction and adoption of new roads and/or footpaths), the provision and installation of all services and supplies including gas, electricity, water and telephone services so as to enable the Dwellings to be supplied with such services, the creation of any open spaces and any other environmental works required to be undertaken in connection with the Development;

**"Land Acquisition Strategy"**

means that part of the Master Plan which documents the strategy agreed by the Parties to identify and subsequently acquire or extinguish all or any Third Party Rights

|   |   |
|---|---|
| <b>“Master Plan”</b>                        | means the master plan for the Project to be devised by the Parties (and updated from time to time) in accordance with paragraph 3;  |
| <b>“New Dwelling”</b>                       | means a dwelling to be constructed on the North Prospect Site as part of the Redevelopment including any apartments, flats, houses or maisonettes;  |
| <b>“Nomination Rights”</b>                  | means the nomination rights set out in Schedule 2 of this Agreement;  |
| <b>“North Prospect Redevelopment Study”</b> | means the study commissioned by the Council and carried out by Levitte Bernstein scoping the regeneration of the North Prospect Site dated 23 April 2009 (revised 30 April 2009 and updated in July 2009) incorporated at Annex 9;            |
| <b>“Planning Permission(s)”</b>             | means all outline and/or detailed planning permissions (including reserved matters approvals) considered by the Association to be necessary or desirable in order to undertake the Redevelopment;   |
| <b>“Project”</b>                            | means the First Phase and the Second Phase together;  |
| <b>“Project Board”</b>                      | means the project board formed and operated in accordance with paragraph 3.5;   |
| <b>“Redevelopment”</b>                      | means the regeneration and redevelopment of the North Prospect Site in accordance with the Master Plan including design, site preparation and works and references to “the Redevelopment” include the whole or any part of the Redevelopment; |
| <b>“Second Phase”</b>                       | means the second phase if the Project as described in paragraph 2.1.2;  |
| <b>“Third Party Rights”</b>                 | means the interest and rights of third parties in relation to the North Prospect Site and Third Party Right shall be construed accordingly.   |



## **1. AGREED OUTCOMES AND CO-OPERATION**

- 1.1 The Parties have agreed that the key outcome in relation to the Project is the comprehensive master planning and redevelopment of the North Prospect Site through the provision, re-provision or renovation of dwellings, amenities and associated Infrastructure Works, as set out in this Schedule 24.
- 1.2 This Schedule records the Parties' intention to co-operate to procure the Redevelopment and sets out the manner in which this will take place.

## **2. NOMINATIONS**

- 2.1 Throughout the Redevelopment the Association shall offer New Dwellings for rent to tenants of the North Prospect Site who vacate their current homes to enable the Redevelopment to take place ("Returning Tenants").
- 2.2 If the New Dwellings are not required by Returning Tenants within 28 days of the New Dwellings being released for occupation by the relevant developer, they shall be regarded as vacant and available for letting under the Choice Based Lettings Arrangements.
- 2.3 If the Choice Based Lettings Arrangements are no longer in operation, the Association grants to the Council Nomination Rights in respect of the Dwellings situated on the North Prospect Site as at the Completion Date, and any New Dwellings, as set out in Schedule 2.
- 2.4 For the avoidance of doubt, the Association is under no obligation to offer New Dwellings to any residents of the North Prospect Site other than Returning Tenants.

## **3. THE PROJECT**

- 3.1 The Parties intend that the Project shall be carried out in two phases:
- 3.1.1 the First Phase shall comprise the development of a Master Plan to be carried out in the manner described in paragraph 4; and
- 3.1.2 the Second Phase shall comprise the Redevelopment to be undertaken in accordance with the Master Plan, to be carried out in the manner described in paragraph 5.
- 3.2 The Second Phase shall commence on the completion of the First Phase or at such other time as the Association may determine (after consulting with the Council and formally taking into account (inter alia) the Council's views, the Association's financial standing, market conditions, the availability of HCA funding and the views of the Security Trustee the Beneficiaries and the Finance Parties).

## **4. FIRST PHASE**

- 4.1 The Parties agree that the key outcomes of the First Phase are:-
- 4.1.1 creating a Master Plan building on work already carried out and

documented in the North Prospect Redevelopment Study. The Master Plan shall include the proposed uses, design criteria and development framework for dwellings on the North Prospect Site and shall include, but shall not be limited to, details of the:

- dwellings and other properties to be demolished;
- dwellings to be refurbished;
- New Dwellings to be provided;
- the mix of tenure and dwelling type of the New Dwellings (being the mix of social housing, intermediate housing, housing for open market sale, and the mix of Houses and Flats)
- the design criteria for the New Dwellings

- 4.1.2 identifying the costs required to be incurred in order to achieve the Redevelopment;
- 4.1.3 securing funding for the costs identified pursuant to paragraph 4.1.2 above, including (but not limited to) funding from the HCA and assumptions relating to the sale of dwellings (whether on open market terms or shared equity or similar terms) (such outcome to build on the indicative programme set out in the North Prospect Redevelopment Study;
- 4.1.4 liaising with the Council's planning department and identifying the process for the granting of Planning Permission;
- 4.1.5 identifying any Third Party Rights required to be acquired or extinguished to enable the Redevelopment;
- 4.1.6 establishing the Land Acquisition Strategy.
- 4.2 Both Parties acknowledge that the master planning shall follow the principles set out in the Consultation Document, which states that consultation should take place through Strategic Urban Futures.
- 4.3 It is the intention of both Parties to complete the First Phase within eighteen months of the Completion Date and the Parties shall co-operate fully and use their reasonable endeavours to meet this deadline.
- 4.4 The First Phase shall be undertaken by the Association in co-operation with the Council and in doing so the Association shall formally consider the views of the Council and the Project Board. The Association acknowledges that the decisions it makes regarding the tenure mix, design, development partner and the Redevelopment overall are key to the Council and the Association agrees to fully involve the Council
- 4.5 The Project Board shall establish a Community Engagement Steering Group in the manner set out in set out in paragraph 4.7. Each Party or its duly appointed representatives will attend and participate at Project Board meetings and meetings of the Community Engagement Strategy Group.

#### **4.6 The Project Board**

- 4.6.1 The Project Board shall be responsible for oversight of the Project on behalf of both Parties, for driving the Project forward and creating the

Master Plan. It shall provide a flexible and responsive communication framework for the strategic matters affecting the Project, but shall have no decision making powers. In discharging its duties and responsibilities, the Project Board shall liaise with the Community Engagement Steering Group as and when it deems such liaison to be appropriate and/or necessary.

- 4.6.2 The Project Board will comprise nominated representatives of the Council and nominated representatives of the Association, as well as consultants and/or other persons agreed by the Parties as necessary for the procurement and delivery of the First Phase or any part of it (including the HCA should the HCA require representation). Each Party may change its nominated representatives (or any of them) to the Project Board by written notice to the other at any time.
- 4.6.3 Both Parties shall have regard to the skills required by the Project Board to effectively conduct its business when making their nominations.
- 4.6.4 The quorum for any meeting of the Project Board shall be at least one nominated representative from each Party.
- 4.6.5 Although the Council has an advisory, planning and strategic role to play in the Redevelopment, ultimate responsibility for approval of the Master Plan lies with the Association. If the Association decides not to accept the views of the Project Board in relation to the Master Plan, the Association shall report back to the Project Board on the reasons why it has not accepted the Project Board's views.
- 4.6.6 The Project Board will meet at regular intervals as often as may be necessary or desirable for the despatch of its business.
- 4.6.7 Either Party may convene a Project Board meeting on reasonable notice.
- 4.6.8 Any member of the Project Board may appoint an alternate to represent him at a Project Board Meeting where he is unable to attend provided that reasonable prior notice in writing of the name and details of the alternate is given to the Chair.

#### 4.7 The Community Engagement Steering Group

- 4.7.1 In discharging its duties and responsibilities, the Community Engagement Steering Group shall liaise with the Project Board as and when required by the Project Board.
- 4.7.2 The Community Engagement Steering Group will include group members formally nominated by both Parties, together with representatives from the North Prospect Partnership and constituted residents groups as appropriate. The quorum for any Community Engagement Steering Group meeting shall include at least one nominee from the Council and the Association.

- 4.7.3 The Community Engagement Steering Group shall have no decision-making powers and any decisions that need to be made shall be referred to the Project Board along with the recommendation of the Community Engagement Steering Group.

## **5. SECOND PHASE**

- 5.1 The Parties agree that the key outcome of the Second Phase is the Redevelopment.
- 5.2 The Association shall implement the Redevelopment but shall consult and work closely with the Council as the Redevelopment progresses. Both Parties shall act reasonably and in a spirit of trust, fairness and mutual cooperation for the benefit of the Redevelopment within the scope of their respective roles expertise and responsibilities.

## **6. THIRD PARTY RIGHTS AND COMPULSORY PURCHASE**

- 6.1 The Council agrees to work with the Association as it acquires or extinguishes any Third Party Rights necessary to allow the Association to undertake the Redevelopment. Further to this:
- 6.1.1 as soon as reasonably practicable after the Land Acquisition Strategy has been determined, the Council shall as agreed with the Association, and in accordance with the Land Acquisition Strategy, diligently carry out the referencing exercise to determine the Third Party Rights to be compulsory acquired by drafting and serving requisitions for information on any affected parties pursuant to Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 or Section 330 of the Act and also prepare a statement of reasons, notices, certificates and statements and carry out other procedural matters up to and including the preparation of the CPO;
- 6.1.2 the Council will consult with and, in accordance with the Land Acquisition Strategy, agree with the Association which Third Party Rights are required to carry out the Redevelopment and therefore necessary to be acquired by the Association before commencing the referencing exercise for the Third Party Rights;
- 6.1.3 the Council shall as soon as it is reasonably practicable (and in any event within 20 Business Days from any request of the Association) consider and respond to a request of the Association to make the CPO and shall, as soon as it is reasonably practicable to do so, consider the use of its compulsory purchase powers to acquire the Third Party Rights;
- 6.1.4 if the Council resolves to make the CPO, it will, in full consultation with the Association, proceed with due diligence to make the CPO and seek confirmation by the Secretary of State of the CPO;
- 6.1.5 notwithstanding paragraph 6.1.3, the Council shall not be obliged to consider any request from the Association to make a CPO other than in accordance with the Land Acquisition Strategy;

- 6.1.6 the Association shall within 21 days of receiving a demand from time to time in respect thereof pay to the Council, whether or not the CPO proceeds to confirmation, all costs and expenses incurred by it in the preparation making and confirmation of any CPO required under this provision including without prejudice to the generality of the foregoing all costs arising directly or indirectly from any public inquiry, professional fees, taxes and disbursements; and
- 6.1.7 the Association shall meet all costs arising directly or indirectly from the acquisition of the Third Party Rights and shall immediately put the Council in funds when requested to do so to enable the Council to acquire all or any of the Third Party Rights and pay all compensation fees and taxes in connection therewith.
- 6.2 With regard to the CPO process the Association will ensure:
- 6.2.1 that they consult with the owners of the Third Party Rights throughout the CPO stages as soon as the Third Party Rights have been identified;
- 6.2.2 that they use best endeavours to acquire the Third Party Rights prior to implementation of the CPO processes and in advance of confirmation of the CPO;
- 6.2.3 that they assist the Council in the preparation of any statement of reasons and statements of case and with any public enquiry including acting as witness and providing statements of evidence;
- 6.2.4 that there is a reasonable prospect of the Redevelopment going ahead, that the Redevelopment is financially viable and that funding is in place for the CPO to be confirmed;
- 6.2.5 that the Redevelopment is unlikely to be blocked by any impediments to implementation. In addition to potential financial impediments, physical and legal factors need to be taken into account. These include the programming of any infrastructure accommodation works or remedial work which may be required, and any need for planning permission or other consent or licence;
- 6.2.6 where possible, they obtain planning permission for the Redevelopment prior to the CPO being submitted for confirmation; and
- 6.2.7 that where planning permission will be required for the Redevelopment, and has not been granted, there should be no obvious reason why it might be withheld.

## **7. PLANNING**

The Association shall be responsible for preparing and submitting all necessary applications for Planning Permissions in connection with the Redevelopment and shall pursue the same diligently will use all reasonable endeavours to obtain

satisfactory Planning Permissions.

## **8. LIAISON**

8.1 The Parties will discuss the progress of the Project at the meetings referred to in Schedule 9 of this Agreement.

## **9. EXTENT OF OBLIGATIONS AND FURTHER ASSURANCE**

9.1 Nothing in this Schedule requires:

9.1.1 the Association to act in any way which is inconsistent with its obligations as a charitable RSL; or

9.1.2 the Council to act in any way which is inconsistent with its statutory duties or obligations as a local authority or is to act as a fetter on the Council in the exercise of its statutory duties and obligations, as Planning Authority, highways authority or otherwise.

9.2 The Council acknowledges that the Association may, and is explicitly entitled to, elect to undertake the Redevelopment itself or through a subsidiary (whether incorporated or yet to be incorporated) or either alone or in partnership with a selected development partner. The Association will, however, consult and work closely with the Council on its choice of partner and will seek to join the Plymouth Housing Development Partnership.

## **10. NOMINATION TO RELATED SITES**

10.1 The Council intends to transfer land at Carlton Terrace, Paternoster House, South Trelawney School and Lion and Column (the Related Sites) to certain RSLs and to secure nomination rights in relation to dwellings to be developed at the Related Sites.

10.2 The Council hereby agrees with the Association to seek to make available nomination rights procured in relation to the Related Sites in order to allow the Association to decant tenants from existing Dwellings on the North Prospect Site to assist the Redevelopment.

## **11. OPTION TO PURCHASE SCHOOL SITE**

As soon as is reasonably and conveniently possible after the Completion Date, the Council will transfer the site of the North Prospect Primary School to the Association for the purposes of providing a mixed use scheme comprising adult learning facilities, a children's centre, community facilities and housing. The transfer will be on such terms as are then agreed between the Parties.

## **12. DEFERMENT PROVISIONS**

12.1 The Council agrees that it will not commence any action to enforce the provisions of this Schedule if:

12.1.1 circumstances outside of the Association's control prevent the Association complying with the provisions of this Schedule; and/or



12.1.2 to comply with the provisions of this Schedule would have a serious detrimental effect on the financial standing of the Association and/or on its ability to perform its obligations under the Security Trust Deed and/or the Loan Agreement and/or any Finance Document and/or any Relevant Documents and/or any Refinancing Agreement and/or would cause the Association to commit an event of default or potential event of default under the Loan Agreement and/or any Refinancing Agreement.

12.2 If any of the circumstances in paragraph 12.1 occur, the Association may delay/defer compliance with this Schedule PROVIDED THAT the Association:

12.2.1 informs the Council of the reasons for such delay/deferment forthwith;

12.2.2 consults with the Council about its proposals;

12.2.3 consults with any affected tenants about any delay;

12.2.4 agrees with the Council (acting reasonably) a revised programme for compliance with the provisions of this Schedule; and

12.2.5 implements such revised programme thereafter.

### **13. DEED OF COVENANT AND MORTGAGEE EXCLUSION**

13.1 Any delay by the Council in exercising any remedy for breach of the provisions of this Schedule shall not constitute a waiver by the Council of any of its rights and remedies in relation thereto and the exercise of, or failure to exercise any remedy hereunder shall not constitute a waiver by the Council of any of its other rights and remedies.

13.2 Subject to the provisions of paragraph 5.4 if at any time prior to the completion of the Redevelopment the Association (not being in receivership or acting by its mortgagee or chargee) Disposes of the North Prospect Site or any part of it, it shall procure that the party to which it has made such a Disposal shall enter into a covenant or covenants with the Council agreeing to be bound by the covenants given by the Association and contained in this Schedule 24 as though it was named in this Schedule 24 as a party to them.

13.3 For the avoidance of doubt, the provisions of Clauses 20 (Covenants) and 21 (Mortgagee Exclusion) of this Agreement shall apply this Schedule 24.

### **14. DECENT HOMES STANDARD**

The Council agrees not to enforce the covenants in the Consultation Document (as referred to in Schedule 5, Part 2) where any breach and/or non-performance and/or non-observance arises as a consequence of the Association's failure to meet the decent homes standard in respect of those parts of the North Prospect

Site to be redeveloped pursuant to the provisions of this Schedule.

**15. SUBSOIL**

The Association will transfer back to the Council at nil cost within 28 days of written request such subsoil as is required by the Council in its role as local authority in connection with any road or highways scheme.



**PLYMOUTH CITY COUNCIL**

|                        |  |
|------------------------|--|
| <b>Subject:</b>        | Recommendations for Residential / Nursing Care Home fee review 2012/2015                                   |
| <b>Committee:</b>      | Cabinet  |
| <b>Date:</b>           | 14 August 2012   |
| <b>Cabinet Member:</b> | Councillor McDonald  |
| <b>CMT Member:</b>     | Carole Burgoyne, Director for People   |
| <b>Author:</b>         | Debbie Butcher, Head of Service Strategic Commissioning  |
| <b>Contact:</b>        | Email: <a href="mailto:Debbie.butcher@plymouth.gov.uk">Debbie.butcher@plymouth.gov.uk</a> Tel:01752 307452 |
| <b>Ref:</b>            | Care Home Fee Review FY 2012-15  |
| <b>Key Decision:</b>   | Yes  |
| <b>Part:</b>           | I  |

**Purpose of the report:**

The report makes recommendations regarding the level of fees for residential and nursing care for older people / older people with dementia following a review of care home fees.

**Corporate Plan 2012 – 2015:**

Reduce Inequality – The proposed fee rates will increase the resource available to the older peoples' care sector.

Provide Value for Communities - The proposed fee rates will reduce impact on 3<sup>rd</sup> party funding arrangements.

Deliver Growth - By helping home owners develop their businesses to meet growing demand for specialised care.

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

The financial impact to the council of implementing the proposals is approximately £840,000.per annum, which has already been identified within existing Adult Social Care baseline budgets for 2012-15

The impact fluctuates and is dependent on numbers of people in care at any one time and income received from Fairer Charging.

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

An Equality Impact Assessment has been completed. No adverse impact was identified as a result of this, however contract monitoring arrangements will continue to assess any impacts post contract award.

**Recommendations & Reasons for recommended action:**

Based on the information provided in the report, the following recommendations are made in order to improve the dignity and quality of the care of older people in care homes.

**Recommendation 1**

It is recommended that the new fee structure is taken forward.

**Recommendation 2**

Laing & Buisson (2009) suggests that in order to facilitate an overall improvement in the physical standard of the care home stock, new builds should receive an enhanced rate. Where it is identified that there is a strategic need to develop new homes, it is recommended that care home operators work in partnership with the Council at the earliest opportunity.

**Recommendation 3**

We recommend that a commissioning plan is developed in consultation with the care home sector, which includes a detailed market analysis and impact of other local and national policy directives on the care home sector.

**Recommendation 4**

In addition to the above, the Council also wants to help home owners develop their businesses to meet the growing and on going demand for specialised care, for example dementia care. The intention is to set aside a capital fund from which home owners can bid, subject to the Council's capital approval process.

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

Alternative options, including the option of not awarding an increase to the current fees, were considered but disregarded as unviable.

**Background papers:**

Market Position Statement- [www.plymouth.gov.uk/market\\_position\\_statement.pdf](http://www.plymouth.gov.uk/market_position_statement.pdf)

**Sign off:**

|   |                            |              |    |       |                 |    |    |    |    |                   |                                   |
|---|----------------------------|--------------|----|-------|-----------------|----|----|----|----|-------------------|-----------------------------------|
| Fin   | FAC<br>1213<br>002T<br>OCS | Corp<br>Prop | NA | Legal | LT<br>1517<br>4 | HR | NA | IT | NA | Strategic<br>Proc | JK/S<br>PU/<br>CP/2<br>85/0<br>71 |
| Originating SMT Member: Pam Marsden, Assistant Director for Joint Commissioning and Adult Social Care |                            |              |    |       |                 |    |    |    |    |                   |                                   |
| Have you consulted the Cabinet Member(s) named on the report? Yes                                     |                            |              |    |       |                 |    |    |    |    |                   |                                   |

## **1.0 Overview of the Council's current position**

- 1.1 Plymouth commissions approximately 650 residential care homes beds and 150 nursing beds across 69 care home operators. The gross budget in 2011/12 for long and short stay residential and nursing care was £20,534,145.
- 1.2 The majority of people who require care in a care home setting are placed at the fee bandings set by the Council. Social workers are provided with fee bandings to enable them to appropriately advise people requiring care and are supported by procurement officers within the commissioning team when more individualised care arrangements and fee negotiations are required.

As a result of consultation, a revised pricing schedule has been developed to take into account the following criteria:

- Create a new fee structure in agreement with the market in response to the changes in the CQC quality ratings system;
- Improve transparency in fee rates across the sector;
- Care home operators have also asked for a more detailed market position statement in order to inform their business plans and reflect the impact on the sector of the strategic shift to support more people at home or in extra care housing, rather than in residential care.

## **2.0 Support into to Care Homes – Additional Investment**

2.1 It is important to recognise that the Council is committed to supporting and sustaining improvements in the care home sector, however these initiatives are not cost neutral to the Council. We believe that the additional investment in the following initiatives has made a positive impact on quality of care in the local market.

2.2 Initiatives include:

- Dignity in Care Homes Forum  
This is a quarterly meeting co-ordinated by commissioners to showcase best practice, facilitate networking of care home operators, commissioners and managers, and consult with the sector around the workforce development priorities for the forthcoming year.
- Hands on support from Care Home Practitioners.  
A Care Home Practitioner Team has been established to support care home managers to meet their regulatory requirements and work collaboratively with care home managers to minimise safeguarding and promote good practice. This initiative has been well received by the Care Quality Commission.
- Workforce development initiatives – training programmes.

We have a strong partnership arrangement with local health commissioners in order to provide on site support to care home providers.

***We intend to maintain the offer of additional support and networking through the Dignity Forum and other training initiatives as we recognize that the sector finds this a valuable initiative and unique to Plymouth.***

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# MARKET POSITION STATEMENT 2011 TO 2013

Strategic Commissioning Team, Adult Social Care



## 1. Introduction

The Personalisation Agenda sets out to transform Adult Social Care, including Commissioning, Contracting and the Care and Support Market. The growth in Personal Budgets, individual choice and control will mean that in future we will require a diversity of support services within a broad market of high quality provision.

This Market Position Statement sets out how we are going to develop care and support services in Plymouth to build a vibrant market that promotes independence, choice and control. The document covers not only those eligible for Adult Social Care Services but also self-funders, those who may access housing related (Supporting People) support services and low level preventative services.

## 2. Future Demand

### 2.1 Overview of current key issues;

Inequalities around health, crime and housing quality feature strongly in Plymouth. The most deprived areas of the city are in the west which has the lowest life expectancy and the highest crime.

The current economic downturn and changes to the benefits system will impact on the number of people who are risk of homelessness as people may find their rents or mortgages unaffordable. This may impact on homeless services and related support provision such as mental health support and substance misuse services. Earning levels in Plymouth are already below average levels for both the UK and the South West.

In the past ten years, the prevalence of children with severe disability and complex needs has risen. The number of children identified with autistic spectrum disorders has risen over the last ten years. 14 per cent of all pupils have special educational needs and three per cent of all pupils have statements of special educational need.

Life expectancy is increasing with entry into services at a later stage in people's lives. It is estimated that over 10,000 people over the age of 75 live alone and half of them have a limiting long term illness. Demand for care and support services will increase as a consequence of increased life expectancy. More services will be needed to promote healthier living to ensure that people can live independently for as long as possible.

### 2.2 Predicting Future Demand in Plymouth

Like most areas Plymouth is expecting to see a significant increase in the number of older people over the next 20 years. This is likely to have a significant impact on the number and nature of services required in Plymouth.

| <b>Population aged 65+ projected to 2030</b> |               |               |               |               |               |
|--|---------------|---------------|---------------|---------------|---------------|
|  | 2010          | 2015          | 2020          | 2025          | 2030          |
| People aged 65-69                            | 11,500        | 13,800        | 12,300        | 13,400        | 14,400        |
| People aged 70-74                            | 9,800         | 10,600        | 12,900        | 11,500        | 12,600        |
| People aged 75-79                            | 8,100         | 8,700         | 9,500         | 11,600        | 10,500        |
| People aged 80-84                            | 5,900         | 6,400         | 7,200         | 8,000         | 9,900         |
| People aged 85-89                            | 3,900         | 4,000         | 4,600         | 5,400         | 6,200         |
| People aged 90 and over                      | 2,000         | 2,600         | 3,100         | 3,900         | 5,000         |
| <b>Total population 65 and over</b>          | <b>41,200</b> | <b>46,100</b> | <b>49,600</b> | <b>53,800</b> | <b>58,600</b> |

As well as an absolute growth in the numbers of older people there will more importantly be an increase in the number of older people over the next 20 years with a limiting long term illness and a growth in dementia;

| <b>People aged 65 and over with a limiting long-term illness, by age, projected to 2030</b> |               |               |               |               |               |
|---|---------------|---------------|---------------|---------------|---------------|
|   | 2010          | 2015          | 2020          | 2025          | 2030          |
| People aged 65-74 with a limiting long-term illness   | 9,274         | 10,623        | 10,972        | 10,841        | 11,755        |
| People aged 75-84 with a limiting long-term illness   | 7,722         | 8,329         | 9,212         | 10,811        | 11,253        |
| People aged 85 and over with a limiting long-term illness                                   | 3,135         | 3,507         | 4,092         | 4,942         | 5,952         |
| <b>Total population aged 65 and over with a limiting long-term illness</b>                  | <b>20,132</b> | <b>22,460</b> | <b>24,276</b> | <b>26,595</b> | <b>28,960</b> |

| <b>People aged 65 and over predicted to have dementia, by age projected to 2030</b> |      |      |      |      |      |
|---|------|------|------|------|------|
|   | 2010 | 2015 | 2020 | 2025 | 2030 |
| People aged 65-69 predicted to have dementia  | 142  | 171  | 151  | 165  | 178  |
| People aged 70-74 predicted to have dementia  | 266  | 289  | 349  | 312  | 343  |
| People aged 75-79 predicted to have dementia  | 471  | 512  | 557  | 681  | 617  |

|   |              |              |              |              |              |
|---|--------------|--------------|--------------|--------------|--------------|
| People aged 80-84 predicted to have dementia                        | 700          | 768          | 865          | 952          | 1,180        |
| People aged 85-89 predicted to have dementia                        | 794          | 806          | 922          | 1,078        | 1,250        |
| People aged 90 and over predicted to have dementia                  | 631          | 779          | 896          | 1,161        | 1,487        |
| <b>Total population aged 65 and over predicted to have dementia</b> | <b>3,004</b> | <b>3,324</b> | <b>3,739</b> | <b>4,349</b> | <b>5,056</b> |

With the growth in numbers of both older people and older people with support needs this is set to put a pressure on services as the following tables illustrate;

### Self-care

| <b>People aged 65 and over unable to manage at least one self-care activity on their own, by age, projected to 2030. Activities include: bathe, shower or wash all over, dress and undress, wash their face and hands, feed, cut their toenails, take medicines</b> |               |               |               |               |               |
|---|---------------|---------------|---------------|---------------|---------------|
|   | 2010          | 2015          | 2020          | 2025          | 2030          |
| <b>Total population aged 65 and over unable to manage at least one self-care activity on their own</b>  | <b>14,095</b> | <b>15,576</b> | <b>17,076</b> | <b>19,083</b> | <b>21,331</b> |

### Domestic tasks

| <b>People aged 65 and over unable to manage at least one domestic task on their own, by age, projected to 2030. Tasks include: household shopping, wash and dry dishes, clean windows inside, jobs involving climbing, use a vacuum cleaner to clean floors, wash clothing by hand, open screw tops, deal with personal affairs, do practical activities</b> |               |               |               |               |               |
|--|---------------|---------------|---------------|---------------|---------------|
|  | 2010          | 2015          | 2020          | 2025          | 2030          |
| <b>Total population aged 65 and over unable to manage at least one domestic task on their own</b>  | <b>17,172</b> | <b>18,980</b> | <b>20,881</b> | <b>23,340</b> | <b>26,053</b> |

The next 20 years is also set to see an increase in older people who are expected to act as carers:

| <b>People aged 65 and over providing unpaid care to a partner, family member or other person, by age, projected to 2030</b> |              |              |              |              |              |
|---|--------------|--------------|--------------|--------------|--------------|
|   | 2010         | 2015         | 2020         | 2025         | 2030         |
| People aged 65-74 providing unpaid care to a partner, family member or other person   | 3,002        | 3,439        | 3,551        | 3,509        | 3,805        |
| People aged 75-84 providing unpaid care to a partner, family member or other person   | 1,343        | 1,449        | 1,602        | 1,881        | 1,957        |
| People aged 85 and over providing unpaid care to a partner, family member or other person                                   | 237          | 265          | 309          | 373          | 449          |
| <b>Total population aged 65 and over providing unpaid care to a partner, family member or other person</b>                  | <b>4,582</b> | <b>5,152</b> | <b>5,463</b> | <b>5,763</b> | <b>6,212</b> |

As well as growth in older people there is also a predicted rise in the 18-64 age range;

| <b>Population aged 18-64, projected to 2030</b> |                |                |                |                |                |
|---|----------------|----------------|----------------|----------------|----------------|
|   | 2010           | 2015           | 2020           | 2025           | 2030           |
| People aged 18-24                               | 40,000         | 39,500         | 36,800         | 37,200         | 41,000         |
| People aged 25-34                               | 36,000         | 43,800         | 46,200         | 44,700         | 43,100         |
| People aged 35-44                               | 32,600         | 28,600         | 31,600         | 37,500         | 39,500         |
| People aged 45-54                               | 32,200         | 32,900         | 30,000         | 26,400         | 28,800         |
| People aged 55-64                               | 28,400         | 27,900         | 30,000         | 30,900         | 28,500         |
| <b>Total population aged 18-64</b>              | <b>169,200</b> | <b>172,700</b> | <b>174,600</b> | <b>176,700</b> | <b>180,900</b> |



**Moderate or serious physical disability**

| <b>People aged 18-64 predicted to have a moderate or serious physical disability, projected to 2030</b> |        |        |        |        |        |
|---|--------|--------|--------|--------|--------|
|   | 2010   | 2015   | 2020   | 2025   | 2030   |
| Total population aged 18-64 predicted to have a moderate physical disability                            | 12,333 | 12,409 | 12,599 | 12,667 | 12,743 |
| Total population aged 18-64 predicted to have a serious physical disability                             | 3,535  | 3,484  | 3,566  | 3,619  | 3,603  |

**Mental health problem**

| <b>People aged 18-64 predicted to have a mental health problem, projected to 2030</b> |        |        |        |        |        |
|---|--------|--------|--------|--------|--------|
|   | 2010   | 2015   | 2020   | 2025   | 2030   |
| People aged 18-64 predicted to have a common mental disorder                          | 27,195 | 27,791 | 28,114 | 28,510 | 29,127 |
| People aged 18-64 predicted to have a borderline personality disorder                 | 760    | 777    | 786    | 798    | 815    |
| People aged 18-64 predicted to have an antisocial personality disorder                | 593    | 603    | 608    | 614    | 629    |
| People aged 18-64 predicted to have psychotic disorder                                | 676    | 691    | 699    | 709    | 724    |
| People aged 18-64 predicted to have two or more psychiatric disorders                 | 12,167 | 12,422 | 12,560 | 12,728 | 13,007 |

**Autistic spectrum disorders**

| <b>People aged 18-64 predicted to have autistic spectrum disorders projected to 2030</b> |       |       |       |       |       |
|--|-------|-------|-------|-------|-------|
|  | 2010  | 2015  | 2020  | 2025  | 2030  |
| Total population aged 18-64 predicted to have autistic spectrum disorders                | 1,693 | 1,721 | 1,736 | 1,753 | 1,795 |

**LD - Moderate or severe**

| <b>People aged 18-64 predicted to have a moderate or severe learning disability</b>    |      |      |      |       |       |
|--|------|------|------|-------|-------|
|  | 2010 | 2015 | 2020 | 2025  | 2030  |
| Total population aged 18-64 predicted to have a moderate or severe learning disability | 932  | 956  | 976  | 1,006 | 1,048 |

(All projections have been taken from Projecting Older People Population Information System [www.poppi.org.uk](http://www.poppi.org.uk) or Projecting Adult Needs and Service Information System [www.pansi.org.uk](http://www.pansi.org.uk) )

### 3. Current and Future Expectations

Feed back provided by Plymouth LINK over the last 12 months identified the issues and priorities which were important to the users of services. The majority of feedback raised concerns about the quality of provision, accessibility and information on services. Feedback included;

- The need for a reduction in the waiting time for assessments and follow up
- The timing of domiciliary care provision was not always flexible enough
- A lack of knowledge amongst the BME community of the services offered by Adult Social Care and a reluctance to ask for help from the local authority.

In addition to feedback from Plymouth LINK the Local Authority has also embarked on a series of Appreciative Inquiry Events which brings together services users, carers, service providers, Plymouth City Council Care Management and Commissioning and NHS Plymouth. These have considered areas of service delivery including: direct payments, self-directed support and young people in transition from Children's services to Adult Social Care. These events raised awareness and gathered positive feedback on what services work and how to improve them. Key issues that people identified for the future included:

- Changes to the Assessment Process
- The service to be based around the client
- More freedom to purchase services they wanted

As part of the development of the Plymouth Carers Strategy, consultation with a broad spectrum of carers and staff from both statutory and non statutory agencies identified the following priorities:

- Single point of contact into the service
- Recognise the value and needs of Carers
- Review of Carers assessment process
- Increase availability of Respite
- More Advocacy

As part of the development of the All Our Futures Strategy for the over 50's, the views of more than 3000 people aged over 50 were collated in a number of surveys and consultations. Some key themes included:

- The need for more information about services and opportunities and single points of access
- Transport systems that promote independence
- Recognise and value the role of carers
- Varied choice of housing and related support
- Work with employers to engage them in achieving active ageing goals
- Secure safer and better living environment
- Issues of affordability and financial planning into older age

A common theme running through all feedback is that people are now expecting better services and more choice, about the services they receive. This latter point is reflected in the increase in personalised care. Currently over 650 people receive direct payments and 390 clients requested personal budgets during 2009 -10 up from zero in 2008-9. In summary therefore, there is set to be an increased demand for services and those services will need to be more personalised and shaped round the needs and expectations of users.

#### **4. Overview of Current Supply**

Adult Social Care and Supporting People have recently structured Commissioning Activities around a category management approach. Below is a high level overview of the present supply base segmented into the 6 category management groups.

| Category                     | Type of service              | Client group                       | Number of providers (block) | Number of services/schemes (block) | Number of units available per week (block) | Number of hours available per week (block) | CQC ratings               | Number of providers (spot or framework provider) | Type of provider |                         |         |
|------------------------------|------------------------------|------------------------------------|-----------------------------|------------------------------------|--|--|---------------------------|--|------------------|-------------------------|---------|
|                              |                              |                                    |                             |                                    |  |  |                           |  | Local Authority  | Voluntary and community | Private |
| Day care                     | Day care                     | Older people                       | 2                           |                                    | 359  |  |                           | 1  | 0                | 1                       | 2       |
|                              | Day care                     | Younger physically disabled people | 2                           |                                    | 225  |  |                           | 3  | 1                | 2                       | 2       |
|                              | Day care                     | Learning disability                | 6                           |                                    | 630  |  |                           | 2  | 2                | 4                       | 2       |
|                              | Day care                     | Substance misuse                   | 1                           |                                    |  |  |                           | 1  |                  | 1                       |         |
| Domiciliary care             | Domiciliary care             |                                    | 5                           |                                    |  | 10163                                      | 2<br>Excellent,<br>3 Good |  | 1                |                         | 4       |
| Housing and Supported Living | Housing and Supported Living | Learning disability                |                             | 1                                  |  |  |                           | 12   | 0                | 5                       | 7       |
|                              | Housing and Supported Living | Mental health                      | 3                           | 3                                  |  |  |                           |  |                  | 3                       |         |
|                              | Housing and Supported Living | Offenders                          | 1                           | 1                                  |  |  |                           |  |                  | 1                       |         |
|                              | Housing and Supported Living | Older people                       | 12                          | 16                                 |  |  |                           |  |                  | 12                      |         |
|                              | Housing and Supported Living | Rough sleepers/single homeless     | 6                           | 7                                  |  |  |                           |  | 1                | 5                       |         |
|                              | Housing and Supported Living | Substance misuse                   | 1                           | 1                                  | 21   |  |                           |  |                  | 1                       |         |
|                              | Housing and Supported Living | Teenage parents/young people       | 2                           | 3                                  |  |  |                           |  |                  |                         | 2       |

| Category                      | Type of service               | Client group                    | Number of providers (block) | Number of services/schemes (block) | Number of units available per week (block) | Number of hours available per week (block) | CQC ratings | Number of providers (spot or framework provider) | Type of Provider |                         |         |
|-------------------------------|-------------------------------|---------------------------------|-----------------------------|------------------------------------|--|--|-------------|--|------------------|-------------------------|---------|
|                               |                               |                                 |                             |                                    |  |  |             |  | Local Authority  | Voluntary and community | Private |
| Enabling and Floating Support | Enabling and Floating Support | Older people                    | 7                           | 7                                  |  |  |             |  | 4                |                         | 3       |
|                               | Enabling and Floating Support | Mental health                   | 5                           | 5                                  |  |  |             |  | 5                |                         |         |
|                               | Enabling and Floating Support | Rough sleepers/single homeless  | 1                           | 1                                  |  |  |             |  | 1                |                         |         |
|                               | Enabling and Floating Support | Homeless Families               | 2                           | 2                                  |  |  |             |  | 1                |                         |         |
|                               | Enabling and Floating Support | Substance misuse                | 1                           | 2                                  |  |  |             |  | 1                |                         |         |
|                               | Enabling and Floating Support | Young people                    | 1                           | 2                                  |  |  |             |  | 1                |                         |         |
|                               | Enabling and Floating Support | Domestic Violence               | 1                           | 1                                  |  |  |             |  | 1                |                         |         |
|                               | Enabling and Floating Support | Generic/Universal               | 2                           | 2                                  |  |  |             | 4  | 2                |                         | 2       |
|                               | Enabling and Floating Support | Learning Disability             | 4                           | 4                                  |  |  |             |  | 4                |                         |         |
|                               | Enabling and Floating Support | Long Term Conditions            | 2                           | 2                                  |  |  |             |  | 2                |                         |         |
|                               | Enabling and Floating Support | Offenders                       | 2                           | 3                                  |  |  |             |  | 2                |                         |         |
|                               | Enabling and Floating Support | Physical & Sensory Disabilities | 2                           | 2                                  |  |  |             |  | 2                |                         |         |
|                               | Enabling and Floating Support | Refugees                        | 1                           | 1                                  |  |  |             |  | 1                |                         |         |
|                               | Enabling and Floating Support | Other                           | 4                           | 4                                  |  |  |             |  | 1                |                         | 3       |
| Universal                     | Advocacy                      |                                 | 7                           |                                    |  |  |             |  | 5                |                         |         |
|                               | Information and Advice        |                                 | 6                           |                                    |  |  |             |  | 4                |                         |         |
| Residential Care              | Residential Care Homes        |                                 | 105                         |                                    |  |  |             |  | 8                |                         | 77      |
|                               | Nursing Care Homes            |                                 | 24                          |                                    |  |  |             |  | 0                |                         | 19      |

### **Enabling Category**

#### **Organisation Structures/Set –Up**

The category currently contains **31** different external providers.

Of these **31** providers:

- **15** (or 48.4%) are listed as registered charities.
- **3** (or 9.7%) are non-limited companies/unincorporated associations.
- **28** (or 90.3%) are registered with Companies House, with
- **7** of these (22.6% of category) being 'limited with shares';
- **21** (67.7% of category) being either 'limited by guarantee' or registered as 'Industrial and Provident Societies' ('Not for Profit' organisations).

### **Housing/Supported Living Category**

#### **Organisation Structures/Set -Up**

The category currently contains **29** different external providers.

Of these **29** providers:

- **9** (or 31.0%) are listed as registered charities.
- **2** (or 6.9%) are non-limited companies/unincorporated associations.
- **27** (or 93.1%) are registered with Companies House, with
  - **7** of these (24.1% of category) being 'limited with shares';
  - **20** (69.0% of category) being either 'limited by guarantee' or registered as 'Industrial and Provident Societies' ('Not for Profit' organisations).

### **Universal Category**

#### **Organisation Structures/Set -Up**

The category currently contains **14** different external providers.

Of these **14** providers:

- **9** (or 64.3%) are listed as registered charities.
- **1** (or 7.1%) are non-limited companies/unincorporated associations.
- **13** (or 92.9%) are registered with Companies House, with
  - **2** of these (14.3% of category) being 'limited with shares';
  - **9** (64.3% of category) being either 'limited by guarantee' or registered as 'Industrial and Provident Societies' ('Not for Profit' organisations).
  - **2** (14.3% of category) organisations are specifically registered as 'Community Interest Companies'.



## 5. Quality of Existing Service Provision

In terms of regulated services, Capturing Regulatory Information at a Local Level (CRILL) data tells us the quality of the service provision is generally good. The last set of CRILL data (Sept 10) highlighted the percentage of residents in good or excellent homes was 87.4% compared to an England average of 88.2%. In order to improve quality in this area Plymouth are also presently rolling out the Dementia Quality Mark which aims to set and drive up standards for care homes. In terms of Domiciliary Care 96.3% users were with providers who were rated as good or excellent compared to an England average of 93.6%.

In terms of non regulated services there are a number of quality standards and measures in place. All Adult Social Care contracts have quality of service provision built into them. Adult Social Care undertakes contract monitoring for all of its commissioned services. Part of this contract management process includes a quality review which includes seeking feedback from people using services, stakeholders and staff, as well as looking through policies and service files. Where appropriate quality action plans are devised in conjunction with the provider for continuous improvement and these are monitored through regular liaison.

A number of sectors have their own industry standards. For example All Adult Social Care/Supporting People commissioned contracts are required to meet a minimum standard as set out in the Quality Assessment Framework (QAF). A number of service providers also meet quality standards set by national bodies. These include:

- Handy Persons Charter
- Telecare Services Association
- Abbeyfield Standard
- Foyer Federation Standard
- The Advocacy Quality Mark

Plymouth City Council awards a Confidence Mark to existing suppliers of Adult Social Care services who have passed preliminary checks to confirm basic policies and procedures have been implemented. The award of the mark is published online via the Plymouth Online Directory and is the first part of the full accreditation process.

Full accreditation status is awarded to current and potential providers that have also passed a desk top exercise that evidences the implementation of robust policies and procedures and a proven track record.

The Council has recently also commissioned a user led organisation to audit the quality of services available for people with learning disabilities in Plymouth.

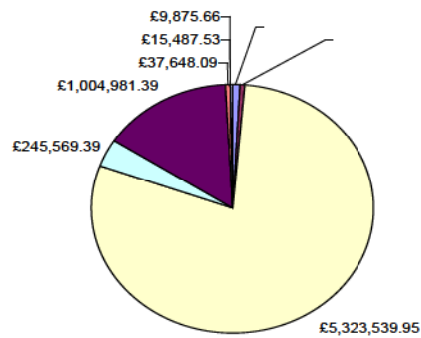


**6. Existing Patterns of Funding**

| Category                        | Estimated Annual Category Spend |
|---------------------------------|---------------------------------|
| Residential Care                | £39,000,000                     |
| Day Care                        | £3,700,000                      |
| Domiciliary Care and Extra Care | £12,400,000                     |
| Enabling and Floating Support   | £6,700,000                      |
| Housing and Supported Living    | £4,100,000                      |
| Universal Services              | £1,400,000                      |

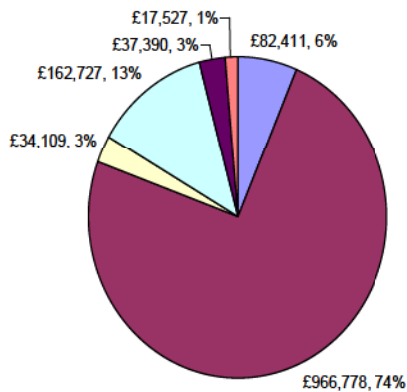
**6.1 Detailed Breakdown by Category**

**FY2011/2012 Domiciliary Care Spend**



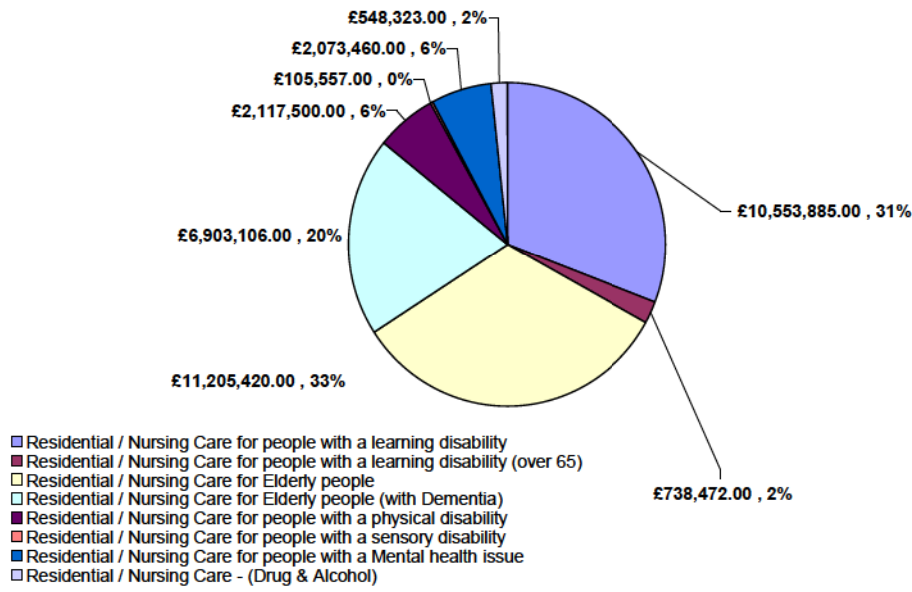
- |  |  |
|--|--|
| ■ Domiciliary Care for people with a learning disability | ■ Domiciliary Care for people with a learning disability (over 65) |
| ■ Domiciliary Care for Elderly people                    | ■ Domiciliary Care for Elderly people (with Dementia)              |
| ■ Domiciliary Care for people with a physical disability | ■ Domiciliary Care for people with a sensory disability            |
| ■ Domiciliary Care for people with a Mental health issue | ■ Domiciliary Care - (Drug & Alcohol)                              |

**FY2011/2012 Extra Care Spend**

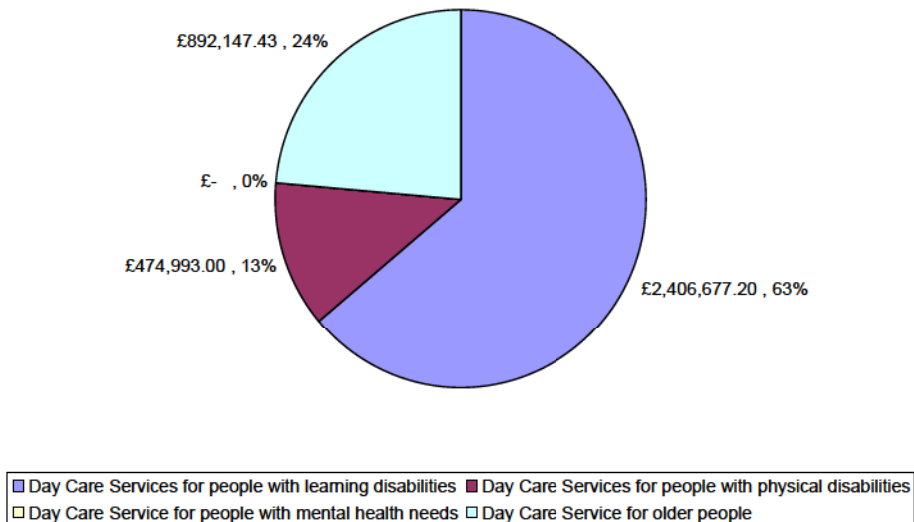


- |  |  |
|--|--|
| ■ Extra Care for people with a learning disability | ■ Extra Care for Elderly people                    |
| ■ Extra Care for Elderly people (with Dementia)    | ■ Extra Care for people with a physical disability |
| ■ Extra Care for people with a sensory disability  | ■ Extra Care for people with a Mental health issue |

**FY2011/2012 Residential / Nursing Care Spend**



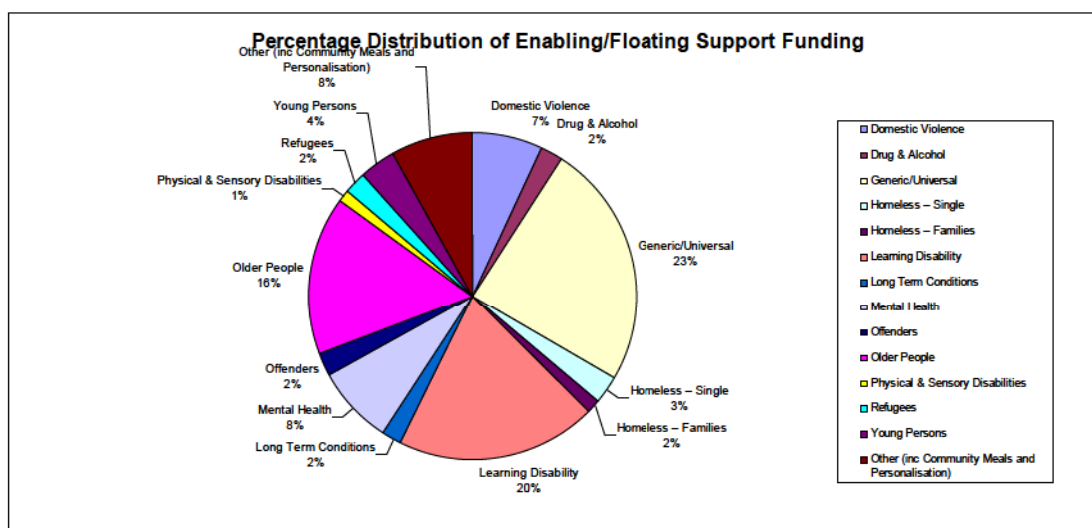
**FY2011/2012 Daycare Spend**



**Enabling Category**

**As of 28/04/11:**

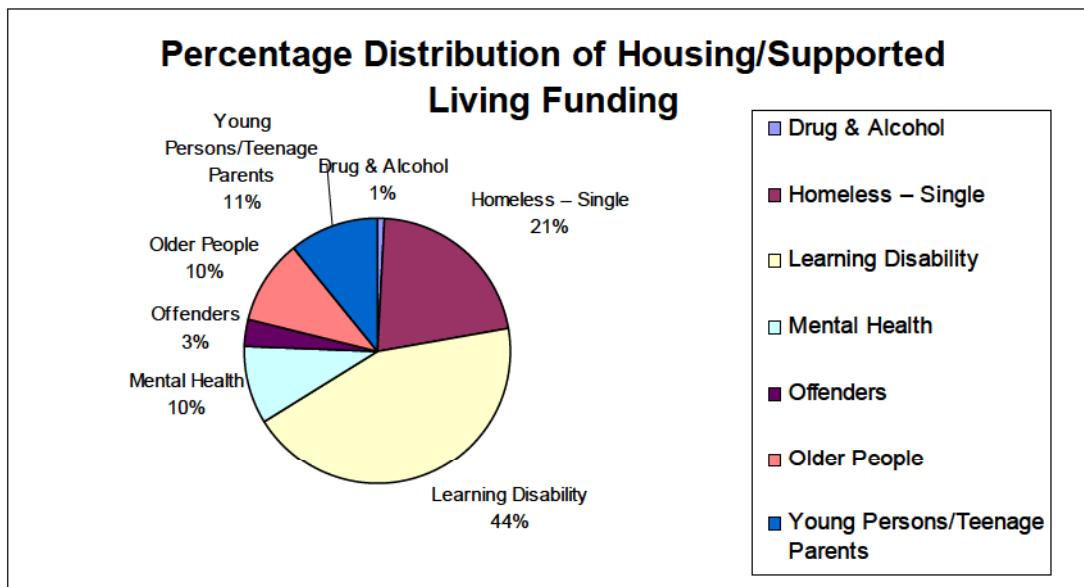
| Client Group Supported:                         | Annual Contracted Value |
|---|-------------------------|
| Domestic Violence                               | £474,389                |
| Drug & Alcohol                                  | £148,228                |
| Generic/Universal                               | £1,609,775              |
| Homeless – Single                               | £187,155                |
| Homeless – Families                             | £102,869                |
| Learning Disability                             | £1,308,575              |
| Long Term Conditions                            | £141,260                |
| Mental Health                                   | £522,203                |
| Offenders                                       | £143,105                |
| Older People                                    | £1,058,949              |
| Physical & Sensory Disabilities                 | £70,000                 |
| Refugees  | £146,826                |
| Young People                                    | £253,635                |
| Other (inc Community Meals and Personalisation) | £536,596                |
|   | £6,703,565              |



**Housing/Supported Living Category**

**As of 28/04/11:**

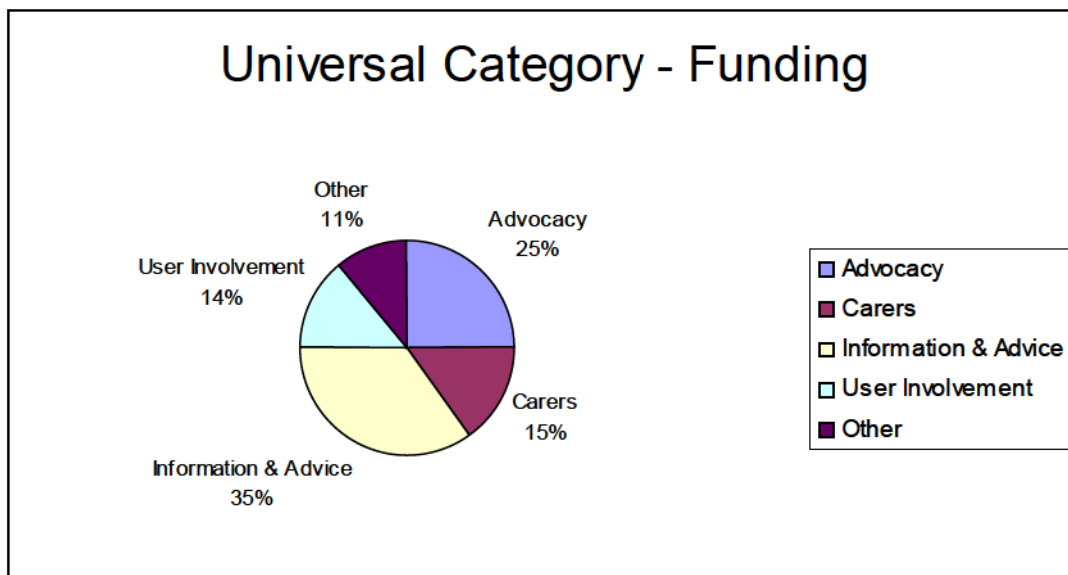
| Client Group Supported:      | Annual Contracted Value |                         |
|------------------------------|-------------------------|-------------------------|
| Drug & Alcohol               | £60,518.00              |                         |
| Homeless – Single            | £1,577,373.84           |                         |
| Learning Disability          | £3,245,726.20           | *Forecasted (not block) |
| Mental Health                | £709,735.58             |                         |
| Offenders                    | £244,920.12             |                         |
| Older People                 | £758,674.06             |                         |
| Young People/Teenage Parents | £795,262.56             |                         |
|                              | <b>£7,392,210.36</b>    |                         |



**Universal Category**

**As of 28/04/11:**

| Contract Type:                  | Annual Contracted Value |
|---------------------------------|-------------------------|
| <b>Advocacy</b>                 | £340,692.79             |
| <b>Carers</b>                   | £202,622.50             |
| <b>Information &amp; Advice</b> | £475,004.01             |
| <b>User Involvement</b>         | £190,000.00             |
| <b>Other</b>                    | £150,274                |
|                                 | <b>£1,358,593</b>       |



## **7. Analysis of existing market position**

### **Day Services**

Our existing day service provision is largely based around traditional building based provision, with elements delivered within the community on an outreach basis. The majority of day services are provided by the voluntary sector, with a number of centres managed by Plymouth City Council. Services are contracted through block arrangements and have not been market tested for a number of years. Recent developments have started to try and change this profile with the commissioning of Lifestyle and Enabling services, which aim to connect people with their local community and encourage the use of mainstream sports, leisure and volunteering opportunities. It is however recognised that such provision still does not represent a significant alternative to building based provision. Employment is still seen as a separate pathway with the Local Authority commissioning a separate Employment Support Service to increase the number of people with disabilities in paid work. The sector has no defined or recognised quality standards

### **Domiciliary Care**

Domiciliary care is provided in the person's home and in Plymouth care is provided for people in critical and substantial need within the Fair Access To Care Criteria. Tasks include assisting a person to deal with personal care, help to manage personal hygiene, meal preparation, monitoring medication and help to get dressed and out of bed in the morning. Over the past few years' local authorities have moved away from purchasing lower level preventative services such as cleaning which is purchased privately by the individual and increasingly the independent sector supports people with complex social care needs. As a result the independent care sector has developed the workforce to a more professional standard with specialised training and career progression. Plymouth City Council purchases approximately 90% of its home care services from the independent sector.

A competitive tender process was carried out in 2008 and benefited Adult Social Care through efficiency gains and further improving the quality of provision across the sector. Four block contracts were let to independent sector domiciliary care agencies and were extended to run concurrently until March 2012.

There are a number of spot suppliers which are utilised when there is demand capacity issues. Overall this creates a level of choice in the market place however it also carries with it issues around managing quality, setting fee levels and making information for users transparent and available. Direct Payments have also grown in this area with the majority of providers now having at least some clients.

There has also been a growth in Personal Assistants however these still represent only a minority of provision. The Local Authority still has an in house domiciliary care provision although this is being remodelled to become a reablement service.

There will be a need for more flexible domiciliary care provision which is linked to personal outcomes rather than a time and task approach and an expectation that agency based personal assistants will act as an alternative choice to employing their own staff through a direct payment.



In respect of dementia care we will expect to see care and support mainstreamed across all of the supplier market with specialist input from Community Memory Service where required. This will be an area of growth for the sector.

### **Universal Services**

At present we have a universal market consisting of block contracted services which provide information, advice, counselling and advocacy. These are all available for members of the public to access irrespective of their Fair Access to Care (FACs) eligibility, although the majority are focused around client groups. Information and advice is provided face to face, telephone based and web-based. As such there are a number of services and information sources which has lead to duplication and controlling the quality and accuracy of information remains a challenge. Face to face information and advice services are available both centrally and in a number of localities, although there are still a number of localities that have little or no information and advice services. A range of web based tools have been developed, such as the POD, Buy with Confidence, Open to All (accessible website for people with learning disabilities), Ask SARA and Disabled Go which are able to guide and advise potential service users. Telecare is universally available and can be purchased via a direct payment or by self funders. Brokerage type services such as Care Navigation are also available to people with care needs who are not FACs eligible or who are self funders. There is a range of advocacy provision which is presently structured around client groups.

In terms of Social Capital there are a number of providers who currently work with volunteers, however, services that support people to volunteer are limited. There are however a number of good innovative schemes operating including a citizen advocacy service that recruits volunteer advocates for people with profound and multiple learning disabilities, which has the potential to be replicated across other vulnerable groups. The recent investment in small community groups through a small grants process has led to the development of a number of projects which are now working directly with vulnerable adults. These projects have seen successful outcomes on a small amount of investment and appear to be an area where further development would be of benefit. A small time bank system (fairly localised at present) is operational in the city and there is potential to develop and increase this provision to achieve a city-wide approach in partnership with the voluntary and community sector.

### **Enabling**

There is cross over between the category definitions but 'enabling' services broadly support people to maintain their own accommodation and lead full and independent lives. This can be by supporting people to become more confident in managing tasks and more involved in the wider community. Services can be short term in order to help somebody get back on track, or can be longer term to support somebody with an ongoing support or care need.

Although there are a range of different service models in the enabling category (e.g. community meals, community equipment services, volunteer befriending, care and repair, hospital discharge, brokerage support, drop-in, telecare) the block contracted service models commissioned are predominantly one to one floating support models. The local provider market in this category is well developed with approximately 33 providers delivering this kind of support.

Often the housing related support block contracted enabling services are client group specific e.g. mental health, offenders, older people, substance misuse, physical and sensory disability. This means that there are a number of different services providing the same kind of support in Plymouth to different people. The scope for creating efficiencies by joining up some of these

contracts is something that we are keen to explore. The hourly rates are not standardised and there is a real opportunity to drive out efficiencies through benchmarking. Block contracts are subject to standard contract and quality monitoring processes. If they do not meet minimum standards an action plan is created.

At the moment block contracts support people who need 'early intervention and prevention' type support as well as people who are FACS eligible and require 'choice and control' services. National policy requires that people's FACS eligible care and support needs are met increasingly through direct payments. This means that any 'enabling' block contracts are likely to focus on providing 'early intervention and prevention' support for people who are not FACS eligible.

The provider market delivering enabling support through personal budgets in Plymouth is less well established than block contract providers and this will require a response to ensure a choice of quality providers from which individuals can purchase their care and support.

As we look to provide alternatives to residential care and inpatient facilities in the community this kind of support will be crucial. It is likely that this shift in focus will create a greater demand for enabling services going forward. A provider accreditation system is in place and this has the potential to be developed into a clear mechanism for ensuring quality and value for money from enabling support providers purchased individually through direct payments. Apart from care management there is no formal mechanism for monitoring quality for enabling services purchased individually unless they are purchased through a Framework Agreement with a set specification and quality standards. This has happened in the Learning Disability sector and has the potential to be rolled out across wider care and support services.

Areas of the market that are presently underdeveloped are equipment and Telecare. A Community Equipment Service is in place and performing well however this area has not been developed in terms of the retail model. There are however a number of potential suppliers who have been accredited by Devon. In terms of Telecare there is a local call centre provider who offers a range of products and we have a response service. However the range of products and responses offered are limited and act as a barrier to future development of both Telecare and Telehealth

A number of floating support contracts have outcome targets around employment, however the only specific employment support service is focused largely around Learning disability. It is a block contract and unlike DWP contracts payment is not focused around payment by outcomes.

## **Residential**

In 2009 Plymouth commissioned Laing and Buisson to undertake a local market, which showed that for older people the market is characterised by a large number of homes. This is despite the fact that the numbers in residential homes falling in recent years as alternatives to residential care have been developed and more people have been supported to remain in their own homes.

Although local authority placements have fallen there is still significant numbers of self funders with one recent research suggesting that an average of 41% of people entering residential care each year self fund. In terms of quality this is generally good with the Dignity in Care forum driving up standards and shaping provision. My Home Life has been commissioned to work with care homes to support personalisation in care planning in order to reduce the one size fits all model of care homes provision. Care homes that are consistently demonstrating poor practice are decommissioned.



Plymouth has moved to a commissioning authority and has decommissioned its in house provision over a number of years – there are 3 local authority care homes remaining with the other 840 beds commissioned in the independent sector.

Overall, taking into account demographic changes, people's aspirations and the strategic direction, we would expect the local residential market to contract across all client groups with the exception of Dementia where new and additional nursing care and residential care provision may be required. In relation to residential care provision for people with learning disabilities we will expect to see less commissioned placements with a growth in partnerships with the housing sector to provide sustainable options and choices for people. This will be similar for residential care for people with functional mental health problems – where we expect to see short term and enabling models of care which supports independent living and recovery outcomes for people.

In relation to self funders the challenge will be to support them earlier in the pathway and to offer alternative and cost effective support so that they are able to remain at home longer - therefore reducing the number of capital threshold referrals.

## **Housing and Supported Living**

These services provide accommodation based support and are either short or long term in duration. Short term services offer either a crisis response or act as part of a pathway to longer term housing. These are funded through Supporting People and are client group specific block contracts i.e. single homeless, mental health, offenders, young people and teenage parents.

Although no single provider dominates, a limited number of providers are delivering from large buildings with high number of units within them i.e 60 beds in one hostel. It is difficult for other providers to move into this market with this model of service provision.

However, this type of block purchasing of services from providers does allow for economies of scale and improves value for money, giving security to providers to establish a viable business. This is important due to the transient nature of the client base and the high throughput levels.

The need for this type of supported housing can be difficult to measure as the 'need' can simply be for the housing and not necessarily for the support provided. So although the need for homelessness services is expected to increase with the current economic climate this may not require greater investment in supported housing but more in preventative services such as housing advice and floating support services.

As well as these Supporting People contracts there are 10 Pathway flats with 3 situated in Sheltered Housing Flats and 7 situated in Extra Care Housing. These help facilitate hospital discharge and can support the reablement pathway.

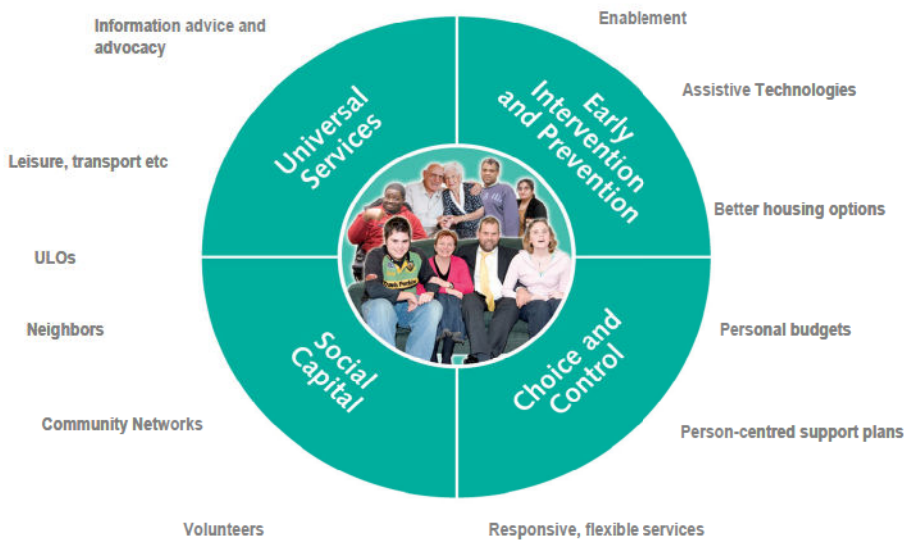
In terms of long term supported housing there is a mixture of block accommodation and spot purchased provision. In terms of Supporting People funded projects this is centred around Sheltered Housing for older people, where there is a mixture of both category one and category two type provision, and a significant number of older people supported only through the provision of a personal alarm. Extra Care Housing has also been developed in recent years and there are now 6 Schemes for older vulnerable people and 1 scheme for people with learning disabilities.

Other than older people the most developed area is accommodation for people with learning disabilities, where a framework has been established where care and support can be purchased from 12 providers. Although accommodation based support for other client groups is not as developed over the last few years a number of projects have been established which are able to be purchased either via a Direct Payment or a Spot contract. As such there is now probably sufficient provision in the market with the main issue being that both quality and price of this provision has not been sufficiently defined by commissioners. An area that is particularly underdeveloped is around Adult Placements or Shared Lives providers for both long and short term placements, as there are presently only 12 placements with the majority of these being for learning disabled clients.

## 8. Vision of Future Care and Support Market

The vision of the future care market in Plymouth is one where we

- Ensure a comprehensive range of **universal** advice and support services for people regardless of whether they fund their own care
- Maximise **Social Capital** by empowering both people and communities to deliver care and support in partnership
- Ensure a much greater focus on **Early Intervention and prevention**, so that people retain and regain independence
- Users and Carers are able to exercise **Choice and Control** with personal budgets preferably as Direct Payments provided to all eligible people



**9. Facilitating the Future Market to achieve the Vision for Care and Support Services**

In order to shape the market to achieve the vision it will be necessary to structure future commissioning activity around the four elements of the Putting People First Agenda. The table below sets out the key characteristics of each element of this vision and our commissioning priorities over the next 12 to 18 months:

| <b>VISION FOR THE FUTURE CARE AND SUPPORT MARKET</b>   | <b>COMMISSIONING ACTIVITY/MARKET FACILITATION PRIORITIES 2011/13</b>   |
|--|--|
| <p><b>Universal</b></p> <ul style="list-style-type: none"> <li>▪ Holistic advice and information provision which is easily accessible and available both centrally and via outreach into localities.</li> <li>▪ Targeted support for self funders who are likely to choose residential care as a cheaper option to a care package at home.</li> <li>▪ Libraries acting as community hubs, fully accessible and inclusive leisure centres supported by community transport</li> <li>▪ Comprehensive high quality advocacy provision</li> <li>▪ An extensive range of accredited services for self funders to purchase to include meals, equipment, domestic/cleaning services, options for care i.e. residential homes, telecare, PAs etc.</li> <li>▪ Extended web based market navigation systems, including prices, ratings, reviews</li> </ul> | <p><b>Universal</b></p> <ul style="list-style-type: none"> <li>▪ Remodel information and advice provision across all client groups to ensure provision is universal, consistent and comprehensive</li> <li>▪ Development of the Plymouth Online Directory to incorporate service user reviews a range of services that can be purchased via online market places</li> <li>▪ Remodel advocacy provision to ensure comprehensive provision across all client groups</li> </ul> |

| <b>VISION FOR THE FUTURE CARE AND SUPPORT MARKET</b>   | <b>COMMISSIONING ACTIVITY/MARKET FACILITATION PRIORITIES 2011/13</b>   |
|--|--|
| <p><b>Choice and Control</b></p> <ul style="list-style-type: none"> <li>▪ Less Building Based Day Services, however with provision to provide carers respite and to meet the needs of those with , dementia and the most complex needs</li> <li>▪ Range of providers offering enabling and lifestyles and facilitating pathways to employment and mainstream services</li> <li>▪ A market where providers are able to respond to the individual needs of people wishing to purchase personal care and enabling support through personal budgets and Direct Payments.</li> <li>▪ High standard of quality provision with clearly defined standards and transparent pricing</li> <li>▪ A range of bespoke long term supported accommodation based provision</li> </ul>   | <p><b>Choice and Control</b></p> <ul style="list-style-type: none"> <li>▪ Develop Framework for day opportunities, specifying unit rates and quality standards</li> <li>▪ Develop the supported living provider market for working age adults</li> <li>▪ Increase the number of Personal Assistants through the development of the PA register and provider managed PAs</li> <li>▪ Develop a Retail Model for Equipment</li> <li>▪ Roll out Dementia Quality Mark for Older Persons Care Home Providers</li> <li>▪ Develop Domiciliary Care Framework specifying unit rates and quality standards</li> <li>▪ Increase the provision of adult placements</li> </ul> |
| <p><b>Early Intervention and Prevention</b></p> <ul style="list-style-type: none"> <li>▪ A range of Telecare and Telehealth options that promote independence and reduce dependency</li> <li>▪ Good quality personalised early intervention and prevention enabling services for people who are not eligible for statutory support.</li> <li>▪ A single approach to supporting older people through enabling, which operates in both Sheltered Housing and across other tenures.</li> <li>▪ A range of move on options to improve throughput of supported housing projects, including the availability of good quality private rented accommodation for vulnerable people with the necessary level of floating support</li> <li>▪ Jointly commissioned projects to reduce inequalities for client groups in terms of housing, health, education and training</li> <li>▪ Pathway flats that facilitate hospital discharge and promotion of independent living and also support older people to return from a residential care setting back into extra care housing.</li> <li>▪ Targeted prevention activity toward the main causes of homelessness, ensuring there is sufficient accommodation and satisfactory support available for those who are or may become homeless</li> </ul> | <p><b>Early Intervention and prevention</b></p> <ul style="list-style-type: none"> <li>▪ Reshape and remodel housing related floating support services</li> <li>▪ Development of Telecare Options and support Services</li> <li>▪ Develop Telehealthcare in partnership with primary and community health care services</li> <li>▪ Encourage social and private landlords to improve access for vulnerable groups</li> <li>▪ Development of rapid response crisis support and reablement services</li> </ul>   |



| VISION FOR THE FUTURE CARE AND SUPPORT MARKET   | COMMISSIONING ACTIVITY/MARKET FACILITATION PRIORITIES 2011/13  |
|---|--|
| <p><b>Social Capital</b></p> <ul style="list-style-type: none"> <li>▪ Social capital schemes such as timebanking developed</li> <li>▪ Increased volunteering opportunities with appropriate support mechanisms</li> <li>▪ Well supported local community groups, user led organisations and voluntary organisations</li> <li>▪ Increased user voice in commissioning and contracting process</li> </ul> | <p><b>Social Capital</b></p> <ul style="list-style-type: none"> <li>▪ Maximise people’s opportunity to contribute through the development of timebanking schemes</li> <li>▪ Stimulate and support small community groups through small grants process</li> <li>▪ Development of community support schemes such as Befriending and Meals</li> <li>▪ Develop opportunities for greater community networking across the localities.</li> <li>▪ Establish HealthWatch as a consumer champion for Health and Social Care</li> <li>▪ Increase user involvement in Quality Assurance</li> </ul> |
| <p><b>Underpinning Activities</b></p> <p>Market Engagement Workshops</p> <p>Quality and Performance Workshops</p> <p>Personalisation Workshops</p> <p>Developing Partnerships</p>   |  |

**PLYMOUTH CITY COUNCIL**

|                        |   |
|------------------------|---|
| <b>Subject:</b>        | Activities and Opportunities for Vulnerable Adults Framework  |
| <b>Committee:</b>      | Cabinet   |
| <b>Date:</b>           | 14 August 2012  |
| <b>Cabinet Member:</b> | Councillor McDonald   |
| <b>CMT Member:</b>     | Carole Burgoyne, Director for People  |
| <b>Author:</b>         | Craig McArdle, Head of Strategic Commissioning  |
| <b>Contact:</b>        | Tel: 01752 307530 Email: <a href="mailto:craig.mcardle@plymouth.gov.uk">craig.mcardle@plymouth.gov.uk</a> |
| <b>Ref:</b>            | Day Opportunities framework   |
| <b>Key Decision:</b>   | Yes   |
| <b>Part:</b>           | Part I  |

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**Purpose of the report:**

This briefing paper summarises the recent tender process for a framework of suppliers to deliver day opportunities to meet the needs of vulnerable adults.

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**Corporate Plan 2012 – 2015:**

Reduce Inequality – by accessing community based services vulnerable adults will be connected to and with their communities so promoting social inclusion

Provide Value for Communities – by selecting the most economically advantageous tender; supporting the use of volunteers; engaging local communities and remodelling provision to be consistent and high quality.

Deliver Growth – by providing opportunities that will help vulnerable adults become work ready.

Raise Aspiration – by ensuring vulnerable adults fulfil their potential.

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

The annual framework is estimated to be in the region of £1.6million per annum.

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

An Equality Impact Assessment has been completed. No adverse impact was identified as a result of this however contract monitoring arrangements will continue to assess any impacts post contract award.



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**Recommendations & Reasons for recommended action:**

To award a framework of approved day opportunity providers for four years; this will be opened up annually to new market entrants and to allow existing providers to update their pricing.

The tender evaluation process has determined that 26 providers have the critical knowledge and experience to provide the service and that considering all evaluation criteria they have offered the 'most economically advantageous tender'.

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

The option of not awarding any contract was considered but disregarded due to the statutory duty to meet assessed need.

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**Background papers:**

Market Position Statement- [www.plymouth.gov.uk/market\\_position\\_statement.pdf](http://www.plymouth.gov.uk/market_position_statement.pdf)

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**Sign off:**

|   |                               |     |               |    |     |              |     |    |     |               |                            |
|---|-------------------------------|-----|---------------|----|-----|--------------|-----|----|-----|---------------|----------------------------|
| Fin   | PeopleF<br>AD1213<br>006 TOCS | Leg | I5157/<br>ALT | HR | N/A | Corp<br>Prop | N/A | IT | N/A | Strat<br>Proc | JK/SPU/<br>CP/284<br>/0712 |
| Originating SMT Member: Pam Marsden, Assistant Director for Joint Commissioning and Adult Social Care |                               |     |               |    |     |              |     |    |     |               |                            |
| Have you consulted the Cabinet Member(s) named on the report? Yes                                     |                               |     |               |    |     |              |     |    |     |               |                            |

## Activities & Opportunities for Vulnerable Adults Framework

Joint commissioning and Adult Social Care



### Background

As part of the national shift in the way that adult social care and support is provided, an increasing number of people are receiving their funding in the form of direct payments and personal budgets, which gives choice and control to those who want it rather than the Local Authority purchasing care services. By March 2013, the intention is that **all** people who are eligible for social care support will be using a direct payment or personal budget to purchase their own care and support to meet their needs.

In response to this agenda Plymouth City Council, Adult Social Care needs to change the way it commissions Day Opportunities for Vulnerable Adults. The intention is that we offer people an extensive range of day opportunities that respond to individual needs and aspirations, promote inclusion, choice and control.

### Overview of the Council's Existing Service Provision

There are a number of existing Day Opportunities in Plymouth for a range of client groups including older people, mental health, physical and sensory disabilities, learning disabilities, dementia and substance misuse. The total number of people currently accessing Day opportunities who are funded by Adult social care is approximately **720**.

The majority of clients are supported in traditional building based day care with relatively little activity presently taking place in the community or on a one to one basis. Although there is a good mix of suppliers, the use of block contracts means that it is difficult for users and carers to exercise choice and control. Presently there are nine main block providers of day opportunities.

### The Tender Process

During the autumn of 2011 Commissioning Officers consulted widely with existing day services service users, and asked the following questions;

- How would you like to spend your time?
- Where would you like to go?
- Who would you like to be with?
- What time of day would you like to be active?

Over 200 clients responded and feedback indicated that the top six day activities they would like to do were;

1; Leisure activities

2; Social activities

3; Sport

4; Developing living skills

5; Arts and crafts

6; Using computers.

The majority of respondents would like services to be in a particular place closely followed by services close to where they live.

Utilising this information revised service specifications were developed for both group and enabling activities and a one stage tender process was ran based on the following elements:

- Tenderer Questionnaire which demonstrates the fitness of the organisation to provide the services –Pass/Fail
- Technical assessment which looked how the provider would deliver the contract worth 100%

## **Tender Outcome**

The new framework is designed to offer vulnerable and disabled adults an extensive range of day opportunities that respond to individual need and aspirations, promote inclusion, choice and control. The framework will cover all client groups (to include older people, mental health, physical and sensory disabilities, long term conditions, learning disabilities, autism, dementia and drug and alcohol).

Within the framework there will be both group activities and one to one enabling opportunities. The framework will set down pre determined quality standards, service specifications and an open and transparent pricing structure. All services and prices submitted by the provider as part of this framework will be published on Plymouth Online Directory.

In total 26 suppliers qualified to be on the framework; 19 Third sector/Social Enterprise providers, 7 private organisations. Between them they will be offering a range of 214 group activities and 64 enabling opportunities for service users to choose from.

Service users will decide which providers from the framework they wish to be supported by to meet their assessed needs and outcomes. Plymouth City Council will then call off the framework on behalf of Service users via their Personal Budgets. Service users who opt to deploy their Personal budgets through Direct Payments will be able to access the list of suppliers on the Council's framework along with details of the services available, in order to enable them to make an informed choice when they or their representative purchase support directly from the market.

Service users accessing the service via a Direct Payment should be offered the same price and service levels as Plymouth City Council commissioned places.

**PLYMOUTH CITY COUNCIL**

**Subject:** Public Health Transition – Position Statement  
**Committee:** Cabinet  
**Date:** 14 August 2012  
**Cabinet Member:** Councillor McDonald  
**CMT Member:** Carole Burgoyne, Director for People  
**Author:** Candice Sainsbury, Senior Policy, Performance and Partnerships Advisor and Kevin Elliston, Associate Director, NHS Public Health.  
**Contact:** Tel: 01752 307387  
Email: candice.sainsbury@plymouth.gov.uk  
**Ref:**  
**Key Decision:** No  
**Part:** I

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**Purpose of the report:**

This position statement aims to inform Cabinet about the status of the transfer arrangements of public health responsibilities to the Local Authority prior to the final report due at Cabinet in December 2012.

Public Health is about improving, promoting and protecting the health of everyone to the highest level possible and is concerned with physical, mental, and social well-being and not merely the absence of disease or infirmity. The transfer of public health responsibilities to the Local Authority signifies the step change required to improve and protect Plymouth's health and wellbeing, and to improve the health of the poorest fastest. This will enable the development of a comprehensive and sustainable public health system that can effectively tackle significant health inequalities across the city, including reducing the gap in life expectancy, tackling child poverty and reducing the premature mortality rates in men. Such improvements contribute to the delivery of the city's vision.

Key points outlined in this paper are as follows:

- i. Responsibility for key public health functions will transfer from the National Health Service (NHS) to local authorities on 1 April 2013.
  - ii. A local joint transition plan is in place with key workstreams including Future Public Health Model, Commissioning and Finance, Human Resources, Communications, Risk Management, Intelligence, Core Offer, Health Improvement Team, and Emergency Planning.
  - iii. Key milestones include identification of NHS Public Health staff to transfer to Local Authority (December 2012) and the final funding formula (December 2012).
-

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

The formal transfer of key public health responsibilities to the Local Authority is expected to contribute significantly to addressing long term outcome measures to reduce health inequalities. These include reducing the gap in life expectancy, tackling child poverty and reducing the premature mortality rates in men. This will be achieved in line with the development and delivery of the upcoming Health and Wellbeing Strategy as part of the overall Plymouth Plan.

The public health transition is also expected to impact on the other priorities by shaping and controlling local services which influence wider determinants of health for example transport, economic development, housing, culture and leisure, education, environment and public protection.

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

The final funding formula for public health is now not expected to be released until December 2012. The financial due diligence of the NHS Public Health transfer centres around the formal returns completed by the PCT which sets out the budgets and resources allocated to NHS Public Health locally in Plymouth. These formal returns will feed the resource allocations and the spending review by government departments.

Finance officers from PCC, NHS Public Health and the PCT (commissioner) have already worked on the 2010/11 baseline assessment which set out the spending for NHS Public Health. PCT colleagues are currently working on the latest baseline for 2012/13.

The PCT are currently in the process of also providing more comprehensive financial data for PCC to analyse in the context at building a shadow budget for a transferred public health service.

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

1. A local Equality Impact Assessment is currently being undertaken.
2. The new [public health outcomes framework](#) identifies two high-level outcomes to be achieved across the public health system as follows:
  - increased healthy life expectancy
  - reduced differences in life expectancy and healthy life expectancy between communities

These outcomes reflect a focus not only on how long people live but on how well they live at all stages of life. The second outcome focuses attention on reducing health inequalities between people, communities and areas. Both are essential to enable the city to effectively address areas of inequality, and in particular health inequalities. This has immediate cross overs with the child poverty agenda.

In general, there are significant opportunities to positively impact health inequalities through close alignment with delivery of the public health outcomes as integrated within the upcoming Health and Wellbeing Strategy.

3. A joint risk management register is being developed to identify the key areas of risk to be managed within and beyond the transition period. Significant risks identified continue to centre primarily on the final funding formula and implications of the final staff transfer arrangements.
-

**Recommendations & Reasons for recommended action:**

Recommendation for cabinet to note the report.

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

N/A

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**Background papers:**

N/A

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**Sign off:**

|   |                         |     |               |          |  |              |  |    |  |               |  |
|---|-------------------------|-----|---------------|----------|--|--------------|--|----|--|---------------|--|
| Fin   | DJN<br>121<br>3.00<br>5 | Leg | 15314/<br>DVS | HR<br>BS |  | Corp<br>Prop |  | IT |  | Strat<br>Proc |  |
| Originating SMT Member: Giles Perritt                             |                         |     |               |          |  |              |  |    |  |               |  |
| Have you consulted the Cabinet Member(s) named on the report? Yes |                         |     |               |          |  |              |  |    |  |               |  |

## I. BACKGROUND

1.1 The Health and Social Care Act 2012 transfers the responsibility for some key public health functions from the National Health Service (NHS) to local authorities on 1 April 2013 (please see Appendix I for a full list of the transferring responsibilities). These focus on:

- promoting the health of the local population,
- ensuring robust plans are in place to protect the health of the local population, and
- providing advice to NHS Commissioners.

1.2 The new executive agency 'Public Health England', which brings together the Health Protection Agency, National Treatment Agency and others, will take a national role in protecting the nation's health, provide leadership and guidance, and support development of a public health workforce.

1.3 The NHS will continue to have a role on improving the public's health at a national level through the NHS Commissioning Board responsibilities, and locally by working jointly with local authorities to focus the impact of services they commission and by making 'every contact count'.

1.4 Local authorities are considered to be in a strong position to take on new public health functions because they have a population focus (lead on the Joint Strategic Needs Assessment and Health and Wellbeing Board), shape and control local services which influence wider determinants of health (e.g. transport, housing, culture and leisure, education, environment, public protection), and are locally accountable.

1.5 Locally this move presents a real opportunity to create a comprehensive and sustainable public health system that builds on the existing links and synergies between NHS Plymouth and Plymouth City Council's work to improve the health of local communities. This opportunity must be embedded within the upcoming Health and Wellbeing Strategy if real improvements to reduce health inequalities are to be made. The transition of public health functions can assist this by putting health at the heart of the Plymouth City Council's policies and decisions, by building on its experience of engaging local communities, and by commissioning evidence based services.

1.6 Plymouth City Council will be allocated a ring fenced grant to help deliver against these new responsibilities, and will plan and deliver public health services against the Public Health Outcomes Framework. The ultimate aim of this Outcomes Framework is to improve and protect the nation's health and wellbeing, and improve the health of the poorest fastest by:

- Improving the wider determinants of health
- Health improvement
- Health protection
- Healthcare public health and preventing premature mortality

1.7 A Joint Transition Management Steering Group led by Deb Laphorne, Joint Director of Public Health and Carole Burgoyne, Director for People, Plymouth City Council (PCC) has been established to oversee the Transition Planning governance arrangements at local level. The local transition process is being overseen by the Cluster Transition Board.

1.8 A local transition plan has been developed and agreed with clear milestones to facilitate the transition to the new public health system and aims to be flexible enough to embrace guidance as and when it is released. Delivery of this plan is through a joint project team representing the NHS Public Health and Plymouth City Council.

1.9 A final report to Cabinet, outlined in the Forward Plan for December 2012, will confirm the transfer arrangements of public health responsibilities to the Local Authority.

## **2. TRANSITION WORK STREAMS**

### **2.1 Future Public Health Model**

2.1.1 A key question for the future of Public Health delivery is how it is integrated and mainstreamed into everyday Local Authority business. Guidance from the Local Government Association and the Department of Health suggests there are three broad categories for future public health delivery

- a distinct public health directorate in the local authority (often including additional local authority functions)
- a section of another directorate-generally the directorate with responsibility for adult social care or a chief executive/corporate directorate
- a “distributed” or “integrated” model in which public health responsibilities and staff work across directorates or functions but maintain identity and focus through being a “virtual team”, a “hub” or a “core and extended” team

2.1.2 Planning is underway to establish the best fit in order to deliver the maximum health improvements. A workshop will take place in early August 2012 to kick start this process, beginning with agreement of the vision, purpose and outcomes.

2.1.3 The way in which Plymouth City Council delivers its new public health functions will need to be closely aligned with the development and delivery of the upcoming Health and Wellbeing Strategy. While it is not a separate work stream within this project, working links have been established across the wider health integration programme.

### **2.2 Commissioning, Contracting and Financing**

2.2.1 From April 2013, the Local Authority will take on the lead responsibility for commissioning Public Health Services. In order to take on this role it is necessary to understand the current scope of commissioning activity undertaken by Public Health and the wider NHS for services that support public health.

2.2.2 A detailed mapping of current activity relating to the anticipated public health functions transferring to PCC is nearly complete. Part of this mapping has been to collect information on the amount that NHS Public Health and PCT currently spend in related activity (both contracts and in house provision) so that PCC can start preparing for and understanding potential future financial liabilities. Once a full picture is understood then the reshaping of these contracts within the financial envelope can be undertaken.

2.2.3 The final funding formula for public health is now not expected to be released until December 2012. The financial due diligence of the NHS Public Health transfer centres around the formal returns completed by the PCT which sets out the budgets and resources allocated to NHS Public Health locally in Plymouth. These formal returns will feed the resource allocations and the spending review by government departments.

2.2.3 Finance officers from PCC, NHS Public Health and the PCT (commissioner) have already worked on the 2010/11 baseline assessment which set out the spending for NHS Public Health. PCT colleagues are currently working on the latest baseline for 2012/13.



2.2.4 The PCT are currently in the process of also providing more comprehensive financial data for PCC to analyse in the context of building a shadow budget for a transferred public health service.

## **2.3 Human Resources and Communication**

2.3.1 This work stream is concentrated predominantly on the people management issues arising from the transfer in to PCC of NHS Public Health employees on 1 April 2013. A number of key documents have been published to assist with this aspect of the transfer<sup>1</sup>.

2.3.2 PCC and NHS Human Resource professionals are working closely together on staffing matters both formally, via the Public Health Workforce Group and the Public Health Plymouth Transition Steering Group, and informally via regular updates by telephone and email as issues arise.

2.3.3 The transfer between the NHS (“sender organisation”) and PCC (“receiver organisation”) will be guided by the requirements of the Transfer of Undertakings (Protection of Employment) Regulations 2006 often referred to as TUPE.

2.3.4 Currently there is no confirmed final list of the roles and names of those transferring to PCC. This is now expected around December 2012. The process of identifying and confirming the final destination of current NHS employees is currently on-going by NHS management and their HR departments.

2.3.5 It has been agreed between trade unions, LGA and NHS employers, the Department of Health, Department for Communities and Local Government and HM Treasury that staff transferring on 1<sup>st</sup> April will stay on the NHS Pension Scheme. Decisions on the provision of pensions for new starters and for staff who move between posts after 1 April 2013 are still the subject of further discussions. An update will be given in further reports.

2.3.6 A joint communication plan is currently being developed to ensure that NHS Public Health and PCC employees are aware of the transfer and its implications. A detailed induction plan is also being scoped. Part of the communication plan will include press management timescales.

## **2.4 Health Improvement Team**

2.4.1 Presently, NHS Public Health both commission and directly provide services through the Health Improvement Team (HIT). The type of services currently provided, include smoking cessation, chlamydia screening, and community health development.

2.4.2 Due to the strong clinical focus of some of these interventions, rather than transferring the Health Improvement Team over to the Local Authority, an in principle decision has been made to transfer the service to Plymouth Community Healthcare, under the Transforming Community Services framework. Planning is now under way for this to happen and a series of tests are being put in place to ensure the proposed provider is the most appropriate destination for the service.

## **2.5 Core Offer**

2.5.1 One of the mandatory responsibilities that local authorities will be required to deliver from April 2013 is to provide specialist public health expertise and advice to NHS commissioners to support them in delivering their objectives to improve the health of the local population, this will be called the core offer.

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<sup>1</sup> Public Health Human Resources (HR) Concordat

This is seen as crucial in ensuring that accessible high quality healthcare services continue to be commissioned and delivered by the NHS to improve health and reduce health inequalities.

2.5.2 Guidance states that the offer will be limited to healthcare public health advice that genuinely requires specialist public health expertise, rather than what public health trained individuals might happen to do in a given area. The 'core offer' will be funded from the public health budget allocated to local authorities at no cost to CCGs.

2.5.3 There could be an opportunity for PCC to provide additional advice and support to CCG's over and above the free 'core offer'.

## 2.6 Public Health Intelligence

2.6.1 The Devon-wide Public Health Information and Intelligence working group oversees the transition of NHS Public Health Plymouth's information and intelligence responsibilities to PCC and, where appropriate to Health protection Agency and other related partner organisations and agencies.

2.6.2 A number of issues relating to the transition of the Public Health (intelligence) function will be addressed as part of the co-location to the Local Authority.

## 2.7 Emergency Planning

2.7.1 Consolidation of emergency planning responsibilities across both the NHS and Local Authority is currently underway. Recent guidance however suggests that Public Health England will provide an oversight role on behalf of the NHS, with additional responsibilities being passed to the NHS Commissioning Board Local Area Teams and the Local Authority.

## 2.8 Risk Management

2.8.1 A joint risk management register is being developed to identify the key areas of risk to be managed within and beyond the transition period. Significant risks identified continue to centre primarily on the final funding formula and implications of the staff transfer arrangements.

## 3. KEY MILESTONES

|                |   |
|----------------|---|
| March 2012     | Final Cluster plan to Strategic Health Authority submitted.                 |
| April 2012     | Local Transition Plan agreed  |
| July 2012      | Local joint communications plan developed                                   |
| August 2012    | Vision and outcomes joint workshop  |
| September 2012 | Vision agreed linked with Health and Wellbeing Strategy outcomes            |
| November 2012  | Transitional model agreed   |
| October 2012   | Formal assessment of progress by Strategic Health Authority                 |
| November 2012  | Negotiation of commissioning contracts to be transferred to Local Authority |
| December 2012  | Final list of NHS Public Health staff to transfer to Local Authority        |
| December 2012  | Expected Health Improvement Team transfer to Plymouth Community Healthcare  |
| December 2012  | Final funding formula announced   |
| January 2013   | Co-location of NHS Public Health staff within the Local Authority           |
| January 2013   | Shadow arrangements in place  |
| April 2013     | Formal transfer of responsibilities/budget to Local Authorities             |

## **APPENDIX I**

### **Local Authority Commissioning Responsibilities from April 2013:**

- tobacco control and smoking cessation services
- alcohol and drug misuse services
- public health services for children and young people aged 5-19 (including Healthy Child Programme 5-19) (and in the longer term all public health services for children and young people)
- the National Child Measurement Programme
- interventions to tackle obesity such as community lifestyle and weight management services
- locally-led nutrition initiatives
- increasing levels of physical activity in the local population
- NHS Health Check assessments
- public mental health services
- dental public health services
- accidental injury prevention
- population level interventions to reduce and prevent birth defects
- behavioural and lifestyle campaigns to prevent cancer and long-term conditions
- local initiatives on workplace health
- supporting, reviewing and challenging delivery of key public health funded and NHS delivered services such as immunisation and screening programmes
- comprehensive sexual health services (including testing and treatment for sexually transmitted infections, contraception outside of the GP contract and sexual health promotion and disease prevention)
- local initiatives to reduce excess deaths as a result of seasonal mortality
- the local authority role in dealing with health protection incidents, outbreaks and emergencies
- public health aspects of promotion of community safety, violence prevention and response
- public health aspects of local initiatives to tackle social exclusion
- local initiatives that reduce public health impacts of environmental risks

**PLYMOUTH CITY COUNCIL**

**Subject:** Procurement of Street Lighting Maintenance Services  
**Committee:** Cabinet  
**Date:** 14 August 2012  
**Cabinet Member:** Councillor Coker  
**CMT Member:** Anthony Payne, Director for Place  
**Author:** Ian Ellis, Assistant Network Manager  
**Contact:** Tel: 01752 304223  
Email: ian.ellis@plymouth.gov.uk  
**Ref:** IRE/SL/01  
**Key Decision:** Yes  
**Part:** 1

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**Purpose of the report:**

A maintenance contract exists for the inspection, maintenance, repair, modification, supply and installation of street lighting and illuminated road signs. The contract value is approximately £1.1m per annum, representing both revenue and capital expenditure, and the current maintenance contractor is Scottish and Southern Energy (SSE).

The term of the contract is 4 years, from 1 April 2006 to 31 March 2010, with the option to extend for up to a maximum 7 years (4+1+1+1). The Contract will expire on 31<sup>st</sup> March 2013, having been extended to its limit.

Authorisation is sought to retender the contract to enable continuity of street lighting services beyond 31<sup>st</sup> March 2013. It is anticipated that the term of the new contract will be 6 years (4+1+1)

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**Corporate Plan 2012 – 2015:**

Providing a safe and well-maintained road network contributes to the economic well being of the City in support of the Growth priority.

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

In terms of human resource, procurement will be led by officers in the Transport and Infrastructure service with support from Strategic Procurement and a specialist street lighting consultant. The approximate cost of this exercise is £20,000 (including consultancy and legal fees) which can be accommodated within the Highway Maintenance revenue budget.

Following a review of the existing street lighting contract, it is anticipated that efficiencies and improvements can be made such that the maximum spend during the period of the new contract is estimated to be between £0.9m - £1.0m per annum (consisting of approximately £0.8m per annum revenue expenditure and £0.1m - £0.2m per annum capital expenditure). Clearly, this will be subject to the outcome of the competitive tender.

Given the potential efficiency savings stated above, and subject to the outcome of the procurement, it is anticipated that the annual Highways revenue budget will accommodate the new contract.

There are no TUPE implications for Plymouth City Council staff.

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

Although funded as a highway activity, to increase traffic safety and ease of passage, street lighting does serve other functions. It has a social role, in terms of amenity and in reducing the fear of crime. Additionally, it signifies community investment and pride in an area whilst also playing a part in regeneration, by helping to revitalise town centres and tourist destinations.

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**Recommendations & Reasons for recommended action:**

Recommendations:

1. To investigate further the opportunities for retendering street lighting maintenance services with neighbouring authorities.
2. In the event that such opportunities are not practical or in the best interests of the Authority, Plymouth City Council to retender the services separately.
3. To delegate authority to the Director for Place to approve the outcome of 2 above.

Reasons:

Retendering with a neighbouring authority provides the opportunity to gain economies in scale. In any event, by tendering this service competitively it is more likely that the Authority will obtain the most economically advantageous price. Given the relatively short timescale available for a retendering exercise, it would be practical for the Director for Place to make the decision on the course of action once the options available for tendering with neighbouring authorities has been fully explored.

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

1. Increase the scope of the existing Highways Services Contract (HSC) to include street lighting services

Reason: The official journal of the European Union (OJEU) notice for the current HSC included street lighting services within its scope. However, without going to the market, it is difficult to demonstrate that this approach would be economically advantageous for the authority.

2. Take no action.

Reason: Providing street lighting maintenance to the authority's extensive lighting stock is essential in maintaining safe streets and in reducing the fear of crime. Without the continuity of this service beyond 31 March 2013, Plymouth may see an increase the occurrences road traffic accidents and criminal activity within the city. Consequently, taking no action is not recommended.

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**Background papers:** Briefing Note – Procurement of Street Lighting Services

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**Sign off:**

|   |                          |     |               |    |  |              |  |    |  |               |                            |
|---|--------------------------|-----|---------------|----|--|--------------|--|----|--|---------------|----------------------------|
| Fin   | PlaceF<br>TD121<br>3 010 | Leg | 15193<br>/ALT | HR |  | Corp<br>Prop |  | IT |  | Strat<br>Proc | JK/SPU/<br>CP/287/0<br>712 |
| Originating SMT Member: Clive Perkin, Assistant Director for Transport and Infrastructure |                          |     |               |    |  |              |  |    |  |               |                            |
| Have you consulted the Cabinet Member(s) named on the report? Yes                         |                          |     |               |    |  |              |  |    |  |               |                            |

## Procurement of Street Lighting Maintenance Services

### 1.0 Introduction

- 1.1 This briefing note provides the background to the existing street lighting contract and summarises the options available for the street lighting maintenance service once the existing contract expires in 2013.

### 2.0 Background

- 2.1 Plymouth maintains approximately 36,327 lighting units, of which 28,788 are highway lights and 6,429 are illuminated road signs and bollards. The remainder are in the ownership of the City Council's Street Scene (Parks) and Corporate Property department.
- 2.2 A maintenance contract exists for the inspection, maintenance, repair, modification, supply and installation of street lighting and illuminated road signs. The contract value is approximately £1.1m per annum, representing both revenue and capital expenditure, and the current maintenance contractor is Scottish and Southern Energy (SSE).
- 2.3 The term of the contract is 4 years, from 1 April 2006 to 31 March 2010, with the option to extend for up to a maximum 7 years (4+1+1+1). The Contract will expire on 31<sup>st</sup> March 2013, having been extended to its limit.
- 2.4 Plymouth City Council (PCC) works in partnership with Amey LG limited, which provides highways design, maintenance and operational services for the authority through the Highways Services Contract (HSC). As part of the HSC, Amey currently undertakes the role of Engineer's Representative, dealing with the day-to-day administration of Plymouth City Council's Street Lighting maintenance contract with SSE.

### 3.0 Options

- 3.1 As the authority will not be in a position to extend the existing contract any further, a new arrangement will need to be set up. The three options are as follows:
1. Increase the scope of the HSC without a tender process
  2. Retender the services either in partnership with a neighbouring authority, or as an individual authority.
  3. Take no action

#### Option 1 - Increase the scope of the HSC without a tender process

- 3.2 The Official Journal of the European Union (OJEU) notice for the current HSC included street lighting services and legal advice confirms that the scope of the HSC may legitimately be increased without further need to retender. However, despite its inclusion in the OJEU notice, there is no obligation for PCC to pass this work to the current highway services provider, Amey.

- 3.3 Amey currently provides street lighting services as part of its highways contracts across the United Kingdom and has demonstrable experience in this field. Consequently, this would appear to be attractive option particularly as it would obviate a potentially costly procurement exercise.
- 3.4 PCC has explored this option with Amey to determine whether it would be economically viable for the Authority; the findings are summarised as follows:
- There would only be a little over two and a half years remaining of the HSC (excluding possible extensions) when the new arrangement would start, i.e. on 1<sup>st</sup> April 2013. As a consequence, Amey's set up/ongoing overhead costs would be spread over a much shorter period than if a new contract was procured thus increasing the short term cost of the service to the Authority.
  - At this moment in time, the number of employees that would transfer from SSE under Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) is unclear; this represents an unquantifiable financial risk as the number of transferring employees may be greater than that needed to deliver the service. Following discussions with Amey on this matter, they are unwilling to accept the commercial risk associated with this issue. Under normal circumstances, i.e. when tendering such services competitively, the incoming contractor would be expected to allow for this risk within his tender price.
- 3.5 Given the above, it is difficult to demonstrate that this approach would be economically advantageous for the Authority. However, Amey will still be free to submit a tender under Option 2, below.

Option 2 - Retender the services

- 3.6 Retendering the Street Lighting service competitively provides the opportunity for PCC to obtain the most economically advantageous price having full sight of comparative market rates, and it is anticipated that the proposed term of the new contract, six years (4+1+1), will be sufficient to provide contractor with the certainty required to offer a better financial deal.
- 3.7 Opportunities may exist for tendering jointly with Devon County Council or Cornwall Council as both authorities' street lighting maintenance contracts are due to expire on 31<sup>st</sup> March 2013, and this approach will be explored further.
- 3.8 In the event that that such opportunities may not be practical or in the interests of Plymouth City Council, the Authority may still move forward in tendering individually.

Option 3 - Take no action

- 3.9 Providing street lighting maintenance to the authority's extensive lighting stock is essential in maintaining safe streets and in reducing the fear of crime. Without the continuity of this service, Plymouth may see an increase the occurrences road traffic accidents and criminal activity within the city. Given these risks, it is recommended that this option is not considered further.



#### **4.0 Preferred Option**

- 4.1 Option 2 is recommended as by tendering this service competitively it is more likely that the Authority will obtain the most economically advantageous price.

#### **5.0 Implications for the Highways Services Contract**

- 5.1 The Highways Services Contract provides for Amey to undertake general contract management duties, which includes the management and implementation of procurement processes. Consequently, the opportunity exists for Amey to assist the Authority in the procurement of a new provider and then to administer the new contract as part of its existing contract management duty.
- 5.2 However, it is likely that Amey will wish to submit a tender for the street lighting services and this provides the potential for a conflict of interest if they are also involved in the contract development and procurement. Advice from PCC's Procurement team is that Amey could sign a Memorandum of Understanding whereby they would undertake to keep the contract development team and bidding team separate. However, Amey have indicated that they may not be in a position to guarantee that they would be able to maintain this separation, thereby leaving the procurement process open to challenge from other bidders.
- 5.3 PCC has commissioned an external street lighting consultant, Ducreux, to review the current contract and specification, and to provide a report detailing options and recommendations for cost and efficiency improvements, contractor incentivisation, performance measures and payment mechanisms. Should the recommended option be accepted, officers propose to commission Ducreux to assist in procuring the new maintenance contract thereby providing for a transparent process should Amey wish to submit a tender for the contract.

#### **6.0 Street Lighting Energy**

- 6.1 The Street Lighting maintenance contract will not include energy procurement, as this is currently being provided to the Authority through a national consortium agreement which offers potential savings through economies of scale. Notwithstanding this, it is likely that the opportunity exists to drive energy savings through the contract specification, e.g. by ensuring the use of more energy efficient technologies. Consequently, options for the inclusion of such technologies will be considered and incorporated in to the specification if considered economically viable. There will be no move to 'part-night' lighting, i.e. switching off street lights at night to save energy, as a result of the proposed contract.

**PLYMOUTH CITY COUNCIL**

**Subject:** Capital investment for Replacement of Minibuses  
**Committee:** Cabinet  
**Date:** 14 August 2012  
**Cabinet Member:** Councillor Vincent  
**CMT Member:** Anthony Payne, Director for Place  
**Author:** Garry Stainer, Fleet and Garage Manager  
**Contact:** Tel: 01752 304682  
email: [garry.stainer@plymouth.gov.uk](mailto:garry.stainer@plymouth.gov.uk)  
**Ref:**  
**Key Decision:** No  
**Part:** I

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**Purpose of the Report:**

This report refers to Phase II of the Vehicle Replacement Programme. This phase relates to the purchase of 28 new minibuses of which the Council currently utilises for Adult Social Care and under statutory duty for Home to School Transport.

Details of the existing fleet of minibuses are provided in Appendix A, B and C. These separate the fleet between PCC users, academy users and schools. The lack of a rolling annual replacement program has meant many services are operating old and worn out fleet within these operations. The costs are incurred by the fleet and garage function within Environmental Services and recharged to end users. This situation is placing an increasing budget pressure on the departments involved: Adult Social Care, children's Education, Learning and Families, plus schools. It is also driving the need for 'spot hire' replacements whilst repairs are undertaken or to cover disposal items. The impact on front line service delivery is being affected and abortive time costs are increasing. Appendix E shows the cost per vehicle currently incurred whilst Appendix F (Part II Background Paper – Appendices) shows the cost benefit analysis for replacement, highlighting the current annual maintenance and hire costs at over £300k pa.

Of the 37 minibuses operated by PCC, 34 are owned by the Council and 3 are hired. Many of those that are hired are required on a long term basis by the services that use them but an inability to commit to their long term utilisation has led to a situation where they are frequently paid for on short term rates – which are more expensive. This situation has now become untenable. The cost benefit analysis in Appendix F (Part II Background Paper – Appendices), shows that the 7 year net present value benefit for purchasing replacement vehicles over maintaining the existing fleet is £661k.

A strategic approach has been taken to analyse the fleet and determine the most cost effective solution to resolving the current state of the vehicles. During the analysis an utilisation study identified that fleet consolidation could reduce the number of vehicles required from 37 to 28 (this represents a 25% saving). The first vehicles to be replaced will be those on expensive spot hire and old or expired lease arrangements.

A comparison between lease and purchase options has also been undertaken. The findings from this work were that outright purchase is the best option in reducing costs and increasing efficiencies. Appendix G shows the current leased and purchased minibuses and Appendix H shows the comparison and benefits of borrowing the capital at 3.5% for the Council to purchase the vehicles instead of leasing them on rates of up to 6.5%.

The replacement vehicles in this phase of the programme include 11 standard minibuses, 10 tail lift minibuses and 7 people carriers. These vehicles form the basis of this report and are to be phased in over a 2 year period. Appendix I describes the approach for each customer, including where consolidation of vehicles (from 37 to 28) will impact for the changes proposed, Appendix J shows the replacement programme over time and Appendix K lists the items and quantities for all the replacements.

This purchase is the start of an intended 8 year rolling program for fleet replacements. This will eradicate peaks and troughs and allow the financial pressures to be evened out over the 8 years. The fleet manager will also be able to better manage and sweat the assets where possible to gain even more efficiencies and savings.

The purchase represents an opportunity to put into practise the principles of a Cooperative Council by considering the needs not just of the Council but also those of the community and voluntary sector in the city to maximise the effectiveness of the spend and multi-agency utilisation of the vehicles. There are multiple options that could be used to take this work forward; a couple of options are outlined below.

Option 1 - This option would take the consolidated spend of PCC plus the community and voluntary sector on minibuses to a procurement process. The procurement would ask bidders to establish a hire company in Plymouth supporting these customers with costs subsidised by the capital that would otherwise be spent on purchasing the minibuses. This option would require delaying the purchase by an estimated 12 months whilst requirements are gathered and a complex procurement is undertaken. This delay is estimated to cost around £280k in additional maintenance and extra hire costs to PCC alone. Project management costs (assuming use of external resources) could be in the region of £200k.

Option 2 - The alternative is to proceed with the purchase based on the requirements from PCC and in parallel ascertain community group demand by using Community and Social Action Plymouth, the umbrella group for the community & voluntary sector and

other groups such as Access Plymouth. A purchase made by PCC would be conditional on making the vehicles available to community groups within the city. This would be done by completing an investigation into community requirements and once understood, a working group would be established reporting to the People directorate to open the way for community groups to utilise the assets in the city. Appendix D below shows the current service usage patterns for PCC users of the minibuses, which will be mapped to community requirements to determine the increase in utilisation that is possible. Appendix L describes the background and opportunity of this approach and the proposed next steps. This option would also leave open the possibility of future transfer of some or all of the minibuses bought by the Council to a community group in the future, for example the North of Plymouth Economic Development Trust.

Given the cost and potential delay associated with option 1, and the future flexibility of option 2, option 2 is recommended to Cabinet for approval.

A third option, that of finding another organisation that may make the purchase on behalf of the Council and hire them out to PCC. This option was discounted after investigating local suppliers of minibuses, unfortunately the vehicles PCC requires have specialist adaptations and suppliers do not have suitable capacity within their fleets to offer such a service. Therefore the purchase option is the only option that will ensure that our statutory requirements are met.

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**Corporate Plan 2012-2015:**

To provide value for money for communities in delivering an efficient Service

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

The replacement of minibus vehicles has a total estimated cost of £1.055m and will be incurred over the period 2013 – 15. These costs will be funded from unsupported borrowing, to be taken over 5 years, with the repayment charges being met from within the existing fleet revenue budgets. These costs will be recharged to end users; however, the overall charges to services are expected to fall due to the anticipated savings in maintenance, leasing and hire charges.

In addition, it is expected that service efficiencies can be gained through the use of more suitable, modern and reliable vehicles, resulting in further budget savings and improved service delivery. The 7 year NPV savings estimate resulting from this spend is expected to be £661k.

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

- The risk of accidents and serious injury to the passengers and to staff is significantly reduced with newer more efficient vehicles especially with regards to the electric tail lifts.
  - Improvements and new vehicles will improve the service delivered to people with disabilities
  - Transfer of asset –The assets and liability can be transferred and will be under -written within a formal contracts at the time of transfer to any School trust or Academy.
- 

**Recommendations & Reasons for recommended action:**

1. Cabinet approve the outright purchase of the vehicles and plant items
2. That Cabinet recommend to the Full Council to add this project to the Place Capital Programme 2013 - 15

Following the replacement programme the anticipated benefits are as follows:

- Eliminate short-term hire costs
  - Reduce the instances of breakdowns and maintain service delivery
  - To have vehicles that would be more suitable for consolidation thus assisting the reduction of 9 vehicles.
- 

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

**Do nothing**

To do nothing would result in further cost increases and potentially significant disruption to services due to the increasing need to maintain the vehicles. This would also increase the Health and Safety risk of staff and public utilising these vehicles.

**Purchase or lease/hire vehicles**

A comparison between purchase and hire costs for minibuses has been carried out, the results of which show that the purchasing option offers better value for money.

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**Background papers:**

Part II Cabinet Paper

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**Sign off:**

|   |  |     |                  |    |     |              |     |    |     |               |           |
|---|--|-----|------------------|----|-----|--------------|-----|----|-----|---------------|-----------|
| Fin<br>AF   | SG/Pla<br>ceFes<br>c1213<br>003.0<br>2.08.1<br>2 | Leg | 1517<br>6.<br>SC | HR | N/A | Corp<br>Prop | N/A | IT | N/A | Strat<br>Proc | 286<br>JK |
| Originating SMT Member ; Jayne Donovan, Assistant Director for Environmental Services |  |     |                  |    |     |              |     |    |     |               |           |
| Have you consulted the Cabinet Member(s) named on the report? Yes                     |  |     |                  |    |     |              |     |    |     |               |           |

## **I. Brief Description**

This business case follows on from the CPAF (Capital Programme Approval Form) that was approved in July 2011 for the Vehicle and Plant Replacement Programme. The subject of that CPAF was Phase 1 – Refuse Collection Vehicles. The CPAF also made reference to phases 2 to 4:

Phase 2 – Minibuses (CYP, ASC and School Services)

Phase 3 – Plant and Equipment (Street Cleansing and Parks)

Phase 4 – Other dilapidated or expensive vehicles (various services)

The subject of this business case is Phase 2 – Minibuses. The Council's current use for minibuses is by Children's Social Care, Adult Social Care and Schools.

## **2. Project Details**

The Environmental Services Business Plan 2011-14 identified the area faced major challenges, with significant capital investment required in vehicles and plant.

The outline plan for delivering priorities identified a Council/city priority: provide value for communities through Environmental Services Transformation with major investment in new vehicles and plant.

The Council utilises approximately 59 minibuses which are in various states of condition and age and have been obtained by purchasing, leasing, hiring or as gifts.

The current profile of the minibuses has been detailed in Appendix A.

There are a further five minibuses that have been identified but will not be included within this paper as they are used by the following academies; Coombe Dean School, Heles School and Lipson Community College. Please see Appendix B.

Furthermore, those minibuses currently used by schools or other organisations where the budgets are outside the control of the Council will not be included as part of the replacement programme, these are; Egguckland Community College, Notre Dame RC School, Pembroke Street EMB, Sir John Hunt Community College, St Pauls RC Primary School and Tor Bridge High. Please see Appendix C.

A review of the current usage of minibuses has been carried out and provided at Appendix D. The majority of the buses are used every day for daily activities. Only a few minibuses are used evening and weekends and summer clubs, few are used for residential trips.



### **3. Options Appraisal**

It is a legal requirement that minibuses are serviced eight times a year, which is every 13 weeks. Due to the ageing profile of the current minibus fleet, servicing and maintenance costs are increasing year on year.

A breakdown of individual costs per vehicle has been provided at Appendix E. The fixed fees for the fleet reflect the purchase/lease/hire costs.

For the period 01/04/11-31/03/12 (pro-rated for service and maintenance costs)

Yearly charge (Insurance and fixed fee): £242,590

Service and maintenance costs: £88,256

Annual cost for the minibus fleet: £330,846

These are not the full service and maintenance costs for the minibus fleet, this is only the information that is available for 26 vehicles. Hired vehicles are maintained through the hire contracts. Some schools use Citybus; with others it is not clear who they use to service and maintain their vehicles.

The preferred option is to purchase minibuses. A cost benefit analysis has been completed and can be found at Appendix F (Part II Background Papers – Appendices).

Following the replacement programme the anticipated benefits are as follows:

- Eliminate short-term hire costs
- Eliminate long-term leasing arrangements
- Improve service delivery
- Improve turnaround times for servicing within the garage
- Reduce licensing costs where possible by purchasing vehicles under 3.5T
- Reduce the instances of breakdowns and maintain service delivery

### **4. Affordability**

The current fleet profile contains a large number of leased vehicles. From the comparisons undertaken in August 2010 and August 2011 by Sector, the option to purchase vehicles has shown to provide more value for money over leasing. Both of these options are better value for money over long-term hire.

The cost of leasing these vehicles has declined over the years, so comparison between current lease costs and purchase costs would not give an accurate view. This is due to the long period of the leases and the decline in costs. But, taken into consideration with escalating servicing and maintenance costs the case for renewing vehicles is strong. This is further supported by the number of vehicles which have a high incidence of breakdown and unreliability; breakdowns seriously interrupt the provision of services, which leads to delays, customer complaints and higher costs. The garage are also experiencing problems with replacement parts for LDV since they went into receivership, causing further delays.

A summary of the current position with regards to leased and purchased minibuses has been provided at Appendix G.

Please see Appendix H with regards to the costs between alternative options such as borrowing and leasing. The rates used are as follows:

Borrowing 3.5%

Finance lease 6.5%

Leasing long-term 5%

The preferred option would be to replace old leased vehicles as the leases have now ended, also purchased and hire vehicles with new purchased vehicles. We would be looking to replace 28 vehicles and reduce the number of vehicles in the fleet through consolidation from 37 vehicles.

The current profile is:

- 13 standard minibuses
- 18 tail lift minibuses
- 6 people carriers

The new profile will be:

- 11 standard minibuses
- 10 tail lift minibuses
- 7 people carriers

A summary of the changes to the minibus usage since the original data collection and suggested replacements has been provided at Appendix I and a breakdown of the replacement programme has been provided at Appendix J. Those areas considered within this business case using minibuses were consulted and have had an opportunity to review the business case and have provided comments and feedback.

The full list of items to be purchased is listed at Appendix K.

Year 1 replacements include vehicles currently on short-term hire and vehicles on long-term lease over 10 years old, also included are vehicles over seven years old and Year 2 replacements include the remaining vehicles.

A phased approach has been proposed to allow the spread of the capital cost over a period of 2 years and to enable the garage to manage the implementation of the new vehicles. Those vehicles which would not be replaced until Year 2, would continue to attract a leasing, servicing and maintenance cost.

## **5. Achievability**

The risks to this project are with regards to the Council being unable to identify the capital monies to pay for the minibus replacement programme. Leasing would then need to be considered. This is not the preferred option, but is preferable to hire. Consideration would need to be given to:

- Finance leases 3% more expensive but we own the asset.
- Long term operating lease 5% more expensive – we do not own the asset – (high risk and opt out clauses)

This would increase the pressure on the service areas and garage to maintain the existing fleet, to identify further revenue to pay for higher hire charges, to risk service delivery and service user satisfaction.

## APPENDICES FOR PHASE 2 – MINIBUSES

## Appendix A – Current profile of minibuses

| Location   | Service type                                | Type of vehicle   | Purchased/leased/hired | Registration | Current mileage (miles) |
|--|---|-------------------|------------------------|--------------|-------------------------|
| ACE Service  | School                                      | People carrier    | Leased                 | 59 (2009)    | Unknown                 |
|  |   | People carrier    | Leased                 | 59 (2009)    | Unknown                 |
|  |   | Standard minibus  | Leased                 | 08 (2008)    | Unknown                 |
|  |   | Standard minibus  | Purchased              | 09 (2009)    | Unknown                 |
|  |   |                   |                        |              |                         |
| Fleet  | Garage (spares)                             | Tail lift minibus | Leased                 | V (1999)     | 87268                   |
|  |   | Standard minibus  | Leased                 | V (1999)     | 97352                   |
|  |   | Tail lift minibus | Leased                 | V (1999)     | 70301                   |
|  |   | Tail lift minibus | Leased                 | V (1999)     | 118861                  |
|  |   |                   |                        |              |                         |
| Home to school transport                           | Education/special needs                     | Tail lift minibus | Leased                 | V (1999)     | 103538                  |
|  |   | Tail lift minibus | Leased                 | W (2000)     | 68295                   |
|  |   | Tail lift minibus | Leased                 | 05 (2005)    | 165000                  |
|  |   | Standard minibus  | Purchased              | 54 (2004)    | 46685                   |
| H to S transport / Brook Green Centre for Learning | Special needs                               | Standard minibus  | Leased                 | V (1999)     | 167000 km               |
| H to S transport / Courtlands School               | School – moderate learning difficulties     | Standard minibus  | Leased                 | 51 (2001)    | 78000                   |
| H to S transport / Downham School                  | School – special needs (disability)         | Tail lift minibus | Leased                 | V (1999)     | 108000                  |
| H to S transport / Longcause School                | School – special needs                      | Standard minibus  | Leased                 | V (1999)     | 159000                  |
| H to S transport / Millford School                 | School – learning difficulties              | Tail lift minibus | Leased                 | W (2000)     | 85000                   |
| H to S transport / Millford School                 | School – learning difficulties              | Standard minibus  | Leased                 | 53 (2003)    | 144767                  |
| H to S transport / Mount Tamar School              | School – emotional behavioural difficulties | Standard minibus  | Leased                 | V (1999)     | 166000 km               |
| H to S transport / Woodlands                       | School – physical disabilities              | Tail lift minibus | Purchased              | 54 (2004)    | 83000                   |

|                    |  |                   |           |           |        |
|--------------------|--|-------------------|-----------|-----------|--------|
| Longcause School   | School – special needs   | Standard minibus  | Purchased | X (2000)  | 46046  |
| Mount Tamar School | School – emotional behavioural difficulties                        | People carrier    | Hired     | 10 (2010) | Hired  |
| Reatch Centre      | Adult Social Care – physical disability & sensory impairment       | People carrier    | Purchased | 56 (2006) | 40059  |
|                    |  | People carrier    | Purchased | 56 (2006) | 37000  |
|                    |  | Tail lift minibus | Leased    | W (2000)  | 144640 |
|                    |  | Tail lift minibus | Purchased | 54 (2004) | 116397 |
| St George's CRC    | Adult Social Care – learning difficulties, some sensory impairment | Standard minibus  | Purchased | 54 (2004) | 57909  |
|                    |  | Minibus with ramp | Purchased | 52 (2002) | 149603 |
|                    |  | Tail lift minibus | Leased    | X (2000)  | 89077  |
|                    |  | Tail lift minibus | Leased    | Y (2001)  | 77444  |
| Woodfield          | Adult Social Care – physical & learning difficulties               | Standard minibus  | Hired     | 60 (2010) | Hired  |
|                    |  | People carrier    | Hired     | 59 (2009) | Hired  |
|                    |  | Tail lift minibus | Leased    | W (2000)  | 76816  |
|                    |  | Tail lift minibus | Purchased | 05 (2005) | 70106  |
|                    |  | Tail lift minibus | Leased    | 05 (2005) | 95613  |
|                    |  | Tail lift minibus | Leased    | 02 (2002) | 63270  |

#### Appendix B – Minibuses used by Academies

| Location           | Service type | Type of vehicle  | Purchased/leased/hired | Registration |
|--------------------|--------------|------------------|------------------------|--------------|
| Coombe Dean School | Academy      | Standard minibus | Purchased              | R (1997)     |
|                    |              | Standard minibus | Purchased              | R (1997)     |
|                    |              |                  |                        |              |

|                          |         |                  |           |           |
|--------------------------|---------|------------------|-----------|-----------|
| Heles School             | Academy | Standard minibus | Purchased | J (1991)  |
|                          |         |                  |           |           |
| Lipson Community College | Academy | Standard minibus | Purchased | 57 (2007) |
|                          |         | Standard minibus | Purchased | T (1999)  |

### Appendix C – Minibuses used by Schools

| Location                        | Service type | Type of vehicle  | Purchased/leased/hired | Registration |
|---------------------------------|--------------|------------------|------------------------|--------------|
| Eggbuckland Community College   | School       | Standard minibus | Leased                 | 09 (2009)    |
|                                 |              | Standard minibus | Leased                 | 09 (2009)    |
|                                 |              | Standard minibus | Purchased              | M (1994)     |
|                                 |              | Standard minibus | Purchased              | P (1996)     |
|                                 |              | Standard minibus | Purchased              | 54 (2004)    |
|                                 |              |                  |                        |              |
| Notre Dame RC school            | School       | Standard minibus | Purchased              | 57 (2007)    |
|                                 |              | Standard minibus | Purchased              | 02 (2002)    |
|                                 |              |                  |                        |              |
| Pembroke Street EMB             |              | Standard minibus | Purchased              | 09 (2009)    |
|                                 |              |                  |                        |              |
| Sir John Hunt Community College | School       | Standard minibus | Purchased              | 52 (2002)    |
|                                 |              | Standard minibus | Purchased              | 55 (2005)    |
|                                 |              | Standard minibus | Purchased              | 52 (2002)    |
|                                 |              |                  |                        |              |
| St Pauls RC Primary School      | School       | Standard minibus | Purchased              | 05 (2005)    |
|                                 |              |                  |                        |              |
| Tor Bridge High                 | School       | Standard minibus | Purchased              | K (1992)     |
|                                 |              | Standard minibus | Purchased              | WV (2000)    |
|                                 |              | Standard minibus | Purchased              | 04 (2004)    |

## **Appendix D - Service usage**

### **ACE Service**

This service uses minibuses for activities during the day such as martial arts, walks on Dartmoor and other physical activities such as football. There is no requirement for evening, holiday or weekend usage.

### **Home to School Transport**

These minibuses are used to provide a legal statutory duty to provide transport to and from school for certain pupils. These vehicles are required to take children with special educational needs to and from Special Schools.

There is an arrangement with the schools that they have use of the minibuses through the day for which an annual charge is made. This offsets the home to school transport costs and is also a cost effective way of having a minibus available to the schools, rather than them hiring in private vehicles and drivers.

Home to school transport only – The vehicles are used between the hours of 7.00 to 10.00am and 14.15 to 17.30pm, driver and passenger assistants provided by the home to school transport team.

Home to School transport and Brook Green – Vehicle is used between 7.00am to 17.30pm and for activities every day, which include two days for college use, vocational activities and school trips. They hire a driver for vocational activities or school trips. There is no requirement for evening use, but can be used during holiday periods for trips. There are three staff members able to drive this minibus and staff are also used as passenger assistants, the vehicle stays on the premises overnight.

Home to School transport and Courtlands School - Vehicle is used between 7.00am to 17.30pm and for various vocational activities during the day. They hire a minibus and driver on occasion for conflicting activities. There is no requirement for evening use or holiday periods. There are seven staff members able to drive this minibus and staff are also used as passenger assistants, the vehicle stays on the premises overnight.

Home to School transport and Downham School - Vehicle is used between 7.00am to 17.30pm and for various activities during the day. They hire a minibus and driver on occasion for residential trips and conflicting activities. There is no requirement for evening use or holiday periods. In January three members of staff were planning to take their driver's test to allow them to drive this vehicle, staff members are used for passenger assistants.

Home to School transport and Longcause School - Vehicle is used between 7.00am to 17.30pm and for various activities during the day. There is no requirement for evening use or holiday periods. One teacher and two teaching assistants accompany students on trips out. The vehicle is left on site overnight during school holidays the vehicle is returned to Prince Rock.

Home to School transport and Milford School - Vehicles are used between 7.00am to 17.30pm and for activities every day. There is no requirement for evening use or school holidays. They use two passenger assistants and the drivers are provided by the home to school transport team, approximately 11 staff are able to drive the bus for daily activities.



Home to School transport and Mount Tamar School –This bus is used between 7.00am to 17.30pm and for various activities during the day. This school is linked to satellite sites at Oakridge Primary at Southway and Seymour House in Mount Wise. The minibus is used in the evenings for students at the hostel for trips out and only started being used during the holidays last year for the holiday club. The minibus is left on site overnight; six staff are able to drive the minibus.

Home to School transport and Woodlands School - Vehicle is used between 7.00am to 17.30pm and for various activities during the day. The minibus is used daily by the school and is constantly used during evenings, weekends and holidays by Wood View Short Break Service (SBS). The service is open 50 weeks a year, 7 days a week, 24 hours a day. SBS have 4 trained drivers and Woodlands have 6 trained drivers. All can drive vehicles over 3.5 tons.

## **Longcause School and Mount Tamar School**

See above for indication of usage.

## **Reatch Centre**

The Vehicles are used between 8.15am to 17.00pm, the vehicles are used for two collection and drop off runs morning and afternoon and activities during the day, every day. One people carrier is made available to Colwill Lodge for evening use. Two vehicles stay overnight at Windsor House and the other at Prince Rock; no vehicle is left on site due to security issues.

## **St Georges CRC**

Vehicles are used between 9.00 to 10.30am and 15.00 to 16.30pm to collect and drop off service users between their home and the centre and for activities during the day, every day. There is no requirement for evening or weekend use. Passenger assistants required are dependent upon service user needs; they tend to support service users on a 1:1 basis using public transport wherever possible.

## **Woodfield**

Vehicles are used between 8.45 to 10.30am and 3.30 to 4.45pm for home to centre runs and for activities through the day, every day. Both people carriers are for the use of one service user each for activities through the day. All trips have passenger assistants; drivers are day support workers (staff). The vehicles are not kept on site overnight; one is left at Prince Rock, one at school in Plympton for the Plympton/Plymstock run and one at Colwill Lodge for evening use. Staff also use their own vehicles for daytime activities. No requirement by the centre for evening or weekend use.

### Appendix E – Costs per vehicle

| Registration No. | Make / Model                                      | Style          | Department                | Service | Acquisition Method | Start Date | Insurance Premium (monthly) | Fixed Charge (monthly) | Yearly charge | Service and maintenance cost 01/04/11-31/03/12 | Annual cost per vehicle |
|------------------|---|----------------|---------------------------|---------|--------------------|------------|-----------------------------|------------------------|---------------|--|-------------------------|
| LD59 YRT         | Peugeot Tepee 1.6, 9 seater                       | People carrier | ACE Service, Palace Court | School  | Leased             | 01/01/2009 | 76.25                       | 298.12                 | 4,492.44      | 0.00   | 4,492.44                |
| LD59 YRU         | Peugeot Tepee 1.6, 9 seater                       | People carrier | ACE Service, Palace Court | School  | Leased             | 01/01/2009 | 76.25                       | 298.12                 | 4,492.44      | 0.00   | 4,492.44                |
| WJ08XDM          | Ford Transit 2.4 TDCI 115ps LWB 15 Seater Minibus | Mini Bus       | ACE Service, Palace Court | School  | Leased             | 01/03/2008 | 76.25                       | 323.77                 | 4,800.24      | 0.00   | 4,800.24                |
| WJ09 XPZ         | Ford Transit 2400cc                               | Mini Bus       | ACE Service, Palace Court | School  | Purchased          |            | 76.25                       |                        | 915.00        | 0.00   | 915.00                  |
| V912ETA          | LEYLAND DAF CONVOY XLWB BUS T/LIFT                | Mini Bus       | Fleet hire income         | Spare   | Leased             | 18/11/1999 | 76.25                       | 718.29                 | 9,534.48      | 4,472.01                                       | 14,006.49               |
| V924ETA          | LEYLAND DAF CONVOY 3.5 HI LOAD BUS                | Mini Bus       | Fleet hire income         | Spare   | Leased             | 01/11/1999 | 76.25                       | 339.25                 | 4,986.00      | 1,225.60                                       | 6,211.60                |
| V914ETA          | LEYLAND DAF CONVOY XLWB BUS T/LIFT                | Mini Bus       | Fleet Repairs             | Spare   | Leased             | 07/12/1999 | 76.25                       | 718.29                 | 9,534.48      | 4,005.16                                       | 13,539.64               |

|         |   |             |   |                              |           |                |       |        |          |          |           |
|---------|---|-------------|---|------------------------------|-----------|----------------|-------|--------|----------|----------|-----------|
| V488EDV | LEYLAND DAF<br>CONVOY XLWB<br>BUS T/LIFT                        | Mini<br>Bus | Fleet Repairs   | Spare                        | Leased    | 08/11/<br>1999 | 76.25 | 718.29 | 9,534.48 | 2,333.81 | 11,868.29 |
| VI80LFJ | LEYLAND DAF<br>CONVOY XLWB<br>BUS T/LIFT<br>(Girling's Coaches) | Mini<br>Bus | Home to<br>School<br>transport  | Education /<br>special needs | Leased    | 14/02/<br>2000 | 76.25 | 718.29 | 9,534.48 | 0.00     | 9,534.48  |
| V926ETA | LEYLAND DAF<br>CONVOY 3.5 HI<br>LOAD BUS                        | Mini<br>Bus | Home to<br>school<br>transport  | Education /<br>special needs | Leased    | 08/11/<br>1999 | 76.25 | 339.25 | 4,986.00 | 2,392.73 | 7,378.73  |
| W276TFJ | LEYLAND DAF<br>400 SERIES TD<br>BUS T/LIFT                      | Mini<br>Bus | home to school<br>transport   | Education /<br>special needs | Leased    | 01/04/<br>2000 | 76.25 | 718.29 | 9,534.48 | 4,924.24 | 14,458.72 |
| WA05FFN | LDV 400 SERIES<br>TD 3.5T BUS<br>T/LIFT                         | Mini<br>Bus | home to school<br>transport   | Education /<br>special needs | Leased    | 27/06/<br>2005 | 76.25 | 718.29 | 9,534.48 | 3,387.51 | 12,921.99 |
| WA54GVZ | LDV CONVOY<br>3.85T BUS   | Mini<br>Bus | home to school<br>transport   | Education /<br>special needs | Purchased | 29/11/<br>2004 | 76.25 | 339.25 | 4,986.00 | 3,450.38 | 8,436.38  |
| V927ETA | LEYLAND DAF<br>CONVOY Hi<br>LOAD BUS                            | Mini<br>Bus | Home to<br>school<br>transport /<br>Brook Green<br>Centre for<br>Learning | Special<br>needs             | Leased    | 01/12/<br>1999 | 51.04 | 339.25 | 4,683.48 | 2,400.00 | 7,083.48  |

|         |                                      |          |  |                                   |        |            |       |        |          |          |           |
|---------|--------------------------------------|----------|--|-----------------------------------|--------|------------|-------|--------|----------|----------|-----------|
| WA51YXD | LDV CONVOY HI-LOADER BUS             | Mini Bus | Home to school transport / Courtlands School | Moderate learning difficulties    | Leased | 26/02/2002 | 76.25 | 339.25 | 4,986.00 | 2,792.95 | 7,778.95  |
| V489EDV | LEYLAND DAF CONVOY XLWB BUS T/LIFT   | Mini Bus | Home to school transport / Downham School    | Special needs                     | Leased | 08/11/1999 | 76.25 | 718.29 | 9,534.48 | 3,413.17 | 12,947.65 |
| V925ETA | LEYLAND DAF CONVOY 3.5 HI LOAD BUS   | Mini Bus | Home to school transport / Longcause School  | Special needs and/or disabilities | Leased | 01/11/1999 | 76.25 | 339.25 | 4,986.00 | 6,790.42 | 11,776.42 |
| W278TFJ | LEYLAND DAF 400 SERIES TD BUS T/LIFT | Mini Bus | Home to school transport / Millford School   | Learning difficulties school      | Leased | 03/05/2000 | 76.25 | 718.29 | 9,534.48 | 3,987.14 | 13,521.62 |
| WA53DPO | LDV CONVOY 3.85T BUS                 | Mini Bus | Home to school transport / Millford School   | Learning difficulties school      | Leased | 04/02/2004 | 76.25 | 339.25 | 4,986.00 | 2,661.23 | 7,647.23  |

|  |   |                |                                      |   |                    |            |       |        |          |          |           |
|--|---|----------------|--------------------------------------|---|--------------------|------------|-------|--------|----------|----------|-----------|
| WA54GXX<br>(No longer available to Woodlands ) | WESSEX LDV CONVOY 4.1T XLWB BUS T/LIFT  | Mini Bus       | Home to school transport / Woodlands | Physical disabilities                               | Purchased          | 29/01/2005 | 76.25 | 718.29 | 9,534.48 | 0.00     | 9,534.48  |
| X774BDV  | LDV 400 SERIES TD 3.5T BUS              | Mini Bus       | Longcause School                     | Special needs and/or disabilities                   | Purchased          |            | 76.25 |        | 915.00   | 284.18   | 1,199.18  |
| ND10VZR  | FORD GALAXY                             | People carrier | Mount Tamar School                   | Emotional behavioural difficulties                  | Hired (Northgate ) | 01/09/2011 | 76.25 | 504    | 6,963.00 | 0.00     | 6,963.00  |
| GP56XEJ  | PEUGEOT EXPERT 815D                     | People carrier | REATCH                               | Physical disability and sensory impairment (adults) | Purchased          | 21/02/2007 | 76.25 | 0      | 915.00   | 1,739.16 | 2,654.16  |
| GP56XEO  | PEUGOT EXPERT 815D(BUS)                 | People carrier | REATCH                               | Physical disability and sensory impairment (adults) | Purchased          | 21/02/2007 | 76.25 | 0      | 915.00   | 990.92   | 1,905.92  |
| W274TFJ  | LEYLAND DAF CONVOY 4.1T XLWB BUS T/LIFT | Mini Bus       | REATCH                               | Physical disability and sensory impairment (adults) | Leased             | 23/03/2000 | 76.25 | 718.29 | 9,534.48 | 5,757.13 | 15,291.61 |

|         |  |             |               |  |           |                |       |        |          |          |           |
|---------|--|-------------|---------------|--|-----------|----------------|-------|--------|----------|----------|-----------|
| WA54AGO | WESSEX LDV<br>CONVOY 4.IT<br>XLWB BUS T/LIFT       | Mini<br>Bus | REATCH        | Physical<br>disability and<br>sensory<br>impairment<br>(adults)                          | Purchased | 15/12/<br>2004 | 76.25 | 339.25 | 4,986.00 | 6,299.25 | 11,285.25 |
| WA54GWN | LDV CONVOY<br>3.85T BUS                            | Mini<br>Bus | S Georges CRC | Learning<br>difficulties,<br>some<br>sensory and<br>physical<br>disabilities<br>(adults) | Purchased | 29/11/<br>2004 | 76.25 | 339.25 | 4,986.00 | 1,764.48 | 6,750.48  |
| WK52LZB | MERCEDES VITO<br>110 CDI /<br>SPECIALITY<br>FITTED | Mini<br>Bus | S Georges CRC | Learning<br>difficulties,<br>some<br>sensory and<br>physical<br>disabilities<br>(adults) | Purchased | 24/01/<br>2003 | 77    | 291.63 | 4,423.56 | 3,180.72 | 7,604.28  |
| X863CTA | LEYLAND DAF<br>CONVOY 4.IT<br>BUS T/LIFT           | Mini<br>Bus | S Georges CRC | Learning<br>difficulties,<br>some<br>sensory and<br>physical<br>disabilities<br>(adults) | Leased    | 01/02/<br>2001 | 76.25 | 718.29 | 9,534.48 | 2,024.07 | 11,558.55 |
| Y304GFJ | LEYLAND DAF<br>CONVOY 4.IT<br>BUS T/LIFT           | Mini<br>Bus | S Georges CRC | Learning<br>difficulties,<br>some  | Leased    | 02/04/<br>2001 | 76.25 | 718.29 | 9,534.48 | 4,813.66 | 14,348.14 |

|  |                                      |   |           |   |                    |            |       |        |          |          |           |
|--|--------------------------------------|---|-----------|---|--------------------|------------|-------|--------|----------|----------|-----------|
|  |                                      |   |           | sensory and physical disabilities (adults)  |                    |            |       |        |          |          |           |
| DK60 SSO   | Standard Minibus                     | Mini Bus                                | Woodfield | Physical and learning difficulties (adults) | Hired (SHB Hire)   | 06/12/2010 | 76.25 | 650    | 8,715.00 | 0.00     | 8,715.00  |
| NJ59 OOX   | FORD GALAXY                          | People carrier                          | Woodfield | Physical and learning difficulties (adults) | Hired (Northgate ) | 25/09/2009 | 76.25 | 660    | 8,835.00 | 0.00     | 8,835.00  |
| W277TFJ<br>(Taken out of service, replaced with NLI0HUH) | LEYLAND DAF 400 SERIES TD BUS T/LIFT | Mini Bus (replaced with people carrier) | Woodfield | Physical and learning difficulties (adults) | Leased             | 06/04/2000 | 76.25 | 718.29 | 8,619.48 | 0.00     | 8,619.48  |
| WA05FDM  | LDV 400 SERIES TD 3.5T BUS T/LIFT    | Mini Bus                                | Woodfield | Physical and learning difficulties (adults) | Purchased          | 15/04/2005 | 76.25 | 718.29 | 9,534.48 | 5,044.66 | 14,579.14 |



|         |   |             |           |  |        |                |       |        |            |           |            |
|---------|---|-------------|-----------|--|--------|----------------|-------|--------|------------|-----------|------------|
| WA05FFJ | LDV 400 SERIES<br>TD 3.5T BUS<br>T/LIFT | Mini<br>Bus | Woodfield | Physical and<br>learning<br>difficulties<br>(adults) | Leased | 13/05/<br>2005 | 76.25 | 718.29 | 9,534.48   | 4,777.51  | 14,311.99  |
| WJ02JAO | LDV CONVOY<br>4.IT BUS T/LIFT           | Mini<br>Bus | Woodfield | Physical and<br>learning<br>difficulties<br>(adults) | Leased | 29/04/<br>2002 | 76.25 | 718.29 | 9,534.48   | 3,344.28  | 12,878.76  |
|         |   |             |           |  |        |                |       |        | 242,589.84 | 88,256.38 | 330,846.22 |

**Appendix G – Summary of current leased and purchased minibuses**

All leased vehicles have reached the end of the original lease contracts. A summary has been provided below:

- 8 vehicles with leases over 13 years
- 5 vehicles with leases over 12 years
- 2 vehicles with leases over 11 years
- 2 vehicles with leases over 10 years
- 3 vehicles with leases over 7 years
- 3 vehicles with leases under 4 years

With the vehicles which have been purchased the age profile is as follows:

- 7 vehicles over 7 years of age
- 2 vehicles over 5 years of age
- 1 vehicle 3 years of age

**Appendix H - Comparator between borrowing and leasing options**

|                   | <b>Minibuses £1,055,000</b> |                   |                             |
|-------------------|-----------------------------|-------------------|-----------------------------|
|                   | <b>%</b>                    | <b>Annual (£)</b> | <b>Total over 5 yrs (£)</b> |
| Borrowing         | 3.5                         | 230,307.48        | 1,151,537.40                |
| Finance lease     | 6.5                         | 247,707.48        | 1,238,537.40                |
| Leasing long-term | 5.0                         | 238,909.80        | 1,194,549.00                |

**Appendix I – Summary of changes and replacements****ACE Service**

This service currently runs two people carriers and two minibuses. We would recommend terminating the leases and purchasing two people carriers and one minibus.

**Garage (spares)**

There are currently four minibuses leased, from the Council owned tail lift minibuses which would be replaced we recommend keeping two of these minibuses as spares and keeping one Council owned standard minibus as spare.

**Home to School Transport**

Since the data collection the service has had some changes to their operation. The service currently uses three tail lift minibuses and two standard minibuses just for transporting children from home to school. We are investigating the option to incorporate this requirement into the Minibus and Coach Contract which was let in 2011. Prices have been received and reviewed from the two operators; both can meet the Council's requirement for this service requirement and would be ready to commence the new service from September 2012. It is the intention of the Home to School Transport team to incorporate these routes into the current Minibus and Coach Contract.

The home to school transport team also use four standard minibuses and three tail lift minibuses to transport children from home to school and then are left on site for each school to use. We are recommending the option that these minibuses are replaced with equivalent vehicles and consideration given to the service being incorporated into each school and supported by each school. This would entail each school taking over the home to school transport run.

### Longcause School

This school currently has the use of a standard minibus. The recommendation is to replace this vehicle with equivalent.

### Mount Tamar School

Further to obtaining data about this School's usage of the minibus, they have since been gifted by a charity with a brand new 17 seater standard minibus in December 2011. Therefore they no longer use the minibus provided by the home to transport team. Mount Tamar also currently hires in one people carrier for their requirements, the recommended option would be to purchase a people carrier to replace the one currently hired.

### Reatch Centre

The Centre currently uses two people carriers and two tail lift minibuses. The recommended option is equivalent replacements.

### St George CRC

The Centre currently uses one standard, two tail lift and one minibus with ramp. The recommended option is to replace the standard minibus, replace the two tail lifts with one tail lift and a standard minibus the minibus with ramp should be a standard minibus or a minibus with ramp.

### Woodfield

Since the data collection, the situation with regards to vehicles has changed from one people carrier, one standard minibus and four tail lift minibuses. One of the tail lift minibuses has been taken out of service and replaced with a hired people carrier. The Centre currently uses two hired people carriers, three tail lift minibuses and one hired standard minibus, the recommended option is to purchase equivalent replacements.

### Woodlands School

Since the data collection, Woodlands have lost the use of the home to school minibus which used to be available to them during the day. They have identified a further need to have another tail lift minibus, in addition to that replaced via the home to transport data above as their classes include more than five wheelchair users.

| Appendix J - Replacement programme |   |                |                           |         |                    |            |                                 |                                |  |
|------------------------------------|---|----------------|---------------------------|---------|--------------------|------------|---------------------------------|--------------------------------|--|
| Registration No.                   | Make / Model                                      | Style          | Department                | Service | Acquisition Method | Start Date | Replacement Year 1<br>2013- 14  | Replacement Year 2<br>2014- 5  |  |
| LD59 YRT                           | Peugeot Tepee 1.6, 9 seater                       | People carrier | ACE Service, Palace Court | School  | Leased             | 01/01/2009 |                                 | People carrier                 |  |
| LD59 YRU                           | Peugeot Tepee 1.6, 9 seater                       | People carrier | ACE Service, Palace Court | School  | Leased             | 01/01/2009 |                                 | People carrier                 |  |
| WJ08XDM                            | Ford Transit 2.4 TDCI 115ps LWB 15 Seater Minibus | Mini Bus       | ACE Service, Palace Court | School  | Leased             | 01/03/2008 |                                 | Standard minibus               |  |
| WJ09 XPZ                           | Ford Transit 2400cc                               | Mini Bus       | ACE Service, Palace Court | School  | Purchased          |            |                                 | Standard minibus               |  |
| V912ETA                            | LEYLAND DAF CONVOY XLWB BUS T/LIFT                | Mini Bus       | Fleet hire income         | Spare   | Leased             | 18/11/1999 | Use WA54GVZ to replace as spare |                                |  |
| V924ETA                            | LEYLAND DAF CONVOY 3.5 HI LOAD BUS                | Mini Bus       | Fleet hire income         | Spare   | Leased             | 01/11/1999 | Use WA54GWN to replace as spare | Use WJ09XPZ to replace WA54GWN |  |
| V914ETA                            | LEYLAND DAF CONVOY XLWB BUS T/LIFT                | Mini Bus       | Fleet Repairs             | Spare   | Leased             | 07/12/1999 | Use WA05FDM to replace as spare |                                |  |

|         |  |             |                             |                              |        |            |  |  |  |
|---------|--|-------------|-----------------------------|------------------------------|--------|------------|--|--|--|
| V488EDV | LEYLAND DAF<br>CONVOY XLWB BUS<br>T/LIFT                       | Mini<br>Bus | Home to School<br>transport | Spare                        | Leased | 08/11/1999 | No<br>replacement                                |  |  |
| V180LFJ | LEYLAND DAF<br>CONVOY XLWB BUS<br>T/LIFT (Girlings<br>Coaches) | Mini<br>Bus | Home to School<br>transport | Education / special<br>needs | Leased | 14/02/2000 | Incorporate<br>usage into<br>current<br>contract |  |  |
| V926ETA | LEYLAND DAF<br>CONVOY 3.5 HI<br>LOAD BUS                       | Mini<br>Bus | Home to school<br>transport | Education / special<br>needs | Leased | 08/11/1999 | Incorporate<br>usage into<br>current<br>contract |  |  |
| W276TFJ | LEYLAND DAF 400<br>SERIES TD BUS T/LIFT                        | Mini<br>Bus | home to school<br>transport | Education / special<br>needs | Leased | 01/04/2000 | Incorporate<br>usage into<br>current<br>contract |  |  |
| WA05FFN | LDV 400 SERIES TD<br>3.5T BUS T/LIFT                           | Mini<br>Bus | home to school<br>transport | Education / special<br>needs | Leased | 27/06/2005 | Incorporate<br>usage into<br>current<br>contract |  |  |

|         |                                      |          |  |                                   |           |            |   |  |  |
|---------|--------------------------------------|----------|--|-----------------------------------|-----------|------------|---|--|--|
| WA54GVZ | LDV CONVOY 3.85T BUS                 | Mini Bus | home to school transport                                   | Education / special needs         | Purchased | 29/11/2004 | Incorporate usage into current contract (then minibus will be used as garage spare) |  |  |
| V927ETA | LEYLAND DAF CONVOY Hi LOAD BUS       | Mini Bus | Home to school transport / Brook Green Centre for Learning | Special needs                     | Leased    | 01/12/1999 | Standard minibus  |  |  |
| WA51YXD | LDV CONVOY HI-LOADER BUS             | Mini Bus | Home to school transport / Courtlands School               | Moderate learning difficulties    | Leased    | 26/02/2002 | Standard minibus  |  |  |
| V489EDV | LEYLAND DAF CONVOY XLWB BUS T/LIFT   | Mini Bus | Home to school transport / Downham School                  | Special needs                     | Leased    | 08/11/1999 | Tail lift minibus   |  |  |
| V925ETA | LEYLAND DAF CONVOY 3.5 HI LOAD BUS   | Mini Bus | Home to school transport / Longcause School                | Special needs and/or disabilities | Leased    | 01/11/1999 | Standard minibus  |  |  |
| W278TFJ | LEYLAND DAF 400 SERIES TD BUS T/LIFT | Mini Bus | Home to school transport / Millford School                 | Learning difficulties school      | Leased    | 03/05/2000 | Tail lift minibus   |  |  |
| WA53DPO | LDV CONVOY 3.85T BUS                 | Mini Bus | Home to school transport / Millford School                 | Learning difficulties school      | Leased    | 04/02/2004 | Standard minibus  |  |  |

|  |   |                |                                      |   |                    |            |                   |                |  |
|--|---|----------------|--------------------------------------|---|--------------------|------------|-------------------|----------------|--|
| WA54GXX<br>(No longer available to Woodlands ) | WESSEX LDV CONVOY 4.IT XLWB BUS T/LIFT  | Mini Bus       | Home to school transport / Woodlands | Physical disabilities                               | Purchased          | 29/01/2005 | Tail lift minibus |                |  |
| X774BDV  | LDV 400 SERIES TD 3.5T BUS              | Mini Bus       | Longcause School                     | Special needs and/or disabilities                   | Purchased          |            | Standard minibus  |                |  |
| ND10VZR  | FORD GALAXY                             | People carrier | Mount Tamar School                   | Emotional behavioural difficulties                  | Hired (Northgate ) | 01/09/2011 | People carrier    |                |  |
| GP56XEJ  | PEUGEOT EXPERT 815D                     | People carrier | REATCH                               | Physical disability and sensory impairment (adults) | Purchased          | 21/02/2007 |                   | People carrier |  |
| GP56XEO  | PEUGOT EXPERT 815D(BUS)                 | People carrier | REATCH                               | Physical disability and sensory impairment (adults) | Purchased          | 21/02/2007 |                   | People carrier |  |
| W274TFJ  | LEYLAND DAF CONVOY 4.IT XLWB BUS T/LIFT | Mini Bus       | REATCH                               | Physical disability and sensory impairment (adults) | Leased             | 23/03/2000 | Tail lift minibus |                |  |
| WA54AGO  | WESSEX LDV CONVOY 4.IT XLWB BUS T/LIFT  | Mini Bus       | REATCH                               | Physical disability and sensory impairment (adults) | Purchased          | 15/12/2004 | Tail lift minibus |                |  |

|          |   |                |               |  |                   |            |                   |  |  |
|----------|---|----------------|---------------|--|-------------------|------------|-------------------|--|--|
| WA54GWN  | LDV CONVOY 3.85T BUS                      | Mini Bus       | S Georges CRC | Learning difficulties, some sensory and physical disabilities (adults) | Purchased         | 29/11/2004 | Standard minibus  |  |  |
| WK52LZB  | MERCEDES VITO 110 CDI / SPECIALITY FITTED | Mini Bus       | S Georges CRC | Learning difficulties, some sensory and physical disabilities (adults) | Purchased         | 24/01/2003 | Ramped minibus    |  |  |
| X863CTA  | LEYLAND DAF CONVOY 4.1T BUS T/LIFT        | Mini Bus       | S Georges CRC | Learning difficulties, some sensory and physical disabilities (adults) | Leased            | 01/02/2001 | Tail lift minibus |  |  |
| Y304GFJ  | LEYLAND DAF CONVOY 4.1T BUS T/LIFT        | Mini Bus       | S Georges CRC | Learning difficulties, some sensory and physical disabilities (adults) | Leased            | 02/04/2001 | Standard minibus  |  |  |
| DK60 SSO | Standard Minibus                          | Mini Bus       | Woodfield     | Physical and learning difficulties (adults)                            | Hired (SHB Hire)  | 06/12/2010 | Standard minibus  |  |  |
| NJ59 OOX | FORD GALAXY                               | People carrier | Woodfield     | Physical and learning difficulties (adults)                            | Hired (Northgate) | 25/09/2009 | People carrier    |  |  |



|  |                                      |  |                  |   |           |            |   |  |  |
|--|--------------------------------------|--|------------------|---|-----------|------------|---|--|--|
| W277TFJ<br>(Taken out of service, replaced with NLI0HUH) | LEYLAND DAF 400 SERIES TD BUS T/LIFT | Mini Bus<br>(replaced with people carrier) | Woodfield        | Physical and learning difficulties (adults) | Leased    | 06/04/2000 | People carrier  |  |  |
| WA05FDM  | LDV 400 SERIES TD 3.5T BUS T/LIFT    | Mini Bus                                   | Woodfield        | Physical and learning difficulties (adults) | Purchased | 15/04/2005 | Tail lift minibus (current minibus will then be used as garage spare) |  |  |
| WA05FFJ  | LDV 400 SERIES TD 3.5T BUS T/LIFT    | Mini Bus                                   | Woodfield        | Physical and learning difficulties (adults) | Leased    | 13/05/2005 | Tail lift minibus   |  |  |
| WJ02JAO  | LDV CONVOY 4.IT BUS T/LIFT           | Mini Bus                                   | Woodfield        | Physical and learning difficulties (adults) | Leased    | 29/04/2002 | Tail lift minibus   |  |  |
|  |                                      |  | Woodlands School | Physical disabilities                       |           |            | Tail lift minibus   |  |  |

**Appendix K – Replacement items and quantity**

|                   | <b>2013/14<br/>(Year 1)</b> | <b>2014/15<br/>(Year 2)</b> | <b>2015/16<br/>(Year 3)</b> | <b>2016/17<br/>(Year 4)</b> | <b>Total</b> |
|-------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|--------------|
| Standard minibus  | 9                           | 2                           |                             |                             | 11           |
| Tail lift minibus | 10                          | 0                           |                             |                             | 10           |
| People carrier    | 3                           | 4                           |                             |                             | 7            |
| <b>Total</b>      | <b>22</b>                   | <b>6</b>                    |                             |                             | <b>28</b>    |

**Appendix L – Cooperative approach to minibus usage****Co-operative Council Model**

The Council has very clear aspirations to become a Co-operative Council, putting people in control of their own communities and the services they receive, as well as council staff having a stronger stake in delivery. It is about working together for the common good. The aim of the

Co-operative Council is to create a strong sense of togetherness and ownership of council supported services, amenities and assets, so that they can be more effectively and efficiently used and support the delivery of the city's vision and growth agenda.

**Background**

The Council has a fleet of approximately 59 minibuses. Many of these are managed and run directly by individual schools. However, the Council needs 28 minibuses that are managed and run by individual services providing vital transport, mainly Adult Social Care and Children's Services. We have a range of sizes from people carriers to 17 seater's, as well as vehicles with tail lifts and other special adaptations. These minibuses are now on their last legs and are in urgent need of replacing, at a cost of well over £1m.

Many of the vehicles are predominantly used between 9am and 5pm Monday to Friday and most evenings and weekends are parked up, not being used.

It would be fantastic if charities, volunteer groups and others based in the community who cannot afford their own minibus could have access in some way to this valuable asset. We need to understand how much more they could achieve and how much more people's quality of life could improve.

At Team Plymouth held on 20 June 2012 officers discussed opportunities, barriers to progress and the contribution that Departments might make and the benefits to both the community and the council regarding the use of mini buses by the community. The

information was collected and analysed and is grouped together under four headings below:

## **Opportunities**

- Best use of assets, clear demand as currently only partially used.
- Opportunity to reach the most disengaged communities, ability for foster carers to take children out for the day – trips to moors, beaches etc.
- Provide training to volunteer drivers.
- Provide advice and guidance to access funding, i.e. Big Lottery.
- Facilitate networking with key organisations, i.e. Plymouth University.
- Understand current demand
- What is currently operating in the Council?
- Use of community volunteers to drive for PCC use, but provide use of minibus to the community in return.
- Better value.
- Support green initiatives by reducing car parking at community events/activities.
- Community/third sector able to extend/improve/expand their services.
- Draw links to new terms and conditions of operating, e.g. weekends, after hours.
- Possibility of income generation.
- Community involvement in running the minibus service through a co-operative.
- Reflecting on the Localism Act could extend community assets register to include vehicles.

## **Potential Barriers to Progress**

- Issues regarding maintenance/ cost/insurance/fuel etc.
- Groups may not anticipate full cost and may not be able to meet costs.
- Need to relax some of the rules around who can drive buses and for what purposes (i.e. allow adaptation of a possible volunteer driver scheme).
- Will groups themselves be resistant – will they want such a close relationship – will they see it as causing more work for them?
- Some specialist vehicles or adapted vehicles may need to be exempt/protected.
- May not be the take up we envisage.
- What might be the impact on our profile and reputation if the minibuses are put to 'inappropriate' uses?
- How would access to the asset be managed?

- How would we prioritise use of vehicles? Schools could be granted priority over use of minibuses.

## **Departmental Contributions**

- Help to 'sell the idea' – ensuring all potential customers are aware that a scheme may be available.
- Scope potential customers/community groups to assess interest.
- Can 'broker' between communities and schools assisting good working relations.
- Assist in providing 'out of school activities'.
- Offer 'Access Plymouth' opportunity to run 'ring 'n' ride'.
- Provide procurement knowledge and support.
- Provide risk management and health and safety knowledge and support.
- Can offer insurance advice, support and services.
- Can offer maintenance advice, support and/or services.
- Can provide driver training.
- Can provide administration support and/or administrative advice.
- Can offer advice on appropriate usage and even suggest alternative uses (e.g. hospital visits, tourism).
- Could arrange a trial or pilot run.
- Could bring in other partners and agencies (e.g. probation, parks services, wildlife trusts) using our networks.
- Could arrange trips to various PCC sites.

## **Benefits**

- Community ownership
- Improved attendance, if minibuses could be used to pick up pupils where attendance is low.
- Improved education if attendance improves.
- Improvement in life chances – trips to beach, moors and other visits.
- Different operating models.
- Retain ownership and management.
- Retain ownership, management by social enterprise/co-op
- Social enterprise/co-op receives assets but SLA provides access to PCC.

**Next steps**

- Initially ascertain demand by using Community and Social Action Plymouth, the umbrella group for the community & voluntary sector. PCC could work with them to undertake a consultation with its members as a starting point.
- Set up a Task and Finish group to evaluate the outcome of the consultation and formulate all necessary work to be undertaken base on the level of demand, allocating tasks and timelines in order that a further report can be prepared in a timely manner.

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