

Cabinet

Tuesday 6 August 2013

PRESENT:

Councillor Evans, in the Chair.
Councillor Peter Smith, Vice Chair.
Councillors Lowry, McDonald and Penberthy.

Also in attendance: Councillor Mrs Aspinall (Chair of the Health and Adult Social Care Overview and Scrutiny Task and Finish Group), Tracey Lee (Chief Executive), Adam Broome (Director for Corporate Services), Carole Burgoyne (Director for People), Patrick Bowes (Urban Enterprise Project Manager), Debbie Butcher (Head of Safeguarding, Quality and Individual Placements), David Draffan (Assistant Director for Economic Development), Claire Hodgkins (Strategic Commissioning Manager), David James (Head of Strategic Development Projects), Debbie Newcombe (Public Transport Officer), Clive Perkin (Assistant Director for Transport and Infrastructure), David Schwartz (Young People's Lead) and Nicola Kirby (Senior Democratic Support Officer (Cabinet)).

Apologies for absence: Councillors Coker, Vincent and Williams and Anthony Payne (Director for Place).

The meeting started at 2 pm and finished at 3.25 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.

16. **FURTHER NOTICE OF INTENTION TO CONDUCT BUSINESS IN PRIVATE**

The Chair referred to the further notice of intention to conduct business in private and indicated that as much information as possible would be discussed in public at the meeting.

17. **DECLARATIONS OF INTEREST**

There were no declarations of interest made by councillors in accordance with the code of conduct in relation to items under consideration at this meeting.

18. **ADAM BROOME (DIRECTOR FOR CORPORATE SERVICES)**

The Chair thanked Adam Broome (Director for Corporate Services) both personally and on behalf of the executive, for his work during the last nine years and in particular paid tribute to his major contribution to the transformation of the organisation to date.

19. **MINUTES**

Agreed the minutes of the meeting held on 18 June 2013.

20. **QUESTIONS FROM THE PUBLIC**

One question was submitted by a member of 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 Chair read the question submitted and advised Cabinet Members that the written response would be sent to him.

Question No	Question By	Cabinet Member	Subject
1 (13/14)	Mr F E Sharpe	Councillor Peter Smith, Deputy Leader	Swimming Pool at Sherford
How many residents from Plymstock asked to have a swimming pool for Plymstock built at Sherford rather than on the Downhorn park site in central Plymstock.			
Response: The Council does not keep records of this information.			

21. **STRATEGIC ALCOHOL PLAN FOR PLYMOUTH 2013-18**

Councillor Mrs Aspinall (Chair of the Health and Adult Social Care Overview and Scrutiny Task and Finish Group) attended the meeting and presented the recommendations in the scrutiny report on the Strategic Alcohol Plan for Plymouth following the pre-decision scrutiny.

The Chair advised Cabinet Members that Councillor James (Chair of the Cooperative Scrutiny Board) had also been invited to attend the meeting but had declined the invitation.

Carole Burgoyne (Director for People) submitted a report on the draft Strategic Alcohol Plan for Plymouth 2013 -18 'Promote Responsibility, Minimise Harm.' indicating that -

- (a) the plan would sit under the governance of the Health and Wellbeing Board;
- (b) an annual delivery plan would be produced outlining a partnership programme of actions;
- (c) the recommendations from the scrutiny report had either been incorporated into the draft plan or would be incorporated into the detail of the delivery plans.

Councillor McDonald (Cabinet Member for Public Health and Adult Social Care) introduced the proposals and thanked the Cabinet Members for their support during the development proposals.

David Schwartz (Young People's Lead) also commented on the proposals. Following consideration of performance measures, the Cabinet Member would monitor the progress.

Alternative options considered and reasons for the decision –

As set out in the report.

The Chair thanked Councillor Mrs Aspinall, members of the task and finish group and all the witnesses who had participated in the scrutiny review for their work.

Agreed that approval is given to the Strategic Alcohol Plan 2013 -2018 as submitted.

22. **BUSINESS RATES: DISCRETIONARY RATE RELIEF**

Adam Broome (Director for Corporate Services) submitted a report reviewing the council's approach to granting discretionary business rate relief to identify resources to promote growth in the local economy and in the light of new government legislation. The report also contained the outcome of benchmarking with other local authorities.

The content of the report had been considered by the Cooperative Scrutiny Board on 24 July 2013 and a minor alteration to add 'time limited' was recommended which had been taken included in recommendation (1).

Councillor Lowry (Cabinet Member for Finance) introduced the proposals.

Councillor Penberthy (Cabinet Member for Cooperatives and Community Development) also reported that he was intending to submit a report on the outcome of the review referred to in (6) below, to Cabinet in December 2013 entitled the Civil Society Policy.

Alternative options considered and reasons for the decision –

As set out in the report.

Agreed that –

- (1) a 'ring-fenced' funding pot is created to provide time limited rate relief to a wider range of businesses that can demonstrate that they provide significant economic benefit to Plymouth (utilising new government legislation that came into effect in April 2013);
- (2) the appropriateness of discretionary business rate relief provided to individual charities and non-profit-making organisations for 2013/14 is reviewed, ascertaining the contribution that each organisation makes to the city and its residents;

- (3) the principle is adopted that all organisations should contribute something towards the cost of their business rates in line with the newly adopted Council Tax Support Scheme that requires all residents to contribute at least 25 per cent towards their Council Tax bill (regardless of circumstances);
- (4) as a general principle, the total value of discretionary rates relief given to any single organisation is capped to 75 per cent of the relief provided by the council in 2012/13;
- (5) existing 'hardship' relief provided is removed unless supported by a clear business case evidencing how an organisation supports the local economy;
- (6) a wider review is conducted for Cabinet consideration, providing a clear strategy for joining up all financial support and assistance provided by the council to all non-profit making and profit making organisations.

23. **FINANCE - CAPITAL AND REVENUE MONITORING REPORT**

The Corporate Management Team submitted a report on the finance monitoring position of the council as at 30 June 2013 to show how the council was delivering against its financial measures using its capital and revenue resources, to approve budget variations and virements and to seek approval of new schemes in the capital programme.

The report also detailed the number of fulltime equivalent employees and the average number of days sick per full time employee.

Councillor Lowry (Cabinet Member for Finance) introduced the proposals and indicated that there was an error on recommendation (3) in the report (minute 24 below refers) which should read '...schemes added to the capital programme totalling £3.3m'.

Councillor Peter Smith (Deputy Leader) advised Cabinet Members that the policies to reduce sickness were having an impact with a reduction to an average of 8.5 sick days per employee but that more work was required to further reduce sickness absence.

Alternative options considered and reasons for the decision –

As set out in the report.

Cabinet noted -

- (1) the revenue position of an overspend of £1.892m and the actions being taken;

- (2) the increase in the medium term capital programme forecast to £159.903m which included expected grants of £19.3m following the Comprehensive Spending Review announced on 26 June 2013 and £6m in respect of highways infrastructure maintenance;
- (3) the data provided by the Assistant Director for Human Resources and Organisational Development.

Agreed the revenue budget virements as detailed in the written report.

(See also minute 24 below)

24. **Finance - Capital and Revenue Monitoring Report: Recommendation to the City Council**

Further to minute 23 above,

the City Council is Recommended to agree the new schemes to be added to the capital programme totalling £3.3m as follows –

- Marjons Link Road £1.5m
- Vehicle and Plant Replacement Phase IV £1.8m

25. **URBAN ENTERPRISE: NEW ENTERPRISE UNITS AT OCEAN STUDIOS**

Anthony Payne (Director for Place) submitted a written report on the Ocean Studios development at the Royal William Yard, which was a £4.06 million building project which could unlock £3.27 million public funding to create 1,900 square metres of affordable artists' studios.

The report indicated how the delivery of the project would be facilitated by a capital contribution of £794,000 from the City Council's Investment Fund and how the potential financial impact of the council acting as guarantor to a loan of similar value would be mitigated.

Councillor Evans (Council Leader) introduced the proposals and advised Cabinet Members that the council would be liable for any outstanding payments at the end of the 10 year loan period.

Patrick Bowes (Urban Enterprise Project Manager) also reported on the proposals.

Alternative options considered and reasons for the decision –

As set out in the report.

Agreed that subject to a favourable outcome to both the European Regional Development Fund and the Growing Places Fund applications and the approval of the City Council, the council agrees -

- (1) to act as guarantor for Ocean Studios Community Interest Company (CIC) for repayment of the balance of the Trust's loan from the LEP outstanding to a maximum of £794,000 in accordance with an agreed Heads of Terms between Plymouth City Council and the Ocean Studios CIC which mitigates the potential financial impact upon the council. Authority to agree the Heads of Terms to be delegated to the Director for Place;
- (2) to make a capital contribution of £794,000 from the Investment Fund.

ADULT SOCIAL CARE: IMPROVING QUALITY AND OUTCOMES, INCREASING CHOICE AND CONTROL

26. Increasing choice and control in day opportunities

Further to the Cabinet meeting on 15 January 2013 (minute 127 (2012/13) referred) which asked officers to undertake inclusive and meaningful consultation with service users, families and carers on proposals relating to day care opportunities, Carole Burgoyne (Director for People) submitted a written report on the outcome of the consultation process and making a series of recommendations designed to "Increase Choice and Control in Day Opportunities".

Councillor McDonald (Cabinet Member for Public Health and Adult Social Care) presented the proposals detailed in the written report and drew Cabinet Member's attention to the background paper on the equality impact assessment indicating that no person would suffer a shortfall of income if the impact of the proposals caused additional travelling.

Debbie Butcher (Head of Safeguarding, Quality and Individual Placements) also reported on the proposals indicating that there was a need to update current facilities and that the council would continue to meet eligible need.

The Chair emphasised that no services were being withdrawn and that transport arrangements would continue.

Alternative options considered and reasons for the decision –

As set out in the report.

Agreed that –

- (1) the council will ensure that eligible needs continue to be met and clients that are assessed as needing centre based day care will continue to receive this form of provision in improved facilities;
- (2) in the light of the changing demand profile detailed in the report, the numbers of day centres provided by Plymouth City Council are reduced from three to two;

- (3) the building St George's would close allowing for the community redevelopment plan on the site to proceed;
- (4) day centre provision will be operated from the Woodfield/Reatch site with the services being remodelled to become centre based community hubs for those with multiple and complex needs which would bring economies of scale whilst still providing sufficient capacity to meet demand;
- (5) proposals will be brought forward to seek additional resources to upgrade and modernise provision at the Woodfield/Reatch site;
- (6) these changes will take place over the next 12 months.

27. **Improving quality in dementia care**

Further to the Cabinet meeting on 15 January 2013 (minute 127 (2012/13) referred) which asked officers to undertake inclusive and meaningful consultation with service users, families and carers on proposals relating to dementia care, Carole Burgoyne (Director for People) submitted a written report on the outcome of the consultation process and making a series of recommendations on "Improving Quality in Dementia Care".

Councillor McDonald (Cabinet Member for Public Health and Adult Social Care) presented the proposals in the written report and in addition reported that -

- (a) the consultation process had been reviewed by the Health and Adult Social Care Overview and Scrutiny Panel and the process had been found to be robust;
- (b) if Lakeside was upgraded, there would also be a loss of 50 per cent of the beds due to the increased facilities required;
- (c) many providers across the city had achieved the dementia quality mark for services.

Debbie Butcher (Head of Safeguarding, Quality and Individual Placements) also reported on the proposals and emphasised that people would be supported through the transition period.

Alternative options considered and reasons for the decision –

As set out in the report.

Agreed that –

- (1) the council de-commission Lakeside over the next 12 months and support residents and their families and advocates to move to alternative homes of their choice;

- (2) taking into account feedback from consultation, an exception is made to the general policy that no person currently residing in a Plymouth City Council owned residential care home will have to move if they wish to stay there;
- (3) the council will ensure there is support for families and users throughout this process;
- (4) Lakeside Residential Care Home shall immediately stop taking new long term admissions.

28. **ADDITION OF A SPECIAL EDUCATIONAL NEEDS SUPPORT CENTRE TO KEYHAM BARTON CATHOLIC PRIMARY SCHOOL**

Carole Burgoyne (Director for People) submitted a report indicating that the proportion of stated pupils with an autistic spectrum condition (ASC) requiring specialist provision had risen in both the secondary and primary sector. Keyham Barton Catholic Primary School currently had the opportunity, working with the Diocese, to make considerable alterations to the school and adjacent presbytery building which would provide a centrally located support base for ASC students and associated break out spaces. This would contribute to the council's strategic requirement of providing additional capacity to meet the special educational needs of complex children with ASC including specialist teaching input, within a mainstream setting. The school currently provided five places for ASC pupils from across the city.

Councillor Evans (Council Leader), in the absence of Councillor Williams (Cabinet Member for Children and Young People), introduced the proposals.

Alternative options considered and reasons for the decision –

As set out in the report.

Agreed that –

- (1) formal consultations are undertaken with all interested parties on proposals to add a special education needs support centre for complex children with autistic spectrum condition to Keyham Barton Catholic Primary School with effect from September 2014, using the facilities to be renovated by the Diocese;
- (2) the Cabinet Member for Children and Young People, in the light of the outcomes of and responses to the formal consultations, is authorised to determine whether to publish formal proposals (Public Notice) to undertake the above change and to determine whether to implement the proposal outlined in any such Public Notice.

29. **CONTRACT AWARD - DOMESTIC ABUSE VICTIM SUPPORT, RECOVERY AND PREVENTION SERVICES**

Carole Burgoyne (Director for People) submitted a report on the recent tender process for two separate services of victims of domestic abuse -

- (a) Service A to support people assessed as being at a 'higher risk of serious harm' including a volunteer co-ordinator;
- (b) Service B (a new provision) to focus on supporting people who had been assessed as being at a 'lower risk of serious harm' to prevent escalation of their needs and to create initiatives to raise awareness of domestic abuse amongst agencies and the public.

Councillor McDonald (Cabinet Member for Public Health and Adult Social Care) introduced the proposals.

Subject to consideration of a separate private report also included on the Cabinet agenda detailing the evaluation process and the outcome of the tendering process, three year contracts, containing an option to extend the contracts for a further three years, would be awarded to the most economically advantageous tenderers.

(See also minute 33 below)

30. **CONTRACT AWARD FOR LOCAL BUS SERVICES**

Anthony Payne (Director for Place) submitted a report summarising the recent tender process for the commissioning of the following local bus services across the city:

7D, 13, 14, 18, 19, 25, 27, 28B, 31, 39, 43B and 52.

Councillor Evans (Council Leader) introduced the report in the absence of Councillor Coker (Cabinet Member for Transport) and indicated that the recommendations of the Overview and Scrutiny Management Board Task and Finish Group on a review into subsidised bus routes and through ticketing had been accepted and wherever possible those relevant to subsidised bus services had been incorporated as part of the tender process.

A separate private report was also included on the Cabinet agenda detailing the outcomes of the tenders and recommendations for awarding the contracts for specific bus services.

The report was noted.

(See also minute 32 below)

31. **EXEMPT BUSINESS**

Agreed that under Section 100(A)(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of 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.

32. **CONTRACT AWARD FOR LOCAL BUS SERVICES (E3)**

Further to minute 30 on the tender process for the commissioning of the following local bus services across the city: 7D, 13, 14, 18, 19, 25, 27, 28B, 31, 39, 43B and 52, Anthony Payne (Director for Place) submitted a private report detailing the outcome of the tenders and recommendations for awarding contracts for specific bus services.

Cabinet Members asked that ward councillors were given advanced notice of the changes to services.

Alternative options considered and reasons for the decision –

As set out in the report.

Agreed the recommendations in the written report and award the contracts accordingly.

33. **CONTRACT AWARD - DOMESTIC ABUSE VICTIM SUPPORT, RECOVERY AND PREVENTION SERVICES (E3)**

Further to minute 29 on the tender process for two separate services for victims of domestic abuse, Carole Burgoyne (Director for People) submitted a private report on the evaluation process for the tenders received.

Cabinet Members asked the Chief Executive to raise with officers the wording used in relation to 'a priority service area' in the financial section of the report.

Alternative options considered and reasons for the decision –

As set out in the report.

Agreed that contracts are awarded as indicated in the written report for a period of three years with the option to extend for a further three years in annual increments (authority for any contract extension to be delegated to the Cabinet Member for Public Health and Social Care) for -

- (1) Service A to support people assessed as being at a 'higher risk of serious harm' including a volunteer co-ordinator;
- (2) Service B (a new provision) to focus on supporting people who had been assessed as being at a 'lower risk of serious harm' to prevent escalation of their needs and to create initiatives to raise awareness of domestic abuse amongst agencies and the public.

34. **RESTRUCTURE OF TWO CITY CENTRE HEAD LEASES (E3)**

Anthony Payne (Director for Place) submitted a report on a restructure of two City Centre head leases to enable new investment in commercial units at Old Town Street in the City Centre.

Councillor Lowry (Cabinet Member for Finance introduced the proposals.

David Draffan (Assistant Director for Economic Development) and David James (Head of Strategic Development Projects) also reported on the proposals.

Alternative options considered and reasons for the decision –

As set out in the report.

Agreed to –

- (1) accept a surrender of the existing two head leases at –
 - (a) 1-19 New George Street & 13-21 Old Town Street & rear car park; and
 - (b) 2-6 Royal Parade and 1-11 Old Town Street (Norwich Union House);
- (2) grant a new 250 year lease of the combined area of (a) and (b) above to facilitate the proposed commercial investment, as detailed in the report; The lease to commence upon the completion of the proposed sub-lease as indicated.