

# Public Document Pack



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## **Democratic Support**

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Published 09 June 2014

## **CABINET**

Tuesday 17 June 2014

2.00 pm

Council House (Next to the Civic Centre), Plymouth

### **Members:**

Councillor Evans, Chair

Councillor Peter Smith, Vice Chair

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

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

This agenda acts as notice that Cabinet will be considering business in private if items are included in Part II of the agenda.

This meeting will be broadcast live to the internet and will be capable of subsequent repeated viewing. By entering the Warspite Room and during the course of the meeting, Councillors are consenting to being filmed and to the use of those recordings for webcasting.

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**Tracey Lee**

Chief Executive

# **CABINET**

## **AGENDA**

### **PART I (PUBLIC MEETING)**

#### **1. APOLOGIES**

To receive apologies for absence 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 interests is attached to assist councillors.

#### **3. MINUTES (Pages 3 - 8)**

To sign and confirm as a correct record the minutes of the meeting held on 29 April 2014.

#### **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, 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. CO-OPERATIVE SCRUTINY REVIEW - UNAUTHORISED ENCAMPMENTS (Pages 9 - 50)**

Councillor Kate Taylor (Member of the Your Plymouth Co-operative Review Scrutiny Group) has been invited to attend Cabinet to present the recommendations in the scrutiny report on Unauthorised Encampments.

Carole Burgoyne (Strategic Director for People) will submit a report on the recommendations which came from this review.

A background paper to this report can be accessed at the Council's website Council and Democracy/Councillors and Committees/Library/Cabinet background papers or using the following hyperlink –  
<http://tinyurl.com/q3d6bmh>

**7. THE NEW COUNCIL'S COMMITMENTS (Pages 51 - 54)**

The Chief Executive will submit a report on 50 further pledges made by the newly elected administration, indicating that the Corporate Plan would be updated to reflect this commitment and would be submitted for consideration by Cabinet on 15 July 2014 and subsequently by the Council.

**8. FINANCIAL OUTTURN 2013/14 INCLUDING CAPITAL PROGRAMME UPDATE (Pages 55 - 74)**

The Assistant Director for Finance will submit a report on the final financial outturn report for 2013/14 and detailing the financial monitoring position of the Council as at 31 March 2014.

The report will also propose a number of adjustments to the financial accounts which will feed in to the Council's annual Statement of Accounts.

The final capital outturn position will also be reported.

**9. GROWTH AND ASSETS FULL BUSINESS CASE (Pages 75 - 108)**

The Strategic Director for People will submit a report seeking approval of the Growth and Assets full business case which will propose that by accelerating commercial and housing developments, an increase of income can be achieved which will benefit the City Council.

By working co-operatively and proactively with partners, developers, stakeholders and citizens, the project will identify a pipeline consisting of potential future housing and commercial developments including bringing empty homes back into use and delivering affordable homes that could be completed within the next three years, helping to deliver our Growth Assets and Municipal Enterprise (GAME) financial targets. In addition the Project will increase the desire, offer and availability of housing and more employment opportunities across the city for the benefits of residents, whilst at the same time helping to alleviate long-term benefit dependency.

**10. CONTRACT AWARDS FOR FOOD FOR SCHOOL MEALS AND COMMUNITY MEALS (Pages 109 - 116)**

The Strategic Director for People will submit a report seeking approval of contracts to supply food and catering consumables within the Education Catering Service to enable and support the delivery of the statutory provision of school meals (Free School Meals, Paid for Meals and Universal Infant Free School Meals) to 67 infant, junior, primary and special schools as well as a number of primary and secondary academies across the City.

The contracts will also supply the food and ingredients for production of freshly prepared, hot community meals for the vulnerable and elderly.

A background paper to this report can be accessed at the Council's website Council and Democracy/Councillors and Committees/Library/Cabinet background papers or using the following hyperlink –

<http://tinyurl.com/q3d6bmh>

A separate report containing commercially sensitive details will also be submitted.

**11. EDUCATION CATERING SERVICES - CREATION OF A LOCAL AUTHORITY TRADING CO-OPERATIVE COMPANY (Pages 117 - 130)**

The Strategic Director for People will submit a report on the proposed creation of a Local Authority Trading co-operative Company: the healthy, local, school food co-operative in the light of school funding reforms.

The educational establishments within the proposed structure include maintained infant, junior, primary and special schools and academies.

The co-operative trading company through its partners as shareholders will work to deliver efficient, economic, viable and sustainable services committing budgets to provide fair access to services for all and for the benefit of all.

A background paper to this report can be accessed at the Council's website Council and Democracy/Councillors and Committees/Library/Cabinet background papers or using the following hyperlink –

<http://tinyurl.com/q3d6bmh>

A separate report containing commercially sensitive details will also be submitted.

**12. CABINET APPOINTMENTS (Pages 131 - 134)**

The Assistant Chief Executive will submit a report seeking ratification of the Cabinet appointments and advisory groups to Cabinet submitted to the Annual Meeting of the City Council.

### **13. EXEMPT BUSINESS**

No representations have been made that this part of the meeting of should be in public.

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 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. At the time this agenda is published no representations have been made that this part of the meeting should be in public.

(Members of the public to note that, if agreed, you will be asked to leave the meeting).

## **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. CONTRACT AWARDS FOR SCHOOL MEALS AND COMMUNITY MEALS (E3) (Pages 135 - 148)**

The Strategic Director for People will submit a report containing confidential details relating to the Contract Awards for school meals and community meals. (Agenda item 10 refers).

#### **15. EDUCATION CATERING SERVICES: CREATION OF A LOCAL AUTHORITY TRADING CO-OPERATIVE COMPANY (E3) (Pages 149 - 170)**

The Strategic Director for People will submit a report containing confidential details relating to the creation of a Local Authority Trading co-operative Company. (Agenda item 11 refers).

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DECLARING INTERESTS – QUESTIONS TO ASK YOURSELF

What matters are being discussed?

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Does the business relate to or is it likely to affect a disclosable pecuniary interest (DPI)? This will include the interests of a spouse or civil partner (and co-habitees):

- any employment, office, trade, profession or vocation that they carry on for profit or gain
- any sponsorship that they receive including contributions to their expenses as a councillor or the councillor’s election expenses from a Trade Union
- any land licence or tenancy they have in Plymouth
- any current contracts leases or tenancies between the Council and them
- any current contracts leases or tenancies between the Council and any organisation with land in Plymouth in they are a partner, a paid Director, or have a relevant interest in its shares and securities
- any organisation which has land or a place of business in Plymouth and in which they have a relevant interest in its shares or its securities

No

Yes

Declare interest and leave (or obtain a dispensation)

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Does the business affect the well-being or financial position of (or relate to the approval, consent, licence or permission) for:

- a member of your family or
- any person with whom you have a close association; or
- any organisation of which you are a member or are involved in its management (whether or not appointed to that body by the council). This would include membership of a secret society and other similar organisations.

Yes      No      You can speak and vote

Will it confer an advantage or disadvantage on your family, close associate or an organisation where you have a private interest more than it affects other people living or working in the ward?

Yes      No      Declare the interest and speak and vote

Speak to Monitoring Officer in advance of the meeting to avoid risk of allegations of corruption or bias

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Cabinet members must declare and give brief details about any conflict of interest\* relating to the matter to be decided and leave the room when the matter is being considered. Cabinet members may apply to the Monitoring Officer for a dispensation in respect of any conflict of interest.

\*A conflict of interest is a situation in which a councillor’s responsibility to act and take decisions impartially, fairly and on merit without bias may conflict with his/her personal interest in the situation or where s/he may profit personally from the decisions that s/he is about to take.

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## Cabinet

**Tuesday 29 April 2014**

### **PRESENT:**

Councillor Evans, in the Chair.

Councillor Peter Smith, Vice Chair.

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

Also in attendance: Tracey Lee (Chief Executive), Carole Burgoyne (Strategic Director for People), Anthony Payne (Strategic Director for Place), Emma Crowther (Commissioning Officer), David Draffan (Assistant Director for Economic Development), Ian Ellis (Network Policy Manager), Patrick Hartop (Interim Head of City Deal), Peter Honeywell (Transformation Programmes Manager) and Nicola Kirby (Democratic Support Officer).

The meeting started at 2.00 pm and finished at 3.00 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.*

131. **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.

132. **MINUTES**

Agreed the minutes of the meeting held on 25 March 2014.

133. **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.

In the absence of the questioner, a written response would be sent to him as set out below  
—

<b>Question No</b>	<b>Question By</b>	<b>Cabinet Member</b>	<b>Subject</b>
18 (13/14)	Mr F E Sharpe	Councillor Lowry, Cabinet Member for Finance	Planned disposal of Downham School site at Plymstock
Please could it be disclosed how many representations from the public Plymouth City Council have received regarding their planned disposal of the Downham School site at Plymstock.			
<b>Response:</b>  We have received 20 representations regarding the site. Redacted copies of these were sent to you on 19 February in response to your Freedom of Information request.			

134. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

135. **CORPORATE PLAN PERFORMANCE MONITORING REPORT**

Giles Perritt (Head of Policy, Performance and Partnerships) submitted a report tracking progress of the outcomes in the Corporate Plan, highlighting both cause for celebration as well as delays and issues requiring corrective action. The report provided details for the fourth quarter, to 31 March 2014, and had also been discussed at the Co-operative Scrutiny Board on 23 April 2014.

Councillor Lowry (Cabinet Member for Finance) introduced the report, highlighting some areas of success and outstanding issues and indicating that the low carbon plan would be available by the end of the next quarter.

Peter Honeywell (Transformation Programmes Manager) reported that in the future the success of competitive bids for funding would be monitored.

Councillor Evans (Council Leader) thanked Tracey Lee (Chief Executive), the senior management team, and all staff for their work towards the delivery of the outstanding results. He also thanked Peter Honeywell and his team for their work in monitoring progress.

Agreed the report.

136. **CITY DEAL UPDATE**

Patrick Hartop (Interim Head of City Deal) reported on the progress of the Plymouth and South West Peninsula City Deal which would deliver economic growth in the south west in exchange for the government devolving powers and funding. It was predicted that 9,500 permanent jobs would be created by 2030.

The deal would deliver -

- (a) a marine industries production campus led by South Yard in Plymouth enabling the growth of the marine sector across the peninsula;
- (b) tailored business support programmes to all small and medium enterprises and marine sector companies through the Peninsula City Deal Growth Hub;
- (c) a Deal for Young People that would tackle youth unemployment in Plymouth and the peninsula.

The progress to date included –

- (d) the recruitment of an Interim Head of City Deal (Patrick Hartop);
- (e) £5m secured from the Council's Investment Fund to help develop the Marine Industries Production Campus;
- (f) the establishment of a South Yard Programme Board with the Ministry of Defence to oversee the transfer of land to Plymouth City Council and to develop over 32,000 square metres of new marine workspace;
- (g) £2.5m received from the Department for Works and Pensions to set up the largest wage progression pilot in the country that would increase earnings of young people and include the recruitment of case workers to support 1500 young people into work;
- (h) the Growth Hub which had already launched three services including
  - a £3.2m grant scheme for small businesses;
  - a Business Engagement Service which would support 10,000 businesses;
  - a School for Start -ups supporting the growth of 250 micro businesses.

In the next year it was anticipated that -

- (i) consultants would be commissioned to develop a master plan for South Yard;
- (j) land in South Yard would be transferred from the MOD to Plymouth City Council;

- (k) the wage progression and caseworker projects would be procured and launched;
- (l) further business support programmes would be launched to support small businesses to export and increase levels of inward investment;
- (m) a public sector land and property board for Plymouth would be established to support growth.

Cabinet Members were advised that the grant scheme for small businesses had been heavily oversubscribed and David Draffan (Assistant Director for Economic Development) indicated that a case would be submitted to government for further grant funding.

The report was noted and further updates would be submitted to Cabinet as necessary.

137. **COST AND VOLUME FOR FOSTERING CONTRACTS**

Carole Burgoyne (Strategic Director for People) submitted a report seeking approval of the re-procurement of the Cost and Volume for Fostering contracts, which aimed to ensure the sufficient supply of independent sector foster placements for children and young people in the care of Plymouth City Council. Emma Crowther (Commissioning Officer) advised that the contract award would be brought back to Cabinet in December 2014.

Councillor Williams (Cabinet Member for Children and Young People) introduced the proposals which were a partnership between Devon County, Torbay and Plymouth City Councils, with the City Council as lead commissioner.

Councillor Williams congratulated Emma Crowther and her team on their negotiation work.

Alternative options considered and reasons for the decision –

As set out in the report.

The report was noted pending consideration of the business case which contained commercially sensitive information.

(See minute 140 below)

138. **LOW ENERGY STREET LIGHTING LUMINAIRES CONTRACT AWARD**

Anthony Payne (Strategic Director for Place) submitted a report on the outcome of the procurement process for the supply of low energy street lighting luminaires on the highway and on Council owned land including parks and open spaces.

A separate report, containing commercially sensitive information was also submitted and was referred to in minute 141 below.

Simon Dale (Interim Assistant Director for Street Services) and Ian Ellis (Network Policy Manager) attended the meeting for this item.

Councillor Coker (Cabinet Member for Transport) introduced the proposals which would achieve significant energy savings and reduce street lighting maintenance work. The benefits would also include improved road safety and a reduction in the fear of crime. Positive feedback had been received following a trial of the lights at West Park and the proposals also included the installation of a solar tree in the City Centre.

The work was expected to commence in August 2014 for a period of 18 months although it was hoped that the work would be completed earlier.

Alternative options considered and reasons for the decision –

As set out in the report.

Councillor Evans (Council Leader) thanked Ian Ellis for his work on this scheme.

Agreed that the contract for the provision of low energy street lighting luminaires is awarded to Urbis Schreder Limited, the most economically advantageous tenderer for -

- (1) Lot 1: residential luminaires
- (2) Lot 2: residential decorative luminaires
- (3) Lot 3: Main road luminaires
- (4) Lot 4: Main road decorative luminaires
- (5) Lot 5: Area and zebra crossing floodlights

139. **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 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.

140. **COST AND VOLUME FOR FOSTERING CONTRACTS BUSINESS CASE (E3)**

Further to minute 137 above, Carole Burgoyne (Strategic Director for People) submitted the business case for the re-procurement of the Cost and Volume for Fostering framework contract, which contained commercially sensitive information.

Councillor Williams reported further.

Agreed that the re-procurement of the cost and volume for fostering framework contracts is approved, in line with the detail set out in the business case.

141. **LOW ENERGY STREET LIGHTING LUMINAIRES CONTRACT AWARD (E3)**

Anthony Payne (Strategic Director for Place) submitted a report on the evaluation of the tenders for the supply of low energy street lighting luminaires, which contained commercially sensitive information.

(See minute 138 above).

142. **THANKS**

Councillor Evans (Council Leader) thanked Nicola Kirby (Senior Democratic Support Officer (Cabinet)) for her work during the year.

**PLYMOUTH CITY COUNCIL**

<b>Subject:</b>	Cooperative Scrutiny Review – Unauthorised Encampments
<b>Committee:</b>	Cabinet
<b>Date:</b>	17 June 2014
<b>Cabinet Member:</b>	Councillor Penberthy
<b>CMT Member:</b>	Carole Burgoyne (Strategic Director for People)
<b>Author:</b>	Kevin McKenzie, Diverse Communities Coordinator
<b>Contact details</b>	Tel: 01752 304318 email: kevin.mckenzie@plymouth.gov.uk
<b>Ref:</b>	
<b>Key Decision:</b>	No
<b>Part:</b>	I

**Purpose of the report:**

The report responds to the recommendations made following a Cooperative Scrutiny Review of Unauthorised Encampments. Work that is already in hand is identified and options are presented where appropriate for the implementation of the recommendations.

**The Brilliant Co-operative Council Corporate Plan 2013/14 -2016/17:**

Our Policies and Procedures for the management of Gypsy and Traveller Unauthorised Encampments must be:

- fair and treat both Gypsies and Travellers and the wider community with dignity and respect
- pioneering in their delivery of an efficient process with best use of scarce resources
- able to provide strong community leadership through our agreed multi-agency procedure
- openly published on our website setting out relevant responsibilities
- able to ensure that Plymouth City Council staff deal effectively with Unauthorised Encampments that occur on our land.

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

- The review recommended the establishment of a weekend service, there is no budget or capacity to support this and we have therefore proposed this recommendation is not accepted.
- Changing the criteria under which we consider interim site clean ups could increase the frequency with which they are conducted and lead to unplanned and increased pressure on the corporate facilities budget. This will be controlled through budget monitoring.

Resource Implications

- Our support for Gypsy and Traveller History month would be likely to have a financial implication but it is envisaged that this could be met from existing resources.
- There are no implications which cannot be met from within existing human resources.

- There are implications to the use of increased use of social media and IT systems to improve communications. The work to develop appropriate systems will be scheduled and be aligned with wider improvements within our transformation programme.
- Unauthorised encampments will always impact on land use and there will continue to be a consequent loss of amenity to the wider community of residents and businesses however the proposals anticipate mitigating this by maintaining the status quo in relation to the broader operation of our policies and procedures.

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

- Community Safety

There is no evidence associating increased crime and disorder with unauthorised Gypsy and Traveller encampments, however there is a significant public perception and fear of crime generated by their presence. This will be better managed by the recommended improvements in communication processes and measures to address negative stereotypes of Gypsy and Traveller culture.

- Health and Safety

There are health and safety issues associated with additional clean-up operations. Staff carrying these out are appropriately trained and covered by operational risk management processes. Site visits are conducted within the lone working policy and staff have recently undertaken conflict resolution and breakaway training.

- Risk Management

Risk registers are routinely updated as required with risks arising from unauthorised encampments.

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**Equality and Diversity**

The Gypsy and Traveller community are protected by the Equality Act 2010 from unlawful discrimination on grounds of their ethnic identity. Unauthorised encampments are the visible manifestation of the lack of an adequate local and national supply of permanent and transit sites to meet their needs. Much of the hostility of the wider community towards Gypsies and Travellers stems from this unmet need.

The lack of sites and alienation by wider society make this a vulnerable community and are at the root of the significant barriers they face in accessing appropriate services, which in turn limit their life chances. In recognising the importance of maintaining a balance between the reasonable expectations of the wider community and the needs of Gypsies and Travellers the recommendations in this report are consistent with the delivery of our Public Sector Equality Duty.

Has an Equality Impact Assessment been undertaken? Yes

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**Recommendations and Reasons for recommended action:**

1. Cabinet thanks the members of the Cooperative Scrutiny Review of Unauthorised Encampments and the Cooperative Scrutiny Board.
2. Cabinet notes the recommendations contained in the Your Plymouth Scrutiny Report on Unauthorised Encampments and acts upon them as proposed below.
  - Accept recommendations 1, 3,5 & 6.



- Accept recommendation 4 subject to the requirement for incontrovertible proof of condition being met through the publication of a notice, e.g. via social media, advising that the site has been cleaned and inspected.
- Accept recommendation 7 noting that the funds required to celebrate Gypsy and Traveller History month will be subject to future arrangements for allocating the equality budget in the context of our Welcoming City plan.
- Not accept recommendation 2.

Recommendation 1 (Accept) - The current policy should be reviewed when a transit site (currently being progressed) is up and running. Until then the current policy is appropriate in terms of ensuring that UE's are moved on without undue delay.

Reason – The recommendation recognises the importance of a transit site to our strategy to manage Unauthorised Encampments.

Recommendation 2 (Not accept) - That consideration is given to provide weekend support with particular regard to provision of bins and toilets, located for convenient use by the Gypsy and Traveller community.

Reason – After careful analysis of the cost benefits of alternative delivery options it is considered that the significant additional resources required to implement a weekend cover system across a range of services are not cost effective.

Recommendation 3 (Accept) - Consideration is given to improving communications with residents and Councillors in areas that are affected by UE's so that they are kept informed of the eviction process throughout, this could be by letter drop or publication of a timeline for each event on the council's website (including consideration of a self-service portal for reporting UE related incidents).

Reason - This is consistent with our wider commitment to transforming services and this work is already in hand.

Recommendation 4 (Accept conditionally) - The quality assurance process in place around clean-up operations should be evidenced in order to provide incontrovertible proof of condition of site following move on of UE's.

Reason – The review suggests collecting photographic evidence which would not provide incontrovertible proof. Health and Public Health England advice suggests that some waste is more safely dealt with by being appropriately treated on site and this will not be removed. Publishing a notice that the site has been cleaned and inspected will reassure the public that action has been taken promptly.

Recommendation 5 (Accept) - Consideration of interim clean-ups for UE's on a case-by-case basis, with degree of cleanliness and accumulated rubbish on the site, impact on the local community, and vulnerability of travellers on the site being key factors in this decision.

Reason – Interim clean ups will benefit both residents and Gypsies and Travellers.

Recommendation 6 (Accept) - Development of a map of land that is owned by PCC so that responsibility for action can be established with greater speed.

Reason – A map already exists in the form of the Corporate GGP system.

Recommendation 7 – (Accept) That Plymouth City Council should be role models for equality and inclusivity, for example by celebrating Gypsy and Traveller month; encouraging positive reflection of Gypsy and Traveller culture within the media; and providing training and awareness raising for PCC staff involved with Gypsy and Traveller sites.

Reason – The recommendation is consistent with our cooperative values and objectives and will help to deliver our Public Sector Equality Duty. Celebration of Gypsy and Traveller History Month will be contingent on resources being allocated from the Equality Budget.

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**Alternative options considered and rejected:**

There is insufficient capacity within the Social Inclusion Unit, which coordinates UE's, to support a weekend response and interdependence with other services that do not currently provide weekend cover make this impractical.

We considered devolving weekend cover responsibility to a service area that already provides out of hours cover. We rejected this option because:

- The need to establish land ownership and supply bins would still require support from other services not currently operating at these times, e.g. Corporate Property and Waste Services, and the cost of extending these services to cover weekends was not considered justified in terms of the benefits realised.
- To enable them to perform the coordinating role the staff involved would also need training and time to absorb and understand our practices and procedures for managing UE's.
- Existing out of hours services would either, have a conflicting role, e.g. Security or Public Protection and Enforcement, or have an incompatible service model, e.g. out of hours Social Services and Homelessness.

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**Published work / information:**

- [Unauthorised Encampments](#) a report of the Your Plymouth Scrutiny panel.
- A report from the Social Inclusion Unit reviewing current practice and their management of Unauthorised Encampments incorporated as appendix C.
- Plymouth City Council Gypsy and Traveller Unauthorised Encampment procedure. [Unauthorised Encampment Procedures](#)
- EIA on this report

**Background papers:**

None

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**Sign off:**

Fin	People F HC141 5 001 NC 28/05/ 14	Leg	DVS/20 400	Mon Off	DVS/20 400	H R		Assets	CJT /134 /230 514	IT		Strat Proc	
Originating SMT Member – Stuart Palmer													
Has the Cabinet Member(s) agreed the contents of the report? Yes													

## **1.0 Introduction**

- 1.1 In October 2013 a cross party task and finish group was established to conduct a cooperative review of our current procedures for managing unauthorised encampments, with the aims of:
- a) clarifying current processes and procedures against a backdrop of legal, social and financial considerations.
  - b) attempting to ensure community cohesion and public reassurance.
- 1.2 The cooperative review was called following a particular unauthorised Gypsy and Traveller encampment (UE) at Horsham Fields, Plymstock in May/June 2013. Concerns were raised by ward Councillors who questioned whether current procedures ensured that Unauthorised Encampments were moved on speedily and effectively.
- 1.3 The review, which was held over 3 days, called as witnesses:
- Officers from Plymouth City Council departments with operational and other responsibilities for UE's.
  - Devon & Cornwall Police
  - Ward Councillors, local residents, the Gypsy and Traveller community and the business community
  - The Cabinet member for Cooperative and Community Development
- 1.4 The following written evidence was also considered:
- A report from the Head of Community Services which summarised the legal, social and financial considerations.
  - Our published operational procedure for managing unauthorised encampments.
  - A response from Plymouth and Devon Race Equality Council
- 1.5 The findings of the Cooperative Review were published in a report which was endorsed by the Cooperative Scrutiny Board on 26<sup>th</sup> March 2014. The report [Unauthorised Encampments](#) concluded that:
- Current policy and procedures are cost effective and efficient.
  - A policy that made speed of eviction the overriding consideration would lead to more frequent encampments, increase demand on resources and have a negative impact on race relations.
  - High levels of public concern could be addressed by improvements to operational practice.
  - Negative portrayals of Gypsies and Travellers needed to be addressed to improve race relations and community cohesion.

## **2. Recommendations from the review**

- 2.1 The report made seven recommendations. Our proposed actions to address them and progress to date is reviewed in relation to each of them below.

### **Recommendation 1**

The current policy should be reviewed when a transit site (currently being progressed) is up and running. Until then the current policy is appropriate in terms of ensuring that UE's are moved on without undue delay.

### **Action/Progress**

This recommendation is welcomed and we continue to make significant progress towards delivering a Transit Site.

### **Recommendation 2**

That consideration is given to provide weekend support with particular regard to provision of bins and toilets, located for convenient use by the travelling community.

## **Action/Progress**

The prompt provision of bins and toilets can significantly reduce the cost of managing a UE and help to limit the impact on local residents. Our current practice ensures we attend 95% of UE's the same working day as we receive the report.

The minimum requirements to have in place in order to provide effective weekend cover would be:

- An officer with adequate training to understand the legal complexities surrounding Gypsy and Traveller UE's who was able to visit the site and coordinate a response.
- The means to establish whether the occupied land was in our ownership.
- The means to provide basic services e.g. bins and toilets.

If this was to be a simple extension of the weekday system an officer from the SIU team would have to be on standby at weekends to attend the site. There is very limited capacity and resources in the team. We have considered whether a service area that already provides out of hours cover could pick up the role but we have not identified an existing service with a suitable service model.

An officer from the Corporate Property team would also be required to provide support so that land ownership could be established.

It might be possible to negotiate with our corporate contractor for the weekend delivery of toilets an additional payment would probably be required.

In order for bins to be provided waste services would need to attend the site to deliver them this would require a refuse crew to be on standby and it would also require renegotiating employee contracts with a likely requirement to make additional contractual payments.

After careful consideration of the cost benefits we feel that the provision of weekend cover is not justifiable.

## **Recommendation 3**

Consideration is given to improving communications with residents and Councillors in areas that are affected by UE's so that they are kept informed of the eviction process throughout, this could be by letter drop or publication of a timeline for each event on the council's website (including consideration of a self-service portal for reporting UE related incidents).

## **Action Progress**

We welcome this recommendation. Currently we carry out a letter drop to neighbouring residential and commercial properties and send an email to ward Councillors with a similar content. We will review our written communications and our webpages to give indicative timelines for stages in the eviction process and additional contact information. We will also offer an improved explanation of how we will clear up the site when it is vacated.

Updating web pages with live information is impractical because of the lead in time to get new material live on the page. However we are considering whether social media may offer a useful additional channel to ensure local residents are kept informed. The content of any such communication would need to be sensitive to the potential to increase community tensions and for official messages to be reproduced out of context.

The recommendation that we develop a self-service portal for reporting UE related incidents is an excellent idea. We are already using dynamics to share information internally allowing all

customer reports of incidents to be linked to a central record for each unauthorised encampment. There is a long term objective as part of the wider transformation programme to make the Dynamics system accessible to the public through a self-service portal. This would allow customers to track our progress in responding to reported incidents and allow us to target live updates to interested customers.

### **Recommendation 4**

The quality assurance process in place around clean-up operations should be evidenced in order to provide incontrovertible proof of condition of site following move on of UE's.

### **Action/Progress**

We welcome the recommendation that quality assurance of clean up procedures is needed. It was for this reason we instituted a post clear up inspection, carried out by appropriately trained Terrier Officers from our Corporate Property service, following the Horsham fields encampment.

Collecting photographic evidence would not provide the incontrovertible proof that the recommendation envisages. This is because certain materials will not be removed as they can more safely treated in situ and left to biodegrade over time. It may also be necessary to leave fly tipped material in situ for a short period so that any evidence that may be necessary to establish a case for prosecution can be collected. Any hazardous material left on site may require a risk assessment and the use of specialist equipment.

Proactive management of UE's is necessary to minimise the accumulation of such waste and to minimise the need for clean up. It is for precisely this reason that we provide bins and toilets and encourage the occupants of sites to make use of them. We have recently instituted a normal weekly collection of bins we supply to ensure these don't overflow.

Although we face these challenges, we recognise the reasonable public expectation that the site, once vacated, will be returned to normal use as speedily as possible and make every effort to do this. We will in future publish a notice e.g. via social media, to advise that the site has been cleaned and set out in our communications what will be removed immediately, what may be left in situ for a short period and what will be treated and left to biodegrade.

### **Recommendation 5**

Consideration of interim clean-ups for UE's on a case-by-case basis, with degree of cleanliness and accumulated rubbish on the site, impact on the local community, and vulnerability of travellers on the site being key factors in this decision.

### **Action/Progress**

We already carry out interim clean ups where it is likely to prove more cost effective in the long run or there are over riding issues of safety for either the local community or site residents. Changing the criteria under which these are carried out could lead to more frequent deployment of clean-up crews. The cost will fall mainly on the corporate facilities budget and will be subject to normal budget monitoring.

### **Recommendation 6**

Development of a map of land that is owned by PCC so that responsibility for action can be established with greater speed.

### **Action/Progress**

A map already exists in the form of the Corporate GGP system. We have agreed with Corporate Property that in future our request for support in identifying land ownership will be treated as a high priority request ensuring that a map of the locality identifying our land is provided within 4 hours.

Sometimes this is insufficient to establish responsibility for action, e.g. we may be in the process of selling, purchasing or adopting the land and have to establish legal liability. In cases where this is unclear we tend towards a positive assumption to facilitate action.

A related problem is that to secure a possession order to remove an Unauthorised Encampments we need to prove ownership to the Court. This requires a Land registry title number and we will sometimes have to resort to a land registry search to secure this evidence.

### **Recommendation 7**

That Plymouth City Council should be role models for equality and inclusivity, for example by celebrating Gypsy and Traveller month; encouraging positive reflection of Gypsy and Traveller culture within the media; and providing training and awareness raising for PCC staff involved with Gypsy and Traveller sites.

We welcome this recommendation which is consistent with our Corporate values and objectives and our Public Sector Equality Duty. Gypsies and Travellers face considerable hostility from the wider community and it is right that we should challenge the media driven stereotypical view of this community. We will seek to deliver a programme to celebrate Gypsy and Traveller History month subject to future arrangements for allocating the equality budget in the context of our Welcoming City plan. We will ask the Gypsy and Traveller Communications Group, which we established to manage consultation and communications on our site building programme, to consider how we can encourage positive media stories about Gypsy and Traveller culture. We will discuss with our Learning and Development team how we can best deliver a staff training and awareness programme.



# UNAUTHORISED ENCAMPMENTS



**PLYMOUTH**  
CITY COUNCIL

A report of the Your Plymouth Scrutiny Panel  
following a Co-operative Scrutiny Review into  
Unauthorised Encampments

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## I. INTRODUCTION

I.1 Plymouth City Council's (PCC) current procedure for managing unauthorised encampments (UE's) was agreed in April 2009 by the Corporate Management Team, and endorsed as a multi-agency procedure by the Local Strategic Partnership. Since this officers have kept the procedures under review to ensure that they are consistent with the city's co-operative values and objectives.

I.2 The procedures aim to meet the following core objectives:

- To be fair and treat both Gypsies and Travellers and the wider community with dignity and respect.
- Embeds the Authority's statutory duty to consider the welfare needs of Gypsies and Travellers with dealing effectively and speedily with unauthorised encampments on Local Authority owned land.
- Are openly published (<http://www.plymouth.gov.uk/homepage/communityandliving/socialinclusion/gypsiesandtravellers.htm>) and set out Plymouth City Council's responsibilities in terms of managing unauthorised encampments and expectations of the behavior of gypsies and travellers who camp on local authority owned land.
- Provide strong community leadership through agreed multi-agency procedures.
- Are pioneering in their delivery of an efficient process with minimal investment in resources.
- Aim to ensure that Plymouth City Council staff deal effectively with unauthorised encampments by gypsies and travelers that occur on PCC land.

I.3 Actions taken, once it has been established that the UE is on Plymouth City Council land include:

- Site visit carried out in direct negotiation with gypsies and travellers on site, seeking their co-operation to minimise the impact of UE's on local communities.
- Legal action using Section 55 of Civil Procedure Rules is immediately commenced to ensure that move on can be enforced where co-operation of people on site is not forthcoming.
- Welfare checks are carried out and the Social Inclusion Unit (SIU) co-ordinate referrals to meet needs identified, with enforced move on deferred where this would adversely affect the welfare needs highlighted.
- Notices are posted on the site stating time and date that it is to be vacated.
- Possession proceedings are enforced by physical eviction if necessary.

I.4 This scrutiny review was called following a particular unauthorised encampment at Horsham Fields, Plymstock in May/June 2013, which remained on site for 19 days and attracted significant public complaint and media comment. Members subsequently

questioned whether current procedures were effective in ensuring that encampments were moved on speedily and effectively.

- 1.5 This report summarises the findings of the Scrutiny review and makes a number of recommendations to Cabinet in relation to current policies and procedures with regard to unauthorized encampments.

## 2. **SCRUTINY APPROACH**

- 2.1 The Cooperative Scrutiny Board approved the establishment of a cooperative review into unauthorised encampments at its meeting on 7 August 2013.

### 2.2 **Task and Finish Group Aims and Objectives**

- 2.2.1 The review will a) clarify current processes and procedures against a backdrop of legal, social and financial considerations and b) attempt to ensure community cohesion and public reassurance.

### 2.3 **Cooperative Review Membership**

- 2.3.1 The cooperative review had cross-party membership comprising -

- Councillor Tuffin (Chair)
- Councillor Ian Bowyer
- Councillor Darcy
- Councillor Jarvis
- Councillor Kate Taylor

- 2.3.3 For the purposes of the review, the task and finish group was supported by -

- Di Charlton, Service Development and Partnership Manager (Lead Officer)
- Katey Johns, Democratic Support Officer

### 2.4 **Cooperative Review Methodology**

- 2.4.1 The cooperative review convened over three sessions to review the documentation submitted as evidence and to hear from a number of witnesses.

- 2.4.2 Meeting dates –

- 15 October 2013
- 29 October 2013
- 31 October 2013

## 2.4.3 Witnesses -

- Pete Aley, Head of Safer Communities
- Kevin McKenzie, Diverse Communities Officer
- Dave Shepperd, Head of Legal Services
- Helen Morris, Lawyer
- Charles Howeson
- Nick Maker, Street Scene Services Manager
- Chief Inspector Brendan Brookshaw, Devon & Cornwall Police
- Councillor Churchill, Plymstock Dunstone Ward
- Andrew Nutbean, Plymstock Dunstone Ward resident
- Jake Bowers, Gypsy Media Company
- Councillor Penberthy, Cabinet Member for Cooperatives and Community Development
- Jonathan Veale, Valuation Surveyor, Corporate Property

2.4.4 Details of the evidence provided by each witness are attached at Appendix B to this report.

## 3. FINDINGS

3.1 PCC's current enforcement approach of using Section 55 Civil Procedures alongside a negotiated departure approach is widely used by local authorities in England. It is considered effective – delays are minimised by applying to the court for Section 55 powers at the earliest opportunity so that they can be used as a back-up, but there has only been one instance of forced eviction since 2006; all other UE's move on of their own accord. In addition there has been some improvement in the time before an encampment is moved on has been achieved - in 2013, the average duration of an unauthorised encampment in the City was 19 days, an improvement of 15% on the previous year when the average time was 22 days.

3.2 PCC's Social Inclusion Unit provided a report for panel, detailing alternative approaches that could be used, alongside their drawbacks, potential effectiveness, and associated additional costs (provided in appendix 'C'). The SIU do not have a single, responsible member of staff but operate a 'duty rota' of staff to respond to notifications of unauthorised encampments between Monday and Friday. Provision of facilities such as toilets can be provided at extra cost at weekends, so weekday provision is the norm.

3.3 The Police gave their perspective on current arrangements and stated that it was the most effective that it could be at the moment, but that there was a need to engage static communities better. On use of Police powers, specifically Section 61 Criminal Justice and Public Order Act, this measure was considered to be draconian and there would be a significant impact on race relations of taking extreme enforcement action. This power could only be used where the level of disruption was significant enough to mean it was proportional to act, and the panel were cautioned that its use would constantly displace unauthorised encampments to other areas of the city, meaning that more resident communities were affected.

- 3.4 The most feasible option was considered to be use of Section 62A Criminal Justice and Public Order Act (CJ&POA), whereby PCC would work in partnership with Police to endorse a 'get tough policy' to move unauthorised encampments to transit site provision. However, this power can only be used where a transit site is already in existence. Progress is being made towards providing a transit site in Plymouth, and when it is available this approach could be considered further.
- 3.5 Levels of public concern about unauthorised encampments related more to the number of caravans on the site and the behaviour of the occupants than it did to the duration. The panel heard that one exceptional unauthorised encampment remained in place for 34 working days due to serious welfare considerations, but this attracted minimal public comment. By comparison the occupation of Horsham Fields which lasted only 14 days generated significant media coverage and high levels of public complaints.
- 3.6 The panel heard from witnesses giving the perspectives of those affected by the Horsham unauthorised encampment. They described noise disruption; indecent exposure; fly tipping; and distribution of human excrement around the site. Community perspectives were that there were delays in provision of facilities due to the encampment arriving over the weekend, and confusion about ownership/responsibility for the land. There was also dissatisfaction that Police and local authority were reluctant to use Section 61 CJ&POA, or to in any way resolve issues until the encampment had moved on.
- 3.7 Communication with Councillors and local static communities is currently achieved by distributing a letter to local residents and contacting relevant ward? Councillors. Office hours are stipulated on this notice to avoid raising expectations. In addition, each person who reports the unauthorised encampment is usually contacted so as to provide an update regarding progress, though this has proved difficult where there is a high volume of calls. During the Horsham event, a public meeting between the static local community, Police and Local Authority had been held, and this was felt to be a positive way forward, even though elevated tensions made this a difficult experience.
- 3.7 The effectiveness of clean-up operations following move on of encampments was considered, with evidence provided suggesting that community members had engaged in clearing operations themselves, and that a second attempt to clear the Horsham field was required in order to ensure that it was sanitary. Quality assurance mechanisms have been introduced by the Social Inclusion Unit, but this does not involve photographic evidence.
- 3.8 Representatives of gypsy and travelling communities expressed disappointment with regard to the evidence heard regarding Horsham, and iterated that Romany culture is based on strict rules of cleanliness. Trades and services provided by the gypsy and travelling community were well received by the local community, but the constant enforcement of move on was a cause of deteriorating relationships between gypsy and travellers and local communities; caused detriment in terms of education of children and provision of support services for those who need it.

- 3.9 There are models of best practice in Bristol, Cambridge and Fenland where there is a network of permanent and transient sites which enable Gypsy and Travelling communities to work in the local area whilst able to access support needed. Relations between Gypsies and Travellers, local communities, and PCC/Police were improved by this approach.

## 4 CONCLUSIONS

- 4.1 Current policy/procedures with regard to unauthorised encampments offer a cost effective and efficient way to ensure that the Local Authority is able to meet its welfare duty to gypsy and travelling communities, whilst minimising the impact on local communities.
- 4.2 Whilst it would be possible to adopt a policy where speed of eviction was the over-riding priority, this would give rise to significant disadvantages in terms of more frequent unauthorised encampments, increased demand on resources and impact on race relations. However there is potential to review use of Section 62A of the CJ&POA when transit site provision becomes available.
- 4.3 Though good communication is the norm, difficulties can be experienced where factors around individual encampments result in high levels of public concern that raise the number of reports and complaints received about unauthorised encampments.
- 4.4 Though quality assurance mechanisms have been introduced to ensure that sites vacated by gypsy and traveller encampments are left in good and sanitary condition, there is no photographic evidence of this that would assure communities that a proper standard was being maintained.
- 4.5 Whilst less intrusive co-ordination of support and facilities that maintain good relationships with gypsy and traveller communities is positive, some cases require more interim activity prior to the move on of an encampment to ensure that sites are kept in a clean and sanitary condition.
- 4.6 The current procedures within Plymouth City Council for establishing land ownership (and therefore responsibility for unauthorised encampments) is inefficient and could result in delays.
- 4.7 Negative portrayals of, and attitudes toward gypsy and traveller sites are currently unchallenged and this leads to a breakdown in race relations and community cohesion.

## 5 RECOMMENDATIONS

### 5.1 The cooperative review recommends –

1		The current policy should be reviewed when a transit site (currently being progressed) is up and running. Until then the current policy is appropriate in terms of ensuring that UE's are moved on without undue delay.
2		That consideration is given to provide weekend support with particular regard to provision of bins and toilets, located for convenient use by the travelling community.
3		Consideration is given to improving communications with residents and Councillors in areas that are affected by UE's so that they are kept informed of the eviction process throughout, this could be by letter drop or publication of a timeline for each event on the council's website (including consideration of a self-service portal for reporting UE related incidents).
4		The Quality assurance process in place around clean-up operations should be evidenced in order to provide incontrovertible proof of condition of site following move on of UE's.
5		Consideration of interim clean-ups for UE's on a case-by-case basis, with degree of cleanliness and accumulated rubbish on the site, impact on the local community, and vulnerability of travelers on the site being key factors in this decision.
6		Development of a map of land that is owned by PCC so that responsibility for action can be established with greater speed.
7		That Plymouth City Council should be role models for equality and inclusivity, for example by celebrating Gypsy and Traveller month; encouraging positive reflection of Gypsy and Traveller culture within the media; and providing training and awareness raising for PCC staff involved with Gypsy and Traveller sites.

# REQUEST FOR A COOPERATIVE REVIEW



Please submit this document to Democratic Support once complete.

The request will be submitted to the Co-operative Scrutiny Board for consideration against the approval criteria and you will be notified of its success. If the Board approve the request for a Co-operative Review on the subject matter below then a project plan will be completed and you may be asked for further information.

<b>What is the name of the review?</b>	Review of procedures used by the Council when dealing with unauthorised encampments.
<b>Please provide a brief outline of the subject and scope of the review?</b>	To ascertain how the Council deals with unauthorised encampments within its statutory requirements.
<b>Please outline the reasons as to why you believe a review needs to take place?</b>	A review is required to scrutinise the procedure to deal with unauthorised encampments as a result of concerns raised at a recent Gypsy and Traveller site at Horsham playing fields, Plymstock.
<b>What will the review attempt to achieve?</b>	The review will a) clarify current processes and procedures against a backdrop of legal, social and financial considerations and b) attempt to ensure community cohesion and public reassurance.
<b>Who will benefit from the review?</b>	Members of the public, Councillors, Officers, Partners and Gypsies and Travellers.
<b>How long do you think the review might take?</b>	It is expected that the review would take one day. (An initial meeting to populate the scrutiny review plan is also required.)
<b>When do you think the review should commence and why?</b>	The review should commence by August 2013 in order to sustain and improve service delivery and public confidence.
<b>When do you think the review should be completed by and why?</b>	The review should be completed by September 2013 as it is expected that only one meeting is required in order to allow members to hear from witnesses, establish the Council's procedure and make recommendations where required.
<b>Review requested by?</b>	Requested by Councillor Churchill.

**WITNESS EVIDENCE SUMMARIES**

BI Peter Aley, Head of Community Services, and Kevin McKenzie, Diverse Communities Officer

- Gypsies and travellers were one of the most deprived groups in Britain with their children and elderly being the most vulnerable in terms of educational attainment and general health and wellbeing;
- the existing procedure for dealing with unauthorised encampments (UEs) on council land was designed to ensure that they were dealt with effectively whilst balancing the welfare needs of the gypsies and travellers against the council's responsibilities to local residents;
- local authorities had a statutory duty to undertake a risk assessment and welfare checks on Gypsies and Travellers who set up UEs on council land. Private landowners did not;
- despite the recent high-profile incident at Horsham Fields, UEs generally did not cause too much of a problem in Plymouth with the level of public concern relating more to the number of caravans on the site and the behaviour of the occupants than the duration of the stay;
- dealing with UEs was a team effort involving various departments across the council and co-ordinated by the Social Inclusion Unit, however, there was no officer dedicated to the role which was currently covered by the Social Inclusion Unit office duty system;
- estimated current average cost of managing a UE was £7,500, including legal and clean-up costs;
- speeding up the removal process can result in more frequent UEs through displacement to other parts of the city and place increased demand on resources (human and financial);
- local authorities and the Police had a limited number of powers open to them for dealing with UEs and these could be divided into three areas:
  - civil powers
  - criminal powers
  - opportunities to negotiate
- operational experience had shown that use of the S55 civil proceedings power offered value for money for the tax payer as it provided certainty of a move on within four weeks and allowed for reasonable treatment of one of the most excluded minority communities;
- officers were in discussion with the Police regarding greater use of S61 powers (Criminal Justice and Public Order Act), however, this power can only be used where action is proportionate and targeted to individual Gypsies and Travellers suspected of anti-social behaviour on unauthorised sites and not whole communities;
- use of S62 powers (Criminal Justice and Public Order Act) was only available to authorities which has suitable alternative sites in place and Plymouth did not currently have an identified transit site;



- council's contractors will provide toilets on site over the weekend if requested but at a cost;
- is an issue of establishing land ownership if an unauthorised encampment arrives over a weekend as Social Inclusion on-call team don't have access to the relevant systems;
- on arrival at the site of an unauthorised encampment, Social Inclusion team staff will hand out a list of what is expected by the occupants of the site in terms of their behaviour and treatment of the site.

(Full details of the written report presented to the panel can be viewed at Appendix C)

**B2 Dave Shepperd, Head of Legal Services, and Helen Morris, Lawyer**

- legal services draft the legal papers required and attend court in order to secure the necessary required legal orders to evict unauthorised encampments;
- S55 civil powers route is by and large the most effective way forward in the majority of cases;
- with S55 civil power actions a time-slot was allocated by the Court for cases to be heard. The Council's legal representative attends and presents appropriate paperwork, including statements from other Council officers who are not required to attend in person. An analysis of the last eight unauthorised encampment incidents had been undertaken with an average of 5.6 hours of fee-paying lawyer time having been spent on each;
- S77 was much more costly as it included court fees, the use of private bailiffs, and could tie up the Council's legal representative (and other supporting officers who are required to attend) all day in court, depending on when the case was heard (time-slots were not allocated and cases were prioritised by the Court on the day.

**B3 Charles Howeson, Plymouth Area Business Council & Chairman of Plymouth Seaton Resident's Association**

- welcome the city's reputation of being fair and hospitable to all but believe this agenda has now gone against Plymouth's longer term residents;
- if travellers park on pavements in areas where they should not you would expect the Police to intervene, myself and Seaton residents have witnessed this not to be the case. Similarly, incidents of trespass and fly-tipping go unchallenged. When the law is not being imposed, enforced or policed equally it can be a source of unrest in communities;
- communities can get very frustrated when the same sites are visited year on year and often they take it upon themselves to undertake the clean-up required afterwards. One such clean-up resulted in residents collecting 11 sacks of rubbish, including needles and nappies;
- there appears to be evidence that some travelling communities return to the city on a cyclical basis around their working patterns and the local authority should be able to record this and use the data to plan ahead;
- the occupation of the Futures Inn car park, which is private property, resulted in the hotel virtually being shut down for nearly two days. This is not acceptable and could send out the wrong message to potential investors in the city;

- the council needs to improve its communication with communities when these incidents occur, particularly on what its policies are and how they are applied.

### B4 Nick Maker, Street Scene Services Manager

- Parks are responsible for arranging provision of bins and toilets on-site and for cleaning up the site after the unauthorised encampment has moved on;
- The Parks Services team are part of an e-mail network which is circulated once an unauthorised encampment has been reported;
- Supervisors have a duty rota which covers the 7-day week, however, whilst they are available at weekends they often fall foul of not being able to contact other departments whose services may be required;
- Would welcome establishment of an on-call rota comprising key personnel;
- The placement of boulders or earth-bund barricades at sites commonly used by gypsies and travellers is now always practical as Parks staff still need to be able to gain access for site maintenance, particularly sports pitches;
- Parks will only clean up council owned sites as they have no authority to enter onto privately owned land;
- Sites are often left littered with the debris from construction work that the gypsies and travellers have undertaken during their stay such as tarmac, and asbestos which can be costly to remove safely.

### B5 Chief Inspector Brendan Brookshaw, Devon and Cornwall Police

- The Police receive little intelligence in advance with regard to the arrival of unauthorised encampments;
- Officers work closely with the Social Inclusion team on dealing with both the static and mobile gypsy and traveller communities;
- Officers do receive training as part of their basic AAI general duty training, this is then topped up through e-learning packages and contact with the Police's Diverse Communities Team who will link in and brief neighbourhood teams when specific issues arise;
- All incidents are dealt with in accordance with the Police Force policy and officers work with other teams across Devon and Cornwall;
- The Police believe that the policies used by them and the Council are appropriate and effective. It allows them to look at the available legislation and use what is right so that any action taken is proportionate to the current circumstance;
- The Police will send an officer out to make an initial site visit who will then usually hand the matter over to the relevant neighbourhood team. The neighbourhood teams know residents and businesses and have established relationships within the community. Have found that a skillset develops amongst officers who deal more regularly with unauthorised encampments in terms of negotiating, advising and enforcing etc. This makes them the best people to talk to the static community and keep them up to date on where we are in the process;
- The specific pieces of legislation which are open to use by the Police are Section 61 and Section 62. However, these are quite draconian and a more proportionate response is now considered to be more appropriate. The Police have a duty to promote good relations with all communities, including ethnic groups, and evicting

people under Section 61 is not conducive to this. Bringing in riot teams to drag people off a site is not something the Police like to do and nor is it something that, when it comes to it, residents particularly like to see;

- Regulation 55 is the most productive way of dealing with unauthorised encampment situations and is what is used in most instances by the Local Authority. This will be backed up by the Police with use of Section 61 if there are issues of criminality. However, this is often difficult to prove as, just as you cannot hold an entire street accountable for the actions of one resident, neither can you hold an entire unauthorised encampment accountable for the actions of one occupant, as not everyone behaves the same;
- The average duration of an unauthorised encampment is 19/20 days whilst in comparison the Horsham Fields occupation was only 14. However, the situation at Horsham Fields was unusual as the unauthorised encampment prevented an organised charity football from taking place thereby causing tempers to run high amongst the static neighbouring community;
- The public meeting in respect of Horsham was called by the Police to try and diffuse a difficult situation and the bad feeling that had built up during the course of the unauthorised encampment;
- Within one day of the unauthorised encampment arriving at Horsham, there had been a full briefing to the neighbourhood team and systems established for passing information out. However, it was acknowledged that lessons could be learned from this experience and one of the areas identified for improvement was better communication with the static community from the outset and throughout the occupation.

**B6** Councillor Churchill, Plymstock Dunstone Ward, and Andrew Nutbean, Plymstock Dunstone Ward Resident – Horsham Fields Incident

- The unauthorised encampment was in place for two days before any toilets were provided on site. When the Council was contacted, residents were informed that no toilets could be arranged as there was no-one available to deal with their provision over the weekend;
- Residents were subject to noise disturbance from cement mixers being banged out and emptied and welding work being undertaken;
- When the toilets did arrive on site, the occupants did not use them, they simply removed the pumps, making them unusable, and then dumped their waste into the toilets;
- Similarly, the bins which were provided by the council were not always used;
- The site was littered with rubbish and human excrement (photographic evidence was presented to the panel in this regard);
- Despite recording video footage of fly-tipping on site, were told by the Police that this would not stand up in court as evidence;
- Many of the residents affected were elderly and were frightened to leave their homes unattended during the occupation as one had their fence damaged and another had a window broken. Despite this latter incident being witnessed, and the caravan to which the culprit returned being identified, no action was taken;
- Perception was that there was not enough Police presence;

- Believe the situation was played down by the Police particularly in regard to the number of incident logs they recorded, expect it was more than 40 in reality;
- Residents also very disappointed in the council's approach to wait until the site occupants have left before moving in to clean it up and even then they had to come back and do it again because it wasn't done properly;
- Communication was very poor, the first contact residents had from the council was a flyer posted through letterboxes warning that they may get called upon by doorstep traders;
- Whilst the public meeting was welcomed, it was felt that this happened too late and should have been arranged sooner;
- After the site was vacated it was left to residents to make it secure with provision of a new lock to the gate and the placement of boulders;
- The incident resulted in a delay to the fields being used for the new rugby season as the pitches were not able to be seeded;
- There was a delay in serving the notice to quit due there being an issue over land ownership as the land is in the South Hams;
- If the Council had a transit site these situations could be avoided and Section 62 powers could be invoked;
- If the cost to clean up this site was £10,000 wouldn't it be cheaper to bring in security on future unauthorised encampments?

B7 Jake Bowers, Director, Gypsy and Media Company

- Being part of the Romany community, it is very difficult to hear of incidents such as the Horsham occupation. The Romany culture has very strict rules of cleanliness and we would leave sites as we find them, if not cleaner;
- As with all communities, static and mobile, there are good and bad elements in each and, unfortunately, it is always the bad that you hear most about;
- There are shining examples of good practice throughout the Country where the communities live and work well together. Feland District Council in Cambridgeshire, has a network of five permanent and one transit site where there is excellent engagement with the community. The sites are self-financing through the rent that is charged and are managed by the local authority. Bristol is another example of good practice;
- Travellers are by nature commercial nomads and there will always be a conflict over unauthorised encampments until transit sites are provided. The City Council should identify a site(s) and then engage with the local community over provision before any work commences in order to resolve possible tensions;
- The Gypsy and Traveller community strongly oppose the use of Section 61 and view this as a way of trying to wipe out their way of life. Repeated evictions can affect mental health and levels of educational attainment where children cannot regularly attend school. There is therefore not a great deal of trust or faith in the Police or Local Authorities in this regard;
- Tradition dictates that they stick together in family groups - sons work with their fathers and daughters stay with their mothers. They also respect and look after their elders – all positive aspects of the culture;

- A better understanding of their work travelling patterns and appropriate site provision can greatly help establishing and maintaining good relations with the gypsy and traveller community. Need to raise awareness and more positively promote the culture and way of life, for example Gypsy and Traveller month in June. Media can play a role in this – it is important to find ways to bridge the gap between the two communities.

**B8** Councillor Penberthy, Cabinet Member for Co-operatives and Community Development

- The speed at which an unauthorised encampment is moved on is not necessarily the best way to measure success. The local authority and Police have a duty of care to all citizens and need to act effectively and efficiently to protect residents as well as gypsies and travellers. As mentioned previously, you cannot target a whole community because of poor behaviour demonstrated by a minority and moving each occupation on quickly can just result in more static communities being affected as the problem is simply moved around the city;
- Acts of fly-tipping will be enforced against anyone who is identified as it is a criminal offence, however, evidence must be available to back up any incident as the Police cannot take criminal action without evidence;
- Best solution for Plymouth is the establishment of a transit site and Broadley Park has been identified for this purpose. Unfortunately, it has taken longer than we anticipated due to the site bordering the South Hams. The site will accommodate 16 units;
- The importance of welfare checks should not be under-estimated as two safeguarding issues were flagged at the Horsham site and these can take time to investigate;
- Partner agencies do undertake a review after each unauthorised encampment to identify any lessons learned and ensure they are taken forward;
- Section 61 can only be enforced where there are more than six vehicles on site and there is evidence of criminal activity. The number of cars on a site does not necessarily mean there is anti-social behaviour and use of Section 61 is at the discretion of the Police and only where it is proportionate to do so;
- For travellers who are always on the move it can be very hard for them to build relations and settle into a community as prejudices can be formed on both sides. Work needs to take place in communities to change people's perceptions and educate them to treat everyone with respect;
- There are many examples within Plymouth of integration and positive contribution to the community, such as the Showmen's Guild in Efford who support the City in many ways. In addition, the Street Dance Factory, which is run by a member of the Roma community, is doing excellent work with young people;
- Welcome concept of Gypsy Month and could include as part of Welcoming City agenda to promote diverse and minority communities.

**B9** Jonathan Veale, Valuation Surveyor, Corporate Property

- The Corporate Property team are responsible for the estate management of the council's land and property portfolio. They have limited involvement in dealing with unauthorised encampments themselves as their role is purely to identify land

ownership and then notify Social Inclusion if it is council owned land. However, they do have the responsibility for funding provision of bins and toilets on site, if they are required, and for clearing the site afterwards.

B10 Racial Equality Council

See separate attachment (B10a).



PLYMOUTH & DEVON  
**racial equality council**  
 3rd Floor,  
 Prideaux Court,  
 Palace Street,  
 Plymouth, PL1 2AY

Tel: 01752 224555  
 07979838138

[penny@devonrec.org](mailto:penny@devonrec.org)

[www.plymouthanddevonrec.org.uk](http://www.plymouthanddevonrec.org.uk)

30<sup>th</sup> October 2013

### Cooperative Scrutiny Review – Unauthorised Encampments:

#### Response from Plymouth & Devon Racial Equality Council (PDREC)

1. Plymouth has historically had significant numbers of Irish Travellers and Romany Gypsies travelling through/visiting/working in the area. The same Travellers often spend time in other parts of Devon and in Cornwall. Many return year after year and are known to local statutory and voluntary agencies.
2. Despite this, there is no transit facility either in Plymouth or adjoining local authority areas. Campsites routinely do not accept Gypsies and Travellers. The only solution, in the absence of a transit facility, is to manage the unauthorised encampments in a way which balances the needs and concerns of the local community with the rights/needs of Gypsies and Travellers. It needs to be done in such a way so as not to further marginalise an already marginalised community.
3. Plymouth City Council (PCC) currently has a fair, comprehensive and appropriate Unauthorised Encampments Policy. The use by PCC of Section 55, rather than other powers, is appropriate in terms of cost, and overall outcomes.
4. PDREC would caution against greater use of Section 61 (CJ&POA) because **1)** past experience shows that it can be used inappropriately (ie where no provable anti social behaviour has occurred) potentially leading to challenges against the Police and PCC **2)** because the use of this power can have a disproportionately damaging effect on women and children in the encampment, who often do not make the decisions about where they are parked **3)** it can act to worsen relations between Gypsies and Travellers and the Police and PCC in a situation where good communication and an element of trust would be beneficial.
5. PDREC would also caution against using Section 77 because **1)** as with Section 61, use of this power can have a disproportionately damaging effect on women and children in the encampment (eviction by private bailiffs can be a traumatic experience) **2)** as with Section 61 it can act to damage relations between the Gypsies and Travellers and PCC/Police as both agencies need to be present at such an eviction and are closely associated with it.
6. Should an adequate and well managed transit facility be available in the area, it may then be appropriate to revisit enforcement options.

### Eliminating Racial Discrimination • Promoting Equal Opportunity

Registered Office: 3rd Floor, Prideaux Court, Palace Street, Plymouth, PL1 2AY  
 Company registered No: 3827654      Charity registered No: 1102012

#### Donations

*The Plymouth and Devon Racial Equality Council welcomes charitable donations from individuals and businesses. Whether you would like to make a simple one-off donation or if you would like to support us on a more regular basis, rest assured that all donations will be gratefully accepted and used to further our charitable objectives to work towards eliminating discrimination and promoting equality of opportunity.*

7. PDREC does not condone anti social behaviour, fly tipping and noise nuisance. However, the more marginalised communities feel, the more this is likely to happen. We would recommend that a named Council officer, rather than just a department, is given responsibility for managing unauthorised sites in the City. The experiences of Devon County Council's current assistant Gypsy Liaison Officer, and in the past that of South Somerset District Council's Liaison Officer, have shown that this personalised approach does help decrease levels of rubbish and disturbance, and increase cooperation by Gypsies and Travellers.
8. The local media plays a large part in creating an atmosphere of fear and hostility by local residents towards Gypsies and Travellers. In addition, the ability to comment on newspaper articles online often ends up fuelling hatred and blowing the situation surrounding an encampment out of proportion. There are rarely good news stories about these communities, and where an encampment is left clean and tidy it does not feature in any news item. PDREC recommends that PCC gives a clear response to the media where there are sensational and unbalanced articles which serve to damage community relations.
9. In the current absence of a transit site, PDREC recommends that a suitable tolerated area is designated for Gypsies and Travellers. A code of conduct/agreement could be given to Gypsies/Travellers using the designated area, and a contribution towards portaloos and skips agreed, thus minimising problems with waste.

Penny Dane  
Community Development Worker  
(Gypsies and Travellers)

*Penny Dane has been working with Gypsies and Travellers since 1998, first as a Gypsy/Traveller Liaison Officer in Surrey, and then from 2004 as a part time Community Development Worker with Plymouth & Devon Racial Equality Council. Since 2007 she has also worked for North Devon Healthcare Trust (Health Promotion Devon) as a part time Community Development Worker with Gypsies and Travellers focusing on health inequalities.*

*At PDREC she has worked collaboratively with Gypsies and Travellers in Devon to produce a variety of publications including a guide to Gypsy/Traveller site planning applications for Town and Parish Councils in Devon, a booklet for schools (Every Traveller Child Matters Too) and a booklet about how to challenge the media. She has also worked with Romany Gypsies to produce three DVDs – The pride, the prejudice (2008) about Romany Gypsies in Devon; Porrajmos: the untold story of the Gypsy Holocaust (2012); and Three Stories (2012) which features children from different Gypsy/Traveller backgrounds.*

*Penny works with Gypsy and Traveller colleagues in Devon to run Gypsy/Traveller awareness raising sessions and training for schools, colleges, and both statutory and voluntary organisations.*

*Her role also includes advocacy work with Gypsies and Travellers across Devon who have experienced discrimination and disadvantage.*

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# UNAUTHORISED ENCAMPMENTS

Cooperative Scrutiny Reivew - 15<sup>th</sup> October 2013



**PLYMOUTH**  
CITY COUNCIL

Author: Peter Aley

Job Title: Head of Safer Communities

Department: Safer Communities

Date: 07/10/2013

## Scrutiny review of our management of Gypsy and Traveller Unauthorised Encampments

### Executive Summary

- Our current procedure(s) for managing Unauthorised Encampments (UE's) aim to ensure that we deal effectively with UE's by Gypsies and Travellers that occur on our land.
- They embed our statutory duty to consider the welfare needs of Gypsies and Travellers who are one the most excluded groups in the Britain.
- To support the scrutiny review of this important function we have:
  - reviewed the national policy framework, specifically the guidance published by DCLG and concluded that they had very limited application to our local circumstances.
  - benchmarked our performance against other local authorities with the assistance of the National Association of Gypsy and Traveller Officers (NAGTO) and discovered that whilst some local authorities use powers that we currently do not there are cost benefit considerations to adopting them locally.
  - considered what more we can learn from our operational experience and concluded that our experience was that whilst all the powers used elsewhere could be used locally they did not necessarily represent a more effective solution.
- Overall our conclusion was that are existing procedure is fit for purpose, aligned to our cooperative values and represents value for money to the tax payer.
- This does not mean they cannot be improved upon and we have posed a series of questions for the scrutiny panel to consider in judging whether a new approach could deliver better results.

### 1.0 Introduction and Background

1.1 Our current procedure(s) for managing UE's were agreed in April 2009 by CMT and endorsed as a multi-agency procedure by our Local Strategic Partnership. Since this officers have kept the procedures under review and they are consistent with our co-operative values and objectives; they:

- are fair and treat both Gypsies and Travellers and the wider community with dignity and respect
- are openly published on our website setting out our responsibility to manage unauthorised encampments and our expectations of the behaviour of Gypsies and Travellers on our land
- provide strong community leadership through our agreed multi-agency procedure
- are pioneering in their delivery of an efficient process with minimal investment in resources, e.g. we have no full time Gypsy and Traveller Officer
- aim to ensure that Plymouth City Council staff deal effectively with UE's by Gypsies and Travellers that occur on our land.

Our current procedures are published on our web site:

<http://www.plymouth.gov.uk/homepage/communityandliving/socialinclusion/gypsiesandtravellers.htm>.

1.2 Gypsies and Travellers are one the most deprived groups in the Britain.

- Gypsy and Traveller children have the poorest educational attainment of any ethnic group in this country.
- Older Gypsies and Travellers are vulnerable due to a lack of continuity of health and care services related to their transient accommodation.
- They are the least likely ethnic group to be in receipt of home based social care or residential care.

- Life expectancy is significantly lower than for than the mainstream population. Infant mortality rates are three times higher.
- The lack of authorised sites for Gypsies and Travellers perpetuates many of these problems.
- The 2012 Caravan Count indicates that nearly a quarter of the 2,650 Gypsy and Traveller Caravans with no authorised permanent site were in the South West Region.

1.3 Our current procedures rely on a twin track approach which embeds our statutory duty to consider the welfare needs of Gypsies and Travellers on Unauthorised Encampments, it involves:

- direct negotiation with Gypsies and Travellers, seeking their co-operation to minimise the impact of UE's on local communities.
- immediately commencing legal action using S.55 of the civil procedures rules to ensure we have the means to enforce move on where this is not forthcoming.

Typically this means that UE's move on of their own accord. Since 2006 when SIU assumed responsibility for UE's we have only once had to resort to a forced eviction.

1.4 This scrutiny review has been called following one particular UE at Horsham Fields, Plymstock in late May/early June this year. Members have asked why the UE could not have been moved more quickly. Our case records show that we were on site on the first working day after their arrival to carry out statutory welfare checks and to deliver letters door to door in the neighbourhood explaining we were managing the UE. We served notice to quit the following day and filed papers to court 5 working days after their arrival. In the 14 days it was present this UE attracted significant public complaint and media comment. however the duration was actually significantly shorter than the average (19 days in 2013). Whilst it would be possible to adopt a policy where speed of eviction was the over-riding priority, it would need to be understood that this could give rise to some disadvantages eg:

- more frequent UE's through displacement to other parts of the City
- increased demand on resources, financial and human, for us and our partners
- greater need to conduct enforced evictions with consequent impact on community tensions.

## **2. National Policy Framework**

2.1 The Department for Communities and Local Government recently republished their summary guidance to Local Authorities on powers available to deal with Illegal and Unauthorised encampments.

2.2 Our analysis of this guidance is attached as appendix (3). We found:

- Only one change has been made to the legislative framework since this was originally published in 2012.
- Most of the powers listed either relate to Unauthorised Developments or would be of no additional use to us in speeding up or effectively dealing with UE's. An unauthorised development' being one where the occupied land belongs to the Gypsies and Travellers.
- There is one power, which we don't currently use which may prove effective in limited circumstances, i.e. interim possession order. We have updated our procedures so that we routinely consider whether this can be used in specific circumstances.
- We are in discussion with the Police regarding their greater use of S.61 powers and this will be included in an updated procedure in line with relevant ACPO guidance which requires that action is proportionate and targeted to individual Gypsies and Travellers suspected of anti-social behaviour on unauthorised sites, and not whole communities.

### 3. Benchmarking

3.1 We have conducted a benchmarking exercise covering 20 local authorities with assistance from the National Association of Gypsy and Traveller Officers (NAGTO). We found:

(The respondents are listed in appendix (2))

- Local Authorities take a wide range approaches to the eviction of Gypsies and Travellers from UE's.
- The main powers that are used to deal with UE's are summarised below.

Power	Source	Body	Enforcement	Issues
Part 55 of the Civil Procedure Rules.	Civil Law	Land Owner	County Court Possession Order	Can take up to 4 weeks. Striking an appropriate balance between the genuine concerns of the wider community the needs of Gypsies and Travellers within our corporate value to treat everyone with respect.
Sections 61	Criminal Justice and Public Order Act. (CJ&POA)	Senior Police Officer	Police Instruction to move when criteria met (including Anti-Social Behaviour)	Can only be used where proportionate.
Sections 62	CJ&POA	Police (On request)	Police Instruction to move	Requires identified alternative site.
Section 77 (s.78)	CJ&POA	Local Authority	Magistrates court and private bailiff	A costly criminal procedure. Costs include private bailiffs and court fees.

3.2 The results of this benchmarking show that, like Plymouth, most councils use S.55 of the civil procedures rules.

- However, a significant number of the authorities who responded are now using S.77 of the CJ&POA (Northampton, Leeds, West Norfolk and Swindon). The main advantage cited for this is that it is typically effective within 5-9 days. The disadvantages include the need to employ expensive private bailiffs, the potential for repeated reoccupation and the tendency to displace UE's to other nearby areas. This can therefore actually lead to an increase in the number of UEs and more resident communities experiencing them.
- Furthermore, use of S.77 is commonly combined with an approach which includes negotiated stopping and/or tolerated stopping places. This involves the authority informally designating certain areas where it will tolerate UEs, at least for a certain period of time, before starting eviction processes. This is an approach which Plymouth has resisted to date, but could be reconsidered if S.77 was to be promoted.

- A small minority of those we contacted report that the Police routinely use S.61 of the CJ&POA (Hertfordshire). Police forces generally will not use this power routinely because of the risk of damaging community relations.
- We have identified one authority that uses s.62 when required. This power is available to authorities which have a suitable alternative site e.g. transit facility or tolerated stopping place. It is our intention to build this into our procedures as soon as we open an official transit site.
- Most County Councils who responded made some use of negotiated stopping whatever other powers they relied on. The geographical area they cover would facilitate negotiated stopping through the ready availability of low impact sites. Identification of such locations in Plymouth would be likely to be controversial.

#### **4. Operational experience**

- 4.1 Our practice of reviewing procedures in line with operational experience, has led to a number of improvements. For example, consistent with our pioneering commitment to deliver better services, we now routinely notify ward councillors.
- 4.2 We have reviewed our use of S.55 civil procedures rules, the advantages include, it:
- a. works in nearly all circumstances
  - b. provides better protection from immediate reoccupation than other powers
  - c. avoids the need for complex criminal justice procedures
  - d. is cost/benefit efficient.
- 4.3 It also helps to maintain good relations with the Gypsy and Traveller community ensuring we are able to discharge our statutory duty to consider their welfare needs and our safeguarding role effectively, whilst not delaying on implementing eviction processes. This provides a balance which champions fairness, treating both Gypsies and resident communities with respect, in line with our “Fair” value.
- 4.4 We have tried using S77 once, but found it expensive due to bailiff costs and the need to have tow trucks on standby; significant operational police support was also required.
- 4.5 We have once considered using s.61 powers following a jointly conducted risk assessment that concluded there was significant risk of injury to a child. In the event the Gypsies and Travellers moved on voluntarily.
- 4.6 Our operational experience, prior to the adoption of our current procedure in 2009, was that negotiated stopping often can just delayed the legal process if the agreed date was not respected. For this reason we always initiate legal proceedings under the civil procedures rules.
- 4.7 Our database and press file which we established to monitor the effectiveness of our procedures tells us that:
- In 2013 the average duration of an unauthorised encampment in the City has been 19 days, 15% shorter than 2012's figure of 22 working days.
  - The level of public concern about unauthorised encampments relates more to the number of caravans on the site and the behaviour of the occupants than it does to the duration. One exceptional UE we had in place for 34 working days, which was due to serious welfare considerations, attracted negligible public comment. By comparison the occupation of Horsham Fields which lasted only 14 days generated significant media coverage and high levels of public complaints.

- The trend towards higher profile sites being occupied is in part due to our securing sites that had previously been subject to repeated reoccupation.

4.8 We estimate the current average cost of managing an unauthorised encampment at £7500, including legal and clean-up costs and officer time. We would risk escalating the total annual bill if we started using powers such as S.77 and this led to an increase in the number of UEs.

## 5. Conclusion

5.1 Our existing procedures strike an appropriate balance between the reasonable expectation of the wider community that we will move unauthorised encampments on as quickly as possible and the rights of Gypsy and Traveller communities to be treated with dignity and respect. They fit well within our cooperative values as expressed in our corporate plan,

5.2 They represent value for money for the tax payer because they enable us to use the SIU office duty system to discharge our statutory duty to carry out welfare checks and manage the UE's avoiding the need to employ dedicated staff

5.3 Our review of recently published DCLG guidance does not support the claim that we are not using the powers available to us. We identified only one power that we don't currently use that might have very limited application.

5.4 Our benchmarking reveals a range of differing approaches used by local authorities to manage UE's depending mainly on their specific circumstances and factors such as the volume of UE's they manage and the historical approach they have taken.

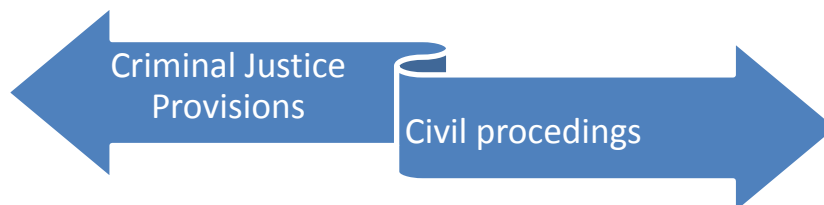
5.5 Our operational experience has been that in the vast majority of cases the use of S.55 powers offers value for money for the tax payer, the certainty of a move on within 4 weeks and reasonable treatment for one of our most excluded minority communities.

5.6 We note however that there are processes and powers we could adopt that would offer the possibility of speedier move on of UE's, provided we are prepared to consider applying greater resources to the problem.

## 6. Questions which Scrutiny may wish to consider

- Is our current approach the right one?
- What are our top priorities for dealing with UEs (e.g. speed, balance of rights, preventing re-occurrence, containing costs)?
- Should we re-consider using other powers and or procedures; if so which ones and how do we mitigate associated disadvantages?
- How should we fund any solution which requires additional resources?
- Should we consider tolerated sites?
- Is there support for adopting use of S.62 powers as soon as we open a transit site?
- Is there anything else we should be doing to promote our values and objectives in the way we deal with UEs?

## Analysis of remedies to deal with unauthorised encampments.



Remedy	S.61/62 powers	S.77 Powers	S.55 Civil Power	Negotiated stopping.
<b>Speed</b>	2-3 days	5-9 days	15 – 20 days	As agreed
<b>Legal costs</b>	Negligible	Court fees plus private bailiff fees.	Court fees if we proceed to court (but often UE's move on before we get to court).	None
<b>Resources</b>	Significant police resources can be required if the occupants of an unauthorised encampment do not respond to the direction to leave.	Significant officer resources required to undertake multiple site visits because of the shorter timeframe, e.g. authorities following this process typically had dedicated staff e.g (Northampton - 3.5 FTE staff).	Manageable within current resources although sometimes stretched at peak periods when multiple UE's are present.	Similar to S.55
<b>Negative Impact</b>	Frequent use increases the risk of a refusal to comply, and damage to community relations. This could make it more difficult for us to conduct statutory welfare checks. The potential for displacement is similar to s.77. S.62 is not currently available to us.	Significant displacement effect e.g. Northampton reported experiencing 75+ UE's in the first 12 months of operating this approach involving only 6 families.	Public perception, in certain cases, of the local authority being slow to act and negative media coverage when UE's occur on high profile sites.	Identification of tolerated sites likely to be controversial. Unlikely to be viewed positively by local residents/businesses. Enforcement could still be required if agreement not honoured requiring we resort to one of the other approaches.

### Analysis of UE performance Data 2009 - 2013

Year	Total UE's	Average number of caravans	Average number of Occupants/ UE	Average Duration	% living by the roadside
2013 (to August 2013)	22	7	6 adults + 9 children	19 days	83%
2012	30	3	3 adults + 5 children	22 days	92%
2011	21	4	4 adults + 4 children	20 days	40%
2010	51	6	7 adults + 7 children	15 days	35%
2009	21	10 <sup>1</sup>	11 adults + 10 Children	15 days	100%

We have found in recent years that travellers have tended to wait until served with a possession order before leaving. Where they would have departed on or before the court date they now wait to see if we are granted an order. This may reflect the legal wrangling over the well-publicised evictions at Dale Farm.

#### Benchmarking/Research Respondents

Benchmarking/Research Respondents		
• Bedford Borough Council	• Kent & Medway	• Southampton
• Chester West & Cheshire	• North Kent	• South Somerset
• Cumbria	• Norfolk	• Suffolk
• Devon	• Northumberland	• Warwickshire
• Hampshire	• Oxfordshire	• Worcestershire
• Hertfordshire	• South Hams	

<sup>1</sup> Vehicles not necessarily caravans as we did not always distinguish.



### Appendix 3 - Powers available to deal with Illegal and Unauthorised Encampments

Power	Key points from the DCLG guidance.	Have we used it?	Rationale
<b>Temporary Stop Notice</b>	<b>Section 171E of the Town and Country Planning Act 1990</b> stops any activity that breaches planning control for a period of 28 days. This allows the local planning authority time to decide whether further enforcement action, such as issuing an enforcement notice, possibly with a stop notice, should be taken. Penalty for non-compliance is a fine of up to £20,000 on summary conviction or an unlimited fine on indictment	No	Planning law deals with unauthorised 'developments' but not 'encampments'. An unauthorised development' being one where the occupied land belongs to the Gypsies and Travellers. The advantages and disadvantages of using this and the other planning powers listed below on the rare occasions that we get unauthorised developments, is outside the scope of this scrutiny review.
<b>Injunctions to protect land from unauthorised encampments</b>	If a local site is particularly vulnerable and intelligence suggests it is going to be targeted for unauthorised camping, causing disruption to others going about their day-to-day lives, local authorities could consider applying to the courts for a pre-emptive injunction preventing unauthorised camping (and/or protests) in a defined geographical area.	No	Gypsies and Travellers do not broadcast their intention to establish an unauthorised encampment. Legal opinion is that pre-emptive injunctions to protect land will not be granted in the absence of clear evidence that occupation is imminent.
<b>Licensing of caravan sites</b>	<b>The Caravan and Control of Development Act 1960</b> prohibits the use of land as a caravan site unless the occupier holds a site licence issued by the local authority. A caravan site includes anywhere a caravan (including mobile or 'park' home) is situated and occupied for human habitation including touring sites and single sites. However, it does not include sites where caravans are kept for storage only (driveways, retailers, storage parks) or where a caravan is used as additional accommodation for an existing dwelling. Violation of licensing terms brings a £100 fine for a first offence, and a £250 fine for any subsequent offence.	No	This would not offer a greater deterrent than our current approach.

Power	Key points from the DCLG guidance.	Have we used it?	Rationale
<b>Tent site licence</b>	<p><b>Section 269 of the Public Health Act 1936</b> gives the local authority powers to control the use of movable dwellings and to license the use of land as a site for such as a dwelling. If the land is to be used for more than 28 days in total in any calendar year, planning permission must be obtained. A site which is used for more than 42 days consecutively or 60 days in total in any consecutive 12 months, must have a site licence for the area concerned. The local authority may also decide to license tented areas on existing sites which operate within the 28 day planning allowance period. Violation of licensing terms brings a £2 fine per day.</p>	No	This would not offer a greater deterrent than our current approach.
<b>Possession Orders</b>	<p>A possession order under <b>Part 55 of the Civil Procedure Rules</b> can be obtained by both local authorities and private landowners who require the removal of trespassers from property including land. The claim must be issued in a County Court which has jurisdiction over the affected land/property. A claim can be issued in the High Court in exceptional circumstances where there is a risk of public disturbance and harm to persons or property that requires immediate determination.</p> <p>The “ordinary” possession order may be used regardless of whether the property is a building or open land, and regardless of the type of squatter or trespasser. A possession order may be secured quickly against trespassers (a minimum of 2 days’ notice before a hearing can take place if the property is non-residential, or 5 days for residential property), but not as quickly as an interim possession order, and is not backed up by criminal sanctions, unlike the interim possession order (see below).</p>	Yes	This is the route we currently use..

Power	Key points from the DCLG guidance.	Have we used it?	Rationale
<b>Interim Possession Order</b>	If trespassers have occupied premises (rather than open land), a local authority or private landowner could also consider applying (under <b>Section III of Civil Procedure Rules Part 55</b> ) for an interim possession order, an accelerated process for regaining possession of property. Once order has been granted and served, trespassers who fail to leave within 24 hours of service of the order or return to the premises within the currency of the order are guilty of an offence under <b>section 76 of the Criminal Justice and Public Order Act 1994</b> .	No	The interim possession order may only be used where the property is or includes a building, not open land. This may have limited application and we have updated our procedures to consider using it on the rare occasions when this criterion is met.
<b>Local Byelaws</b>	<b>Section 235 of the Local Government Act 1972</b> enables the local district council or London borough council to make byelaws for the good rule and governance of the whole or any part of the district or borough and for the suppression and prevention of nuisances. Such byelaws include noise in streets and other public places, urinating in a public place etc. <b>Section 150 (2) of the Police Reform and Social Responsibility Act 2011</b> enables local authorities to attach powers of seizure and retention of any property (which could include tents and sleeping equipment) in connection with any breach of a byelaw made under <b>section 235</b> and enables the courts to order forfeiture of property on conviction for contravention of any byelaw.	No	The seizure and retention of caravans would mean accepting a homelessness duty to the occupants as well as making provision at our own expense for the storage of seized vehicles. The use of byelaws to control Unauthorised Encampments is untested.
<b>Power of local authority to direct unauthorised encampments to leave</b>	Where people are residing in vehicles (including caravans) on land the <b>section 77 of the Criminal Justice and Public Order Act 1994</b> gives local authorities in England and Wales power to give a direction to leave the land. The power applies only to land forming part of a highway, any other unoccupied land or occupied land on which people	Yes	We found it expensive due to the need to employ private bailiffs and ineffective in preventing reoccupation (ie requiring repeated use).

Power	Key points from the DCLG guidance.	Have we used it?	Rationale
	<p>are residing without the consent of the occupier.</p> <p>It is an offence to fail to comply with such a direction. If the direction is not complied with, the local authority can apply to a magistrates' court for an order requiring the removal of vehicles and any occupants from the land (<b>section 78</b>).</p> <p>Responsibility for eviction lies with the local authority.</p> <p>Officers or agents of the local authority may use reasonable force to evict. It is usually recommended that the police attend such evictions in order to prevent a breach of the peace. Please note this power does not apply to other campers i.e. those sleeping under canvas.</p>		
<b>Addressing obstructions to the Public Highway</b>	<p>If tents are erected on the public highway, so as to constitute a “nuisance”, the relevant highway authority may serve a notice requiring their removal under the <b>Highways Act 1980</b> (England and Wales only). If the recipient fails to comply, the highway authority can apply to the Court for a removal and disposal order. The key issue is the need to demonstrate that the tents etc that are deposited on the highway are causing a clear, actual obstruction (a “nuisance”).</p> <p>The Highways Act provides other grounds on which highway authorities may take action in relation to protest activity on the highway.</p> <p>For example, under <b>sections 1 and 263 of the Act</b>, the freehold title of a highway maintained at public expense is vested in the highway authority. This means that, in some circumstances they could seek a possession order.</p>	No	This would not offer a greater deterrent than our current approach.
<b>Planning contravention notice</b>	<b>Section 171C of the Town and Country Planning Act 1990</b> provides the power to serve a planning contravention notice. This may be used where it appears that there may have been a breach of planning control and	Limited	Planning law deals with unauthorised 'developments' but not 'encampments'.

Power	Key points from the DCLG guidance.	Have we used it?	Rationale
	<p>the local planning authority require information about the activities on the land or to find out more about the nature of the recipient's interest in the land.</p> <p>A notice can therefore be used to invite its recipient to respond constructively to the local planning authority about how any suspected breach of planning control may be satisfactorily remedied.</p> <p>These notices enable local planning authorities to take action quickly following complaints and may be sufficient to reach a solution to the problem without taking any further formal action. Penalty for non-compliance is a maximum £1,000 on summary conviction (<b>section 171D</b>). A second conviction for continuing non-compliance can be penalised by a daily fine. A false or misleading response to a planning contravention notice (either deliberately or recklessly) is subject to a maximum fine of £5,000.</p>		
<b>Enforcement Notice and Retrospective Planning</b>	<p><b>Section 172 of the Town and Country Planning Act 1990</b> is the power to issue an enforcement notice, requiring steps to be taken to remedy the breach of planning control within a given period. The steps can include demolition and restoration of a site or alterations to a building. There is a right of appeal to the Secretary of State against an enforcement notice (<b>section 174</b>). If the notice is upheld, the penalty for failure to comply is a fine of up to £20,000 on summary conviction or an unlimited fine on indictment (<b>section 179</b>).</p> <p>An enforcement notice should be written in plain English and should enable every person who receives a copy to know – exactly what, in the local planning authority's view, constitutes the breach of planning control; and what steps the local planning authority require to be taken, or what</p>	Limited	Planning law deals with unauthorised 'developments' but not 'encampments'.

Power	Key points from the DCLG guidance.	Have we used it?	Rationale
	activities are required to cease to remedy the breach. If an enforcement notice has been issued, the local planning authority may decline to determine a retrospective planning application for development that would grant planning permission for any of the matters specified in the enforcement notice ( <b>section 70C of the Town and Country Planning Act 1990 as inserted by section 123 of the Localism Act 2011</b> ).		
<b>Stop Notice</b>	<b>Section 183 of the Town and Country Planning Act 1990</b> This has the effect of quickly stopping any activity which contravenes planning control guidelines and where there are special reasons which justify doing this: for example to prevent further environmental damage or to stop the construction of an unauthorised building. A stop notice may only be served with or after an enforcement notice relating to the same activity. Penalty for non-compliance is a fine of up to £20,000 on	Limited	Planning law deals with unauthorised 'developments' but not 'encampments'.
<b>Breach of Condition Notice</b>	<b>Section 187A of the Town and Country Planning Act 1990</b> enables a breach of condition noticed to be served where there is a failure to comply with any condition or limitation imposed on a grant of planning permission. Penalty for non-compliance is a fine of up to £2,500 on summary conviction.	Limited	Planning law deals with unauthorised 'developments' but not 'encampments'.
<b>Powers of entry onto land</b>	<b>Sections 196A, 196B and 196C of the Town and Country Planning Act 1990</b> provides powers of entry for authorised officers of the local planning authority for them to obtain information required for enforcement purposes. This may be without a warrant at any reasonable hour (with 24 hours' notice for a dwelling house), or with a warrant if access has been or is expected to be refused, or it is an emergency. Wilful obstruction of an authorised	Limited	Planning law deals with unauthorised 'developments' but not 'encampments'.

Power	Key points from the DCLG guidance.	Have we used it?	Rationale
	person is an offence: penalty is a fine of up to £1,000 on summary conviction.		
<b>Power of the Police to direct unauthorised campers to leave land</b>	<p>Should trespassers refuse to adhere to a request to leave the land, <b>sections 61- 62 of Criminal Justice and Public Order Act 1994</b> gives the police discretionary powers to direct trespassers to leave and remove any property or vehicles they have with them. The power applies where the senior police officer reasonably believes that two or more people are trespassing on land with the purpose of residing there, that the occupier has taken reasonable steps to ask them to leave, and any of the following:</p> <ul style="list-style-type: none"> <li>• that any of the trespassers have caused damage to land or property;</li> <li>• that any of the trespassers have used threatening, abusive or insulting words or behaviour towards the occupier, a member of the occupier’s family or an employee or agent of the occupier; or</li> <li>• that the trespassers have between them six or more vehicles on the land.</li> </ul> <p>Failure to comply with the direction by leaving the land as soon as reasonably practicable is an offence. Similarly it is an offence for a trespasser who has left the land in compliance with an order to re-enter it as a trespasser within three months of the direction being given.</p>	Yes	<p>This is a Police power. Devon and Cornwall Constabulary guidance notes that:</p> <p>“Use of this power is discretionary and not a duty to act. Devon and Cornwall Police will only use these powers where the levels of disruption, anti-social behaviour or crime associated with the encampment make it proportionate to do so”.</p> <p>It has been used where the criteria have been met <u>and</u> there is an overarching reason why its use is desirable e.g. risk of injury to a child.</p>
<b>Police Powers to direct trespassers to an alternative site</b>	Police have powers under <b>sections 62 A-E of Criminal Justice and Public Order Act 1994</b> to direct both trespassers and travellers to leave land and remove any vehicle and property from the land where there is a suitable pitch available on a caravan site elsewhere in the local authority area.	No	Not available as it requires a transit site or tolerated stopping place. Intention to add to procedures when we open an transit site.

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**PLYMOUTH CITY COUNCIL**

**Subject:** The new Council's commitments  
**Committee:** Cabinet  
**Date:** 17 June 2014  
**Cabinet Member:** Councillor Evans  
**CMT Member:** Tracey Lee (Chief Executive)  
**Author:** Giles Perritt, Assistant Chief Executive  
**Contact details:** giles.perritt@plymouth.gov.uk  
**Ref:**  
**Key Decision:** No  
**Part:** I

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**Purpose of the report:**

The Council's administration, following its re-election on 22 May 2014 is committed to the delivery of 50 further 'pledges', building on the successful delivery of 99 of the 100 pledges made in 2012. The themes under which the pledges are made remain the same:

1. Working Plymouth - the economy and jobs
2. Safer Plymouth – crime, community safety and anti-social behaviour
3. Young Plymouth – children and young people
4. Greener Plymouth – environment
5. Moving Plymouth – transport
6. Living Plymouth – housing
7. Vibrant Plymouth – culture, creativity and sport
8. Pride in Plymouth – image and vision for our city
9. Caring Plymouth – for all of Plymouth's residents whatever their age
10. Open Plymouth – a different kind of city council

The purpose of this report is to commit to the delivery of the pledges itemised at appendix A, and to update the Corporate Plan to reflect this commitment, for consideration by the Cabinet on 15 July 2014 and subsequently by the Council.

**The Brilliant Co-operative Council Corporate Plan 2013/14 -2016/17:**

The Council remains committed to the vision, values, objectives and outcomes set out in the plan, but will seek to update the milestones and actions to reflect the new pledges appended to this report, before seeking approval of the Council of the updated plan.

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

The Council set a three year balanced budget in February 2014, and will continue to manage its commitments within the revenue and capital envelope agreed at that time.

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

The new pledges complement the Council’s existing policy framework with respect to the above.

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**Equality and Diversity:**

Where potential equality and diversity implications are identified from the implementation of any new activities arising from the pledges, assessments will be undertaken in line with the Council’s policies.

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**Recommendations and Reasons for recommended action:**

That the Cabinet commits to the delivery of the commitments appended to this report.  
That the Corporate Plan is updated to take account of the new commitments for consideration by the Cabinet on 15 July 2014.

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**Alternative options considered and rejected:**

None

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**Published work / information:**

The 2014 Plymouth Labour Party Manifesto  
The Brilliant Co-operative Council Corporate Plan 2013/14 -2016/17

**Background papers:**

None

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**Sign off:**

Fin	DN	Leg	DS	Mon Off	DS	HR		Assets		IT		Strat Proc	
Originating SMT Member: Giles Perritt													
Has the Cabinet Member(s) agreed the content of the report? Yes													

# OUR PLEDGES FOR A BETTER PLYMOUTH WE WILL:

## Working Plymouth

### The Economy and Jobs

- 1 Double the size of the award-winning and successful 1000 Club to help 2,000 more people into work and apprenticeships.
- 2 Begin to deliver the new plan for the city centre to attract shoppers and visitors.
- 3 Increase the amount of local purchasing the Council does to keep more of Plymouth's wealth in our city.
- 4 Set up a forum to help women return to work on family friendly policies after maternity or childcare leave.
- 5 Launch the 'Building Plymouth' initiative, a new partnership to grow and support jobs in the construction industry.
- 6 Consult local businesses and education leaders to create a 'Plymouth Plan for Skills' with an objective of increasing the effectiveness of money spent on training.

## GROWING PLYMOUTH

## Safer Plymouth Crime, community safety and anti-social behaviour

- 7 Campaign against any further Tory cuts to Police, PCSOs and Firefighters in Plymouth.
- 8 Ensure the street lights are kept on by replacing old bulbs with new energy-saving and greener LED lights that will save money, reduce light pollution and save 3,200 tonnes of carbon a year. In 2012 we promised not to turn off street lighting as some councils are doing. We make that promise again now.
- 9 Continue the programme of replacement or refurbishment of Plymouth's public toilets and investigate more businesses opening their toilets to the public.
- 10 Build a new CCTV control room to keep our streets safe. We will relocate the city's CCTV control centre from the soon to be demolished Mayflower Car Park to a new secure location to keep our city safe.

## CARING PLYMOUTH

## Young Plymouth

### Children and Young People

- 11 Introduce a 'second chance to swim' scheme so that any child who didn't learn to swim in primary school gets another opportunity to learn this essential skill.
- 12 Increase the number of children leaving school with the ability to read and write.
- 13 Introduce a 'Young People's Skills Passport' so all our young people are 'job ready' after leaving school.
- 14 Improve the quality of careers advice for young people so whether they want to go to university, start an apprenticeship, start a business or get a job they have the additional help they need to succeed.
- 15 Keep a discounted entrance fee for Plymouth's children to city leisure services and find more ways of getting young people engaged in sport.

## GROWING PLYMOUTH

## Greener Plymouth The Environment

- 16 Support the expansion of the Plymouth Energy Community.
- 17 Identify more sites and locations for green energy generation especially for solar panels producing green energy.
- 18 Relaunch a home composting scheme to encourage more recycling of garden and vegetable waste.
- 19 Investigate replicating the successful 'Eyesore Gardens' project from Barking and Dagenham Council in Plymouth to deal with untidy and overgrown gardens in our community.
- 20 Encourage the use of unused land around the city to grow crops, fruit and vegetables via a new landshare scheme.

## PIONEERING PLYMOUTH

## Moving Plymouth Transport

- 21 Continue our programme of road resurfacing, repairing potholes and fixing pavements.
- 22 Continue to press Government for improvements to the road and rail network to ensure that Plymouth is not cut off again by extreme weather in the future.
- 23 Slow traffic down in residential areas with plans for more 20mph zones.
- 24 Propose more safer cycling and walking routes in and out of Plymouth for leisure and commuting.
- 25 Welcome the Waterfront Partnership's review of Plymouth's potential as a cruise liner destination and evaluate options for growing the number of cruise ships that visit the city.
- 26 Seeking funding for the Forder Valley relief road to open up Derriford for new housing, jobs, a primary school and a community park.

## GROWING PLYMOUTH

## Living Plymouth Housing

- 27 Deliver our plan for homes and maintain our commitment to build 1,000 homes every year for the next five years including homes affordable to rent as well as affordable to buy.
- 28 Continue our multi-million pound investment through the ECO initiative to bring affordable warmth to people who live in private rented housing as well as housing association tenants.
- 29 Agree a plan with registered social landlords to create more social housing.
- 30 Develop a programme to improve the quality of private rented housing and take action against rogue landlords.
- 31 Continue to encourage self-build, co-operative housing and the widest possible range of tenure and ownership.

## GROWING PLYMOUTH

## Vibrant Plymouth

### Culture, creativity and sport

- 32 Push for the Government to declare Plymouth as the centre for the Mayflower anniversary celebrations in 2020.
- 33 Begin to introduce free wifi in the city centre and reinvest the proceeds to widen the wifi network so that everyone in Plymouth can get connected to the internet.
- 34 Host a conference in partnership with University of St Mark and St John to promote a plan for sport for the whole of the city.
- 35 Further develop the Plymouth Armed Forces Community Covenant to make sure more of our veterans, ex-service personnel and their families are properly supported.

## PIONEERING PLYMOUTH

## Pride in Plymouth

### Image and vision for our city

- 36 Light our Landmarks by permanently lighting Smeaton's Tower and other prominent iconic structures and buildings so they can be enjoyed during the day and at night.
- 37 Having launched the celebration of Plymouth's 100 anniversary we will continue the festivities with a huge programme of cultural and historical events across the city.
- 38 Campaign to open a walkway from Durnford Street in Stonehouse through Millbay Port to encourage greater use of the South West Coast Path.
- 39 Recognise the contribution of Plymouth's men and women who served in the First World War in the military and on the home front with a series of events marking the 100th anniversary of the Great War.
- 40 Press ahead with plans to improve Plymouth Museum.
- 41 Start a public fundraising campaign for a fitting Mayflower memorial.

- 42 Use Plymouth's recent designation as a 'City of Service' to grow our reputation for volunteering by developing a programme to encourage people and communities from across the city to work together.
- 43 Begin a programme of commissioning public art for local and international artists.

## CONFIDENT PLYMOUTH

## Caring Plymouth

### for all of Plymouth's residents whatever their age

- 44 Continue our pioneering work to make Plymouth a dementia friendly city.
- 45 Continue to work closely with the NHS to provide a seamless service for older people's care including smoother discharge from hospitals.
- 46 Campaign for a fairer settlement for Plymouth for public health funding that sees our city receive £27 less per person than Portsmouth does.

## CARING PLYMOUTH

## Open Plymouth

### A different kind of City Council

- 47 Open a new one-stop shop in the City Centre so that more of the City Council's services are available in one prominent and cost-effective location.
- 48 Put more Council services online so you can do more with us on the internet at a time more convenient for you.
- 49 Further enhance the scrutiny programme of the City Council. By giving more responsibility to our City Councillors to scrutinise services offered across the city we have seen more transparency and shone a light onto services that are not performing at their best.
- 50 Continue the campaign to encourage people to register to vote so everyone in Plymouth is able to have their voice heard at election time.

## CONFIDENT PLYMOUTH



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**Subject:** Financial Outturn 2013/14 (including Capital Programme update)

**Committee:** Cabinet

**Date:** 17 June 2014

**Cabinet Member:** Councillor Lowry

**CMT Member:** Malcolm Coe (Assistant Director for Finance)

**Author:** David Northey, Head of Corporate Strategy  
Contact details Tel: 01752 305428  
email: david.northey@plymouth.gov.uk

**Ref:**

**Key Decision:** No

**Part:** I

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**Purpose of the report:**

This report is the final monitoring, or outturn, report for 2013/14 and details the financial monitoring position of the Council as at the end of March 2014.

The Revenue position for the year, assuming the transfers to and from reserves as proposed in the report are approved, is a net spend of £212.618m.

As is normal practice, this report proposes a number of adjustments to the financial accounts following the financial health review always undertaken by the Section 151 Officer at the end of the year. Decisions made as part of this report will feed into the Council's annual Statement of Accounts which is subject to external audit.

Following approval there will be a requirement for a transfer from the Working Balance, leaving a net working balance of £10.739m at 31 March 2014.

The final Capital outturn position for 2013/14 is £47.2174m.

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**The Brilliant Co-operative Council Corporate Plan 2013/14 – 2016/17:**

In July 2013, the Council adopted a new Corporate Plan, to be a Brilliant Co-operative Council. The plan contains ambitious objectives around the themes of Pioneering, Growing, Caring and Confident Plymouth. It focuses on Co-operative values which will inform the way that the Council goes about its business.

This quarterly report is fundamentally linked to delivering the priorities within the Council's Corporate Plan and sets out how the Council allocates its limited resources to key priorities to maximise the benefits to the residents of Plymouth.

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**Implications for Medium Term Financial Plan and Resource Implications:**

The 2013/14 was the final year of our initial three year financial plan covering 2011/12 to 2013/14. The revenue budget set an ambitious target of reducing spend by £17.6m in year, which is over 8% of the total budget. The final outturn at the end of the year was just £0.058m more than the budget target that we set, which is a tremendous achievement and testament to the strong financial management and discipline across all areas of the council.

Balancing the budget without the need to draw down against our financial reserves provides us with a strong foundation to address the challenges ahead. However, there are specific areas of departmental service pressure that continue to present us with significant financial risk moving forward, mainly in relation to our Co-operative Commissioning and Adult Social Care programme where costs exceeded the budget by £2.1m at year end. With increasing client numbers linked to people living longer, there is even more need to join in partnership with colleagues from health to place our combined limited funding into preventative work, supporting people to live healthy live-styles within the community.

The Medium Term Financial Forecast will now be updated to take account of the outturn position as detailed in this report

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

In considering the budget variations for the year, Directors will identify any potential risks to delivering the budget in future years. These will be monitored as part of the corporate reporting process.

All actions taken as part of the Corporate Health adjustments have been considered for their impact on: council priorities, legal obligations, customers and other services and partners.

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**Equality and Diversity**

We have given due-regard to our Public Sector Equality Duty for all relevant management actions.

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**Recommendations and Reasons for recommended action:**

That Cabinet:-

1. note the provisional outturn position as at 31 March 2014
2. note the additional, unbudgeted, income included as part of the “Corporate Health Adjustments” for 2013/14 from:
  - The Devon-wide Business Rates Pool £ (0.479)m
  - Small Business Rates Relief £ (1.004)m
3. approve the additional transfers to and from reserves reflected in the “Corporate Health Adjustments” within the outturn figures:
  - Transfer to Pensions Reserve £ 0.500m
  - Transfer to Redundancy Reserve £ 0.781m
  - Creation of a Skills Agenda Reserve £ 0.100m
  - Creation of a 100<sup>th</sup> Year Celebration Reserve £ 0.400m
  - Reduce the Insurance Reserve £ (0.454)m

4. note the adjusted revenue deficit for the year of £0.58m and approve that this be met by a transfer from the General Fund Working Balance.
5. approve the following net nil transfers between reserves and provisions:
  - Reduce Bad Debt Provision £(0.510)m
  - Creation of a “City Deal for Young People” Reserve £ 0.100m
  - Transfer to Waste Reserve £ 0.410m
6. Approve the following net nil transfers between reserves and provisions to top up the Transformation Reserve created in March 2013:
  - Reduce Icelandic Bank Reserve £(0.300)m
  - Delete Job Evaluation Contingency Reserve £(0.035)m
  - Reduce Job Evaluation / Equal Pay Reserve £(0.328)m
  - Delete Job Evaluation / Equal Pay Administration Reserve £(0.091)m
  - Delete VAT Repayment Reserve £(0.061)m
  - Delete Invest to Save Reserve £(0.135)m
  - Transfer to Transformation Reserve £ 0.950m
7. note the capital financing requirement of £47.217m and approve the borrowing requirement of £4.545m for 2013/14.
8. note the re-profiling changes to the capital programme identified during the outturn process subsequent to Council approval in February 2014.

**Alternative options considered and rejected:**

None considered.

**Published work / information:**

The Local Government Act 2003 and the Local Authorities (Capital Finance and Accounting) (England) [Regulations](#) 2003

Capital Financing [Regulations](#) (2012)

**Background papers:**

None

**Sign off:**

Fin	mc14 15.08	Leg	LT 2040 5	Mon Off	DS	HR		Assets		IT		Strat Proc	
Originating SMT Member: Malcolm Coe													
Have the Cabinet Members agreed the contents of the report? Yes													

**Plymouth City Council  
Finance Monitoring – 2013/14  
Quarter 4 Outturn at 31 March 2014**

**I. Introduction**

- I.1 This report reviews the Council's financial performance for the year ended 31 March 2014.
- I.2 It is appropriate, given the financial challenges facing the Council in the next financial year and the medium term, that as part of reporting the final position for 2013/14 further consideration is now given to future levels of the Working Balance and reserves. As is normal practice at this time of year, the Chief Finance Officer, the Assistant Director for Finance is recommending a number of adjustments to provisions and reserves within the report.
- I.3 The outturn figures will now feed into the Council's formal Statement of Accounts, which will include the balance sheet position. Under the Accounts and Audit Regulations 2011 the Assistant Director for Finance, as the Council's Section 151 Officer, is required to formally approve the accounts by 30 June 2014. The external auditor is required to audit the accounts by 30 September – the statutory deadline for their publication; the Audit Committee will be formally asked to approve the final accounts for the year following completion of the audit.
- I.4 This report contains the following sections and appendices:-
- **Section A Revenue Finance**
  - **Section B Capital Programme**
  
  - Appendix A Revenue outturn variances by department 2013/14
  - Appendix B Trading Account outturn 2013/14
  - Appendix C Movement in Reserves Summary 2013/14
  - Appendix D Movement in Provisions Summary 2013/14



**SECTION A REVENUE FINANCE****2. General Fund Revenue Budget**

2.1 Council approved a net revenue budget of £212.560m for 2013/14 at its meeting on 25 February 2013. Table I below provides a summary of the Council's overall revenue expenditure and compares the draft outturn with the latest approved budget.

2.2 The trading accounts are all within the Place Directorates and a summary is provided at Appendix B.

**2.3 Table I End of year revenue outturn by Directorate**

Directorate	Latest Approved Budget	Actual Outturn 2013/14	Variance prior to adjustments	Corporate Health and other adjustments proposed	Adjusted Outturn 2013/14	Variation to budget post proposed adj.
	£m	£m	£m	£m	£m	£m
Executive Office	2.225	2.320	0.095	(0.098)	2.222	(0.003)
Corporate Items	6.285	6.098	(0.187)	(0.058)	6.040	(0.245)
Corporate Services	30.538	30.224	(0.314)	0.000	30.224	(0.314)
People	130.483	131.345	0.862	0.000	131.345	0.862
Place	43.029	42.787	(0.242)	0.000	42.797	(0.242)
<b>Total</b>	<b>212.560</b>	<b>212.774</b>	<b>0.214</b>	<b>(0.156)</b>	<b>212.618</b>	<b>0.058</b>

2.4 The monitoring report received by Cabinet on 11 February 2014 forecast a revenue outturn position of £0.993m over spend at the year end, and officers were tasked with continuing to take actions to reduce the overspend. Revenue spend has reduced by £0.779m over the last three months of the financial year which reduced the end of year overspend, before adjustments, to £0.214m.

2.5 The main overspend was Co-operative Commissioning and Adult Social Care, with a final outturn position of £2.1m overspend. Management action to contain this overspend included measures around sign off of spend at the front door and a review of high cost packages.

2.6 Other savings within the directorate reduced the overall People directorate overspend to £0.862m.

2.7 Across the Council, management actions to reduce the overspend included the introduction of a time-limited Voluntary Release Scheme (VRS) which resulted in 45 members of staff choosing to leave the authority's employment, produced savings in excess of £0.150m; all departments undertook a full review of their discretionary spend and delayed expenditure wherever possible.

- 2.8 The Corporate revenue contingency of £1.3m was established to fund one-off in-year budget pressures; as drawdown against this contingency have been authorised, we have released the unrequired balance of £0.500m has resulted in an increased underspend on Corporate Items.

### 3 2013/14 Financial Health Review

- 3.1 As part of consideration of the outturn position, and before officially 'closing the accounts', it is necessary to review the Council's overall financial health position, looking not only at the outturn position for the year, but reviewing the adequacy of reserves and provisions in the light of pressures identified over the short to medium term. Decisions made feed into the Council's statutory Statement of Accounts which is subject to external audit.
- 3.2 As an integral part of the financial health review the Assistant Director for Finance and Corporate Management Team (CMT) are recommending the following Corporate Health Adjustments, including transfers to and from reserves, which amount to a net £(0.156)m:

- a. Transfer to Pension Reserve £0.500m

The Council's contribution rate has increased for 2014/15 following the triennial review which concluded in March 2014. The contribution rate is based on a minimum funding contribution towards the legacy deficit position. With a reducing workforce, it is likely we will face a shortfall in our contribution in 2014/15. Any annual shortfalls are required to be met by the Council and this totalled £1.036m in 2013/14. It is proposed to top-up the balance from this outturn adjustment and a review of reserves and provisions to allow for potential payments in 2014/15.

- b. Transfer to Redundancy Reserve £0.781m

The balance brought forward 1 April 2013 of £1.722m was reduced to £0.922m following the transfer of £0.800m to the Waste Reserve as part of the 2014/15 budget recommendations. During the financial year 2013/14 we drew down £1.071m to fund redundancy payments with a further drawdown of £0.332m spent to fund our Voluntary Release Scheme (VRS), leaving an unadjusted closing balance of £(0.481)m. This transfer into the reserve of £0.781m will give a carry forward balance of £0.300m towards funding redundancies during 2014/15.

- c. Transfer to Skills Agenda Reserve £0.100m

The Council has made a commitment to looking at developing the skills agenda in the city with the expenditure planned during 2014/15.

- d. Creation of a 100<sup>th</sup> Year Celebration Reserve £0.400m

The Cabinet meeting 10 December 2013 approved the allocation of £0.395m to fund a series of significant events during July 2014, as part of Plymouth's 100 year celebrations. One of the events, which will showcase the very best that the city has to offer, has subsequently been confirmed as the Music TV channel (MTV) which will "crash" Plymouth with live concerts and inserts of the city being broadcast across the world.

## e. Transfer from Insurance Reserve £(0.454)m

Following a full review of our claims history, as part of the closedown procedures, we are able to release the amount of £0.454m from our Insurance Reserve. This will leave a balance to carry forward into 2014/15 of £1.3m.

## f. Additional Business Rates 2013/14 £(0.479)m

Following changes to the collection of National Non Domestic Rates (NNDR), more commonly known as Business Rates, all of the Local Authorities across Devon set up a Business Rates Pool. This allows the authorities to share any benefits as a result of growth within the Pool. Plymouth City Council did not include any estimated additional income in the 2013/14 budget; the benefit for the year has now been confirmed as £0.479m and is being recognised as part of the Corporate Health Adjustments.

## g. Additional Small Business Rates Relief 2013/14 £(1.004)m

Following changes by Central Government to the allocation of the Small Business Rates Relief for 2013/14, Plymouth City Council did not include any estimated additional income in the 2013/14 budget; the benefit for the year has now been confirmed as £1.004m and is being recognised as part of the Corporate Health Adjustments.

**Reserves and Provisions at 31 March 2014**3.3 Working Balance**Table 2 Working Balance**

Approval of the actions outlined above would leave a Working Balance at 31 March 2014 of £10.739m.

	31 March 2103	Less Outturn	31 March 2014
<b>Working Balance</b>	<b>£10.797m</b>	<b>£0.058m</b>	<b>£10.739m</b>

A working balance of £10.739m equates to approximately 5.2% of the net revenue budget for 2014/15 of £204.680m and remains in line with the approved Medium Term Financial Strategy (MTFS) which is to maintain a Working Balance of at least 5%.

3.4 Earmarked Reserves and Provisions

3.4.1 In addition to the Working Balance, the Council maintains a number of reserves which may be required for statutory purposes or set up voluntarily to earmark resources for future spending plans. Assuming the corporate health adjustments outlined above are approved, the Council's earmarked reserves will stand at £27.366m at 31 March 2014 (up from £24.271m at 31 March 2013). This includes schools balances and reserves of £9.516m (up from £6.428m). At this point the details of the Tamar Bridge and Torpoint Ferry accounts have not been received from Cornwall Council who prepare the accounts and so any balances relating to this activity cannot be updated.

3.4.2 These figures are subject to change as the final statement of accounts is produced over the next month but any changes should be minimal. Appendix C shows the provisional movement in the reserves over the year, together with the main purpose of the reserve.

3.4.3 The Council has a number of budget provisions set up to meet known liabilities. Provisions are compulsory and required to comply with accounting standards. The balance on the provisions at year end together with movement in the year is outlined in Appendix D.

3.4.4 Officers have undertaken a review of provisions and reserves to assess their adequacy to meet known or estimated commitments. As a result of this the following net nil transfers between reserves and provisions are suggested:

- Reduce Bad Debt Provision by £0.510m to reflect increased collection rates
- Transfer £0.100m to a “City Deal for Young People” Reserve

#### 3.4.5 Transformation Reserve

As part of the 2012/13 Outturn Report and following a recommendation from Cabinet to full Council agreed on 10 June 2013, a Transformational Change Reserve was created with a balance of £0.250m. During the financial year 2013-14, up-front costs for the preparation of the Transformation Programme have been met from this reserve. A further recommendation was made by Cabinet on 3 September 2013 to review earmarked reserves and balances to ensure that the Transformational Change Reserve was adequate to cover cash flow requirements for the period of 2013/14 to 2016/17. This recommendation was agreed by Council on 16 September 2013. The 3 Year Sustainable Budget report to Cabinet on 10 December 2013 reported a Transformational Change Reserve of £1.7m, to be fully drawn down by the end of March 2014.

The funding of the £1.7m was made up of the original £0.250m reserve balance, plus £0.500m included as part of the Corporate Items for 2013/14 and the following transfers totalling £0.950m:

• Reduce Icelandic Bank Reserve	£(0.300)m
• Delete Job Evaluation Contingency Reserve	£(0.035)m
• Reduce Job Evaluation / Equal Pay Reserve	£(0.328)m
• Delete Job Evaluation / Equal Pay Administration Reserve	£(0.091)m
• Delete VAT Repayment Reserve	£(0.061)m
• Delete Invest to Save Reserve	£(0.135)m

#### 3.4.6 Schools Balances

At the end of the year there was a total of £9.516m (£6.428m March 2013) unspent monies against schools’ delegated budgets and other reserves. The main reasons why schools hold balances are: anticipation of future budget pressures usually arising from pupil number variations; to fund specific projects such as building works and IT; and to provide for the balance of Government grants paid during the financial year (April–March) which cover expenditure occurring across the academic year (September – August).

**Recommendations:**

That Cabinet:-

1. note the provisional outturn position as at 31 March 2014
2. note the additional, unbudgeted, income included as part of the “Corporate Health Adjustments” for 2013/14 from:
  - The Devon-wide Business Rates Pool £ (0.479)m
  - Small Business Rates Relief £ (1.004)m
3. approve the additional transfers to and from reserves reflected in the “Corporate Health Adjustments” within the outturn figures:
  - Transfer to Pensions Reserve £ 0.500m
  - Transfer to Redundancy Reserve £ 0.781m
  - Creation of a Skills Agenda Reserve £ 0.100m
  - Creation of a 100<sup>th</sup> Year Celebration Reserve £ 0.400m
  - Reduce the Insurance Reserve £ (0.454)m
4. note the adjusted revenue deficit for the year of £0.58m and approve that this be met by a transfer from the General Fund Working Balance.
5. approve the following net nil transfers between reserves and provisions:
  - Reduce Bad Debt Provision £(0.510)m
  - Creation of a “City Deal for Young People” Reserve £ 0.100m
  - Transfer to Waste Reserve £ 0.410m
6. Approve the following net nil transfers between reserves and provisions to top up the Transformation Reserve created in March 2013:
  - Reduce Icelandic Bank Reserve £(0.300)m
  - Delete Job Evaluation Contingency Reserve £(0.035)m
  - Reduce Job Evaluation / Equal Pay Reserve £(0.328)m
  - Delete Job Evaluation / Equal Pay Administration Reserve £(0.091)m
  - Delete VAT Repayment Reserve £(0.061)m
  - Delete Invest to Save Reserve £(0.135)m
  - Transfer to Transformation Reserve £ 0.950m

## SECTION B CAPITAL PROGRAMME

### 4. Capital Programme

4.1 The final outturn position for 2013/14 is £47.217m which is shown by Directorate in the table below

**Table 3 – Capital Outturn 2013/14**

Directorate	Latest Budget £m	Re-profiling £m	Variations £m	Year end £m	Change £m	Total %
Place	18.890	(4.603)	(0.007)	14.280	(4.611)	76%
People	30.257	(1.035)	(0.242)	28.980	(1.277)	96%
Corporate Services	5.436	(1.411)	(0.067)	3.957	(1.479)	73%
<b>Total</b>	<b>54.583</b>	<b>(7.049)</b>	<b>(0.316)</b>	<b>47.217</b>	<b>(7.367)</b>	<b>87%</b>

4.2 The 2013/14 programme has enabled investment in some notable schemes, including £20m on building and maintaining schools and academies, £4m on removing potholes in roads, £1.9m on Disabled Facilities Grants, a £2m contribution towards the regeneration and modernisation of Plymouth Theatre Royal, supporting £1.6m of Vehicle and Plant replacement on an invest to save basis.

4.3 The year- end position highlights £7.049m re-profiling of schemes into 2014/15, many of these relate to transactions planned to take place towards the end of the year that have not quite come to fruition in time. The main areas are:

- £2.0m of transport schemes
- £1.0m Seaton Land acquisition
- £0.8m settling final account re Chelson Meadow
- £0.4m vehicle replacement

4.4 The main variation relates to a reduction in education spend because some academies have directly procured elements of wider projects that the Councils originally planned to procure for them.

**Capital Financing**

4.5 Table 4 below shows the final financing position:

**Table 4 – Financing of 2013/14 Capital Programme**

<b>Method of Financing</b>	<b>£m</b>
<b>Total Unsupported Borrowing</b>	<b>4.545</b>
Capital Receipts	3.114
Grants	34.138
Contributions	0.992
Section 106 / RIF	1.186
Direct Revenue Financing	3.242
<b>Sub-Total Other Financing</b>	<b>42.672</b>
<b>Total Capital Financing</b>	<b>47.217</b>

**Recommendations:**

That Cabinet:-

7. note the capital financing requirement of £47.217m and approve the borrowing requirement of £4.545m for 2013/14.
8. note the re-profiling changes to the capital programme identified during the outturn process subsequent to Council approval in February 2014.

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## OUTTURN VARIANCES BY DEPARTMENT 2013/14

## APPENDIX A

DEPARTMENTS	Latest Approved Final	Actual Outturn	Health Adj.	Outturn	Outturn Variation
	£'000	£'000	£'000	£'000	£'000
<b>Executive Office</b>					
Chief Executives Office	1,535	1,549	(98)	1,451	(84)
Departmental Management	690	771	0	771	81
<b>Total Executive Office</b>	<b>2,225</b>	<b>2,320</b>	<b>(98)</b>	<b>2,222</b>	<b>(3)</b>
<b>Corporate Items</b>					
Capital Financing	9,458	8,800	0	8,800	(658)
Major Projects	0	9	0	9	9
Other Corporate Items	(3,173)	(2,710)	(58)	(2,768)	405
<b>Total Corporate Items</b>	<b>6,285</b>	<b>6,098</b>	<b>(58)</b>	<b>6,040</b>	<b>(245)</b>
<b>Corporate Services</b>					
Finance, Efficiencies, Technology & Assets	17,396	17,391	0	17,391	(5)
Democracy & Governance	4,933	4,919	0	4,919	(14)
Customer Services	5,030	4,834	0	4,834	(196)
Human Resources & Organisational Development	2,917	2,773	0	2,773	(144)
Departmental Management	262	307	0	307	45
<b>Total Corporate Services</b>	<b>30,538</b>	<b>30,224</b>	<b>0</b>	<b>30,224</b>	<b>(314)</b>
<b>People Directorate</b>					
Childrens Social Care	26,330	26,601	0	26,601	271
Co-operative Commissioning & Adult Social Care	73,849	75,990	0	75,990	2,141
Education, Learning & Family Support	18,214	17,544	0	17,544	(670)
Homes & Communities	11,849	10,949	0	10,949	(900)
Management and Support	241	261	0	261	20
Public Health *	0	0	0	0	0
<b>Total People Directorate</b>	<b>130,483</b>	<b>131,345</b>	<b>0</b>	<b>131,345</b>	<b>862</b>
<b>Place Directorate</b>					
Economic Development	1,903	1,966	0	1,966	63
Transport & Infrastructure	14,612	14,519	0	14,519	(93)
Planning	1,960	1,941	0	1,941	(19)
Environmental Services	25,121	24,871	0	24,871	(250)
Management & Support	(567)	(510)	0	(510)	57
<b>Total Place Directorate</b>	<b>43,029</b>	<b>42,787</b>	<b>0</b>	<b>42,787</b>	<b>(242)</b>
<b>Total General Fund budget</b>	<b>212,560</b>	<b>212,774</b>	<b>(156)</b>	<b>212,618</b>	<b>58</b>

\* Public Health is a net nil budget as fully funded via Government Grant

## TRADING ACCOUNT OUTURN 2013/14

## APPENDIX B

Activity	Trading Estimates	Outturn	Variation	Comments
	£'000	£'000	£'000	
City Market (inc Street Trading)	0	0	0	City Market Activities are run on a net nil budget requirement basis and outturn position is as budgeted.
Off/On Street Parking	(1,657)	(1,629)	27	Customer demand affected by adverse weather conditions over later part of financial year.
Taxi Trade	(114)	(94)	20	Deficit on trading account due to a reduction in Private Hire licence fees in order to manage trading reserve levels in line with
<b>Total Trading</b>	<b>(1,771)</b>	<b>(1,723)</b>	<b>47</b>	

## Movement in Reserves Summary 2013/14

## Appendix C

High Level Summary group	Balance as at 31/03/2013 £000	Transfers to Reserves 13/14 £000	Transfers from Reserves 13/14 £000	Balance as at 31/03/2014 £000	
Trading Account & other statutory reserves	(268)	(2,513)	2,345	(436)	
Education/schools Earmarked reserves	(6,428)	(8,098)	5,010	(9,516)	
Commuted maintenance	(350)	(2,678)	39	(2,989)	
Earmarked General Reserves	(15,598)	(7,150)	10,016	(12,732)	
Other Ring fenced Reserves	(1,008)	(234)	195	(1,047)	
Other Reserves	(619)	(53)	26	(646)	
Working balance	(10,797)	0	58	(10,739)	
<b>Total</b>	<b>(35,068)</b>	<b>(20,726)</b>	<b>17,689</b>	<b>(38,105)</b>	

All figures in £000

Summary group	Balance as at 31/03/2013 £000	Transfers to Reserves 13/14 £000	Transfers from Reserves 13/14 £000	Balance as at 31/03/2014 £000	Purpose of Reserve
<b>Trading Account &amp; other statutory reserves</b>					
Off Street Parking	0	(963)	963	0	Represents Accumulated trading position
On Street Parking	0	(1,342)	1,342	0	Represents Accumulated trading position
City Market	0	(86)	40	(46)	Represents Accumulated trading position
Taxis	(230)	(99)	0	(329)	Represents Accumulated trading position
Street Trading	(9)	(1)	0	(10)	Represents Accumulated trading position
Land Charges Development Fund	(29)	(22)	0	(51)	To fund improvements in the LLC service
<b>Education/schools Earmarked reserves</b>					
Education Carry Forwards	(14)	0	0	(14)	Schools ring-fenced resources mainly from grants
School Budget Share	(5,010)	(8,086)	5,010	(8,086)	Previously shown as a separate reserve. Represents schools balances under delegated budgets

Summary group	Balance as at 31/03/2013 £000	Transfers to Reserves 13/14 £000	Transfers from Reserves 13/14 £000	Balance as at 31/03/2014 £000	Purpose of Reserve
PFI reserves	(1,377)	(8)	0	(1,385)	PFI credits towards the schools PFI contract at Wood View are received in equal instalments over the course of the contract. This reserve enables the matching of the credits to actual expenditure incurred from year to year.
Beechwood Campus Drs Surgery Reserve	(27)	(4)	0	(31)	transfer from revenue account difference between rent rec'd and unsupported borrowing cost, this is needed to pay final year of rent (contract for 25 years but surgery only paying 24)
<u>Commuted Maintenance</u>	(350)	(2,678)	39	(2,989)	Revenue contribution from developers /section 106 agreements to provide for future maintenance over a period of years
Insurance and Risk Management Reserves	(1,617)	0	349	(1,268)	To meet any unforeseen/increased costs of insurance claims or works to minimise insurance risk. The fund is available to meet the costs of urgent health and safety works that cannot be contained within existing budgets.
Budget Carry Forwards	(696)	(589)	504	(781)	various agreed c/forwards in General Reserve code
JE contingency	(52)	0	52	0	Utilised in 2010/11 budget to fund successful appeals
Pensions Fund	(1,103)	(500)	1,036	(567)	Following the triennial pensions review the council's contribution rate has been held at current levels for the next three years. However, this is on the understanding that contributions into the fund remain at least at 13/14 levels. Any shortfall will require a one off lump sum payment in year 3. Given further outsourcing, transfer of schools to academies and the anticipated reduction in workforce, it is likely that a shortfall will be incurred.
Redundancies	(1,722)	(782)	2,204	(300)	To meet potential costs of redundancies, including strain payments to the pension fund
Urban Enterprise Fund	(702)	0	261	(441)	Match funding to ensure that Plymouth gains access to the European funding available to the region to support Urban Enterprise
Capital Reserve	(665)	0	647	(18)	To be used to support the capital programme and potential shortfall in capital receipts

Summary group	Balance as at 31/03/2013 £000	Transfers to Reserves 13/14 £000	Transfers from Reserves 13/14 £000	Balance as at 31/03/2014 £000	Purpose of Reserve
Job Evaluation/Equal Pay	(700)	(528)	328	(900)	To support the ongoing JE appeals process as well as potentially increased revenue costs if current claims are successful at tribunal. A sum of £0.350m has been set aside. In accordance with accounting regulations a provision for potential claims must be set up, but Capital Financing Regulations only require the Council to actually charge the revenue accounts when claims are actually paid. The provision is therefore offset by a negative reserve entry of £1.843m giving a net negative reserve of £1.493m.
Invest to Save Reserve	(135)	(17)	152	0	Reserve set up using balances released from other reserves. To be used to support/pump prime invest to save initiatives to deliver budget savings over the medium term.
Recovery costs - Icelandic Banks	(400)	0	315	(85)	Allowance for investment losses of the money invested in the Icelandic banks. Reserve currently meeting the ongoing legal costs and borrowing costs from utilising the capitalisation direction in 09/10.
Grants carry forward	(1,226)	(336)	815	(747)	Under IFRS all grant income must be released to revenue unless there are pay back conditions attached. Previously unspent balances at year end would have been carried forward as a creditor accrual. This is no longer permitted and authorities are required to use their locally approved reserve mechanisms to carry balances forward. This reserve therefore reflects unspent balances on ring-fenced grant income at the year end, where there are continuing commitments.
Waste Reserve	(800)	(892)	890	(802)	Reserve set up to proactively provide and manage the future budget shortfall due to increasing landfill tax liability pending the new energy from waste plant becoming operational.
Stock transfer residual liabilities	(1,005)	0	0	(1,005)	Stock transfer remaining liabilities
Life Centre Dowry	(450)	0	0	(450)	Creation of Life Centre Dowry to release Sport England Grant Retention for capital scheme

Summary group	Balance as at 31/03/2013 £000	Transfers to Reserves 13/14 £000	Transfers from Reserves 13/14 £000	Balance as at 31/03/2014 £000	Purpose of Reserve
Mortgage Rescue Scheme Reserve	(79)	0	79	0	Part of the wider homelessness prevention strategies, this reserve holds government funding received in relation to the Preventing Repossessions Fund and the balance of funding for the Mortgage Rescue Fund
Plan for Jobs	(500)	0	100	(400)	Revenue support to Plan for Jobs scheme
Investment Fund	(1,340)	(500)	181	(1,659)	Revenue reserve relating to Investment Fund
CEDT reserve	(50)	0	8	(42)	Reserve to support developing a new Community Economic Development Trust in the City
Transformational Change Reserve	(250)	(1,450)	1,484	(216)	Reserve to fund the acceleration of the Corporate Transformation Programme
Plymouth Plan reserve	0	(168)	0	(168)	Unspent part of funding from contingency in 13/14
100th Year City Celebration Reserve	0	(400)	0	(400)	For celebration events during 2014
Skills Agenda	0	(100)	0	(100)	
City Deal for Young People	0	(100)	0	(100)	
Tamar Bridge & Torpoint Ferry	(1,495)	(763)	0	(2,258)	Plymouth's 50% share of the operations ring-fenced reserves
<b>Other Ring-fenced Reserves</b>					
DRCP	(153)	0	63	(90)	Reserve set aside to meet future expenditure in Devonport, in lieu of grant funding in 2007/08, and fund DNM post
Tamar house - Commercial rents sinking fund	(276)	(235)	8	(503)	RDA rents sinking fund Tamar House - name changed to Commercial Property Client Account
A386 Park & Ride Leased Spaces	(490)	1	44	(445)	Upfront payment from PCT for leased spaces at George Park & Ride site. Released to revenue annually in lieu of rental income.
<b>Other Reserves</b>	(708)	(78)	106	(680)	All reserves have been reviewed and confirmed as required to meet specific policy commitments
<b>Sub Total Earmarked Reserves</b>	<b>(24,271)</b>	<b>(20,726)</b>	<b>17,631</b>	<b>(27,366)</b>	
Working Balance	(10,797)	0	58	(10,739)	General Balance available to meet unforeseen expenditure.
<b>Total Reserves</b>	<b>(35,068)</b>	<b>(20,726)</b>	<b>17,689</b>	<b>(38,105)</b>	

## MOVEMENT IN PROVISIONS 2013/14

## APPENDIX D

DESCRIPTION	Balance as at 31/03/2013 £000s	Provisions made in year £000s	Provisions used in year £000s	Balance as at 31/03/2014 £000s
Liability for Utilities	(270)		270	0
Outstanding judicial review	(22)		22	0
LATS Purchase for 2012/13	(33)		33	0
Music Tutors	(100)		1	(99)
Landfill Site Provision	0	(9,214)	420	(8,794)
Business Rate Appeals	0	(1,380)	704	(676)
Backdated equal pay	(872)		176	(696)
Liability for BMW Landfill usage	(274)	(3)	277	0
<b>Other Provision Total</b>	<b>(1,571)</b>	<b>(10,597)</b>	<b>1,903</b>	<b>(10,265)</b>
<b>Insurance Provision Total</b>	<b>(6,404)</b>	<b>(1,754)</b>	<b>1,584</b>	<b>(6,574)</b>
<b>GF Bad Debts Total</b>	<b>(1,956)</b>	<b>(103)</b>	<b>737</b>	<b>(1,322)</b>
<b>Other Bad Debt Provisions Total</b>	<b>(5,495)</b>	<b>(400)</b>	<b>251</b>	<b>(5,644)</b>
<b>Grand Total</b>	<b>(15,426)</b>	<b>(12,854)</b>	<b>4,475</b>	<b>(23,805)</b>

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**PLYMOUTH CITY COUNCIL**

<b>Subject:</b>	Growth and Assets Full Business Case
<b>Committee:</b>	Cabinet
<b>Date:</b>	17 June 2014
<b>Cabinet Member:</b>	Councillor Lowry
<b>CMT Member:</b>	Anthony Payne (Strategic Director for Place)
<b>Author:</b>	Nigel Gooding, Programme Manager, Growth, Assets & Municipal Enterprise
<b>Contact details</b>	Tel: 01752305579 email: nigel.gooding@plymouth.gov.uk
<b>Ref:</b>	NJG
<b>Key Decision:</b>	Yes
<b>Part:</b>	I

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**Purpose of the report:**

The Growth and Assets project proposes that by accelerating commercial and housing developments, an increase of income can be achieved which will benefit the City Council. In turn this extra income will help protect Council revenue budgets across its full range of functions. The aim of the project is to maximise government funding currently available through the incentives of New Homes Bonus, associated increase in Council Tax and retention of National Non Domestic Rates.

By working co-operatively and proactively with partners, developers, stakeholders and citizens the Project will identify a pipeline consisting of potential future housing and commercial developments. By following the proposals outlined in this business case for accelerating growth and increasing resources in key departments within the Council, more of these pipeline sites, including bringing empty homes back into use and delivering affordable homes, could be completed within the next three years, helping to deliver our Growth Assets and Municipal Enterprise (GAME) financial targets. In addition the Project will increase the desire, offer and availability of housing and more employment opportunities across the city for the benefits of residents, whilst at the same time helping to alleviate long-term benefit dependency.

The Growth & Assets Project is expected to deliver a minimum of **£6.7million** of gross additional benefits by the end of the three year programme at an investment cost of **£720,000**. The project therefore produces a net benefit of approximately **£6 million over 3 years**.

The purpose of this report is to seek cabinet approval for the Growth & Assets full business case.

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**The Brilliant Co-operative Council Corporate Plan 2013/14 -2016/17:**

The GAME programme as part of Transformation programme, supporting the delivery of the Corporate Plan had its outline business case approved at Cabinet on the 23<sup>rd</sup> March 2014.

When the Council adopted its Corporate Plan in July 2013, the role of the Council's transformational change programme was recognised in addressing the financial challenges that the Council will face over the coming years. In September 2013, the Council supported the implementation of a Council wide transformation programme to substantially reduce its operating costs and ensure the maximum possible investment in achieving its objectives. The Council was informed that advice had been sought from Ernst and Young concerning the robustness of its financial estimates for future years and the nature and scale of changes that it would have to make to its structure and delivery arrangements to meet its financial challenges and deliver the Corporate Plan. At the same time, the Council adopted a Longer-term approach to addressing the reduction in funding available to the Council, planning for a balanced indicative budget in each of the coming three years. This approach was considered and endorsed by the Co-operative Scrutiny Board at its meetings of 4 September and 16 October 2013.

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

The acceleration of building new homes, bringing empty ones back into use, delivering affordable homes, and growing the commercial floor space of Plymouth, will bring in an additional uplift of income per annum of £6.7million gross by 2016/17.

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

The provision of additional adequate housing and new jobs, as well as the associated green spaces for recreation are a key measure to address social issues such as child poverty and community cohesion. The Growth & Asset business plan, through acceleration in new homes, many of which will be affordable are complementary to addressing the city's wider housing needs. The business plan, by creating jobs, will reduce dependency on benefits and support health and well-being.

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**Equality and Diversity**

Has an Equality Impact Assessment been undertaken?

The housing and commercial growth proposed within this programme reflects the city's overall strategic ambition to grow the city as set out in agreed frameworks (most notably the adopted Plymouth Plan) which have been subject to an EIA. Furthermore, individual projects/proposals that will come forward for delivery under this programme will be subject to individual EIAs as is currently the case.

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**Recommendations and Reasons for recommended action:**

It is recommended that Cabinet approves the Growth and Asset full business case.

**Reason:** To secure the growth and assets project benefits which form part of the Growth, Assets and Municipal Enterprise transformation programme.

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**Alternative options considered and rejected:**

**Do nothing** - this approach would be contrary to the vision for Plymouth set out in the adopted Core Strategy and the spatial and economic strategy for additional homes and employment set out in various adopted Area Action plans and related strategies. Such an approach would also be likely to be inconsistent with the emerging evidence base which is informing the current production of the Plymouth Plan.

**Take a reactive approach to accelerating development** – whilst several city departments have an input into delivering housing and commercial developments through a positive approach to discharging their various statutory functions, this would not provide the necessary impetus to delivering ambitious accelerated housing and commercial targets,

**Taking a proactive approach to accelerating growth** – through a step change transformational approach to accelerating housing and commercial developments the GA business plan preferred approach will achieve financial targets consistent with the City Council Cooperative Corporate Plan and the 3 year budget.

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**Published work / information:**

**Corporate Plan 2013/2014 – 2016/2017**, Report to City Council, 22<sup>nd</sup> July 2013 (Minute 28) .

<http://www.plymouth.gov.uk/mgInternet/documents/s48110/Corporate%20Plan%20Full%20Council%2022.07.13.pdf>

**The Brilliant Cooperative Council Three Year Plan**, Report to Cooperative Scrutiny Board, 4<sup>th</sup> September 2013 (Minute 61).

<http://www.plymouth.gov.uk/mgInternet/documents/s48991/The%20Brilliant%20Cooperative%20Council%20Sustainable%20Three%20Year%20Plan%20Final.pdf>

**The Brilliant Cooperative Council Three Year Plan**, Report to City Council, 16<sup>th</sup> September 2013 (Minute 48).

<http://www.plymouth.gov.uk/mgInternet/documents/s48110/Corporate%20Plan%20Full%20Council%2022.07.13.pdf>

**The Brilliant Cooperative Council Three Year Plan**, Report to Cooperative Scrutiny Board, 16<sup>th</sup> October 2013 (Minute 71).

<http://www.plymouth.gov.uk/modgov?modgovlink=http%3A%2F%2Fwww.plymouth.gov.uk%2FmgInternet%2FieListDocuments.aspx%3FCId%3D1071%26amp%3BMid%3D5544%26amp%3BVer%3D4>

**Scrutiny of The Cooperative Vision with a Three Year Sustainable Balanced Budget**, Report to Cooperative scrutiny Panel, 8<sup>th</sup> January 2014 (Minute 115).

<http://www.plymouth.gov.uk/modgov?modgovlink=http%3A%2F%2Fwww.plymouth.gov.uk%2FmgInternet%2FieListDocuments.aspx%3FCId%3D1071%26amp%3BMid%3D5552%26amp%3BVer%3D4>

**Draft response to the Co-operative Scrutiny Board Recommendations on Delivering the Co-operative Vision within a Three Year Sustainable Balanced Budget**, Report to Cabinet, 11<sup>th</sup> February 2014 (Minute 102).

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<http://www.plymouth.gov.uk/mgInternet/documents/s53979/Transformation%20for%20Ambitious%20Plymouth.pdf>

**Background papers:**

None

**Sign off:**

Fin	Place F EDC14 15001- SA- 28.5.14	Leg	ART/ 2042 0	Mon Off	DV S/20 420	HR	N/A	Assets	N/A	IT	N/ A	Strat Proc	N/A
Originating SMT Member Paul Barnard, Assistant Director for Strategic Planning and Infrastructure David Draffan, Assistant Director for Economic Development													
Has the Cabinet Member(s) agreed the contents of the report? Yes													

# Growth & Assets

## Full Business Case



<b>Project Name:</b>	<b>Growth &amp; Assets</b>		
<b>Date:</b>	01/06/14	<b>Version:</b>	0.09
<b>Author:</b>	Lewis Walsh, Nigel Gooding & Marc Gorman		
<b>Owner(s):</b>	Paul Barnard David Draffan		

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<b>Name</b>	<b>Title</b>	<b>Signature</b>	<b>Date</b>	<b>Version</b>
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<b>David Sheppard</b>	Monitoring Officer – Legal	Please see cabinet report sign off reference number	28/5/14	<b>6.0</b>
<b>Paul Barnard/David Draffan</b>	Project Executives	E-mail references	29/5/14	<b>7.0</b>
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<b>Name</b>	<b>Title</b>	<b>Date</b>	<b>Version</b>
<b>Mark Lowry</b>	Lead Councillor	27/5/14	6.0
<b>Sue Thomas</b>	Head of Portfolio Office	27/5/14	6 & 7
<b>As above</b>			

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## **An introduction to Plymouth City Council's Transformation Programme Context**

### **2002-12: A Decade of Improvement**

The City of Plymouth has had an extra-ordinary journey over the past ten years. A decade ago, it had a reputation as a city of low aspiration with a lack of vision, weak financial and strategic planning, poor relationships between agencies, and service delivery arrangements that did not meet the needs of all of its citizens. An acknowledgement of the determined and sometimes inspired effort that was then made to improve the city came in 2010 when the Council was voted 'Highest Achieving Council of the Year' by the Municipal Journal. Behind that accolade, foundations had been laid by successive political administrations of a clear, ambitious vision for the city, sound financial management arrangements, the development of strong strategic partnerships and a determined focus on the improvement of service delivery. The Council has acknowledged and embraced its role as a key player in influencing the broader city and regional agenda, driving economic growth and making coherent contributions to broader policy-making.

### **Drivers for Transformation:**

#### **The Brilliant Co-operative Council with less resources**

On its adoption of a new Corporate Plan in July 2013, the council set the bar still higher, to become a Brilliant Co-operative Council. This 'Plan on a Page' commits the Council to achieving stretching objectives with measurable outcomes, and also sets out a Co-operative vision for the Council, creating a value-driven framework for the way that it will operate as well as the outcomes that it is committed to achieve.

The Corporate Plan was developed using the principles of a Co-operative Council. It is a short and focused document, but does not compromise on its evidence base, and was co-developed with the Cabinet of the Council, before being presented in person by members of the Corporate Management Team to every member of staff throughout the council at a series of 74 roadshows. The positive results of this commitment to strong communications and engagement were evidenced by 81% of council staff responding to the workplace survey conducted in October 2013 agreeing that they understand and support the values and objectives set out in the Corporate Plan.



# OUR PLAN THE BRILLIANT CO-OPERATIVE COUNCIL



## CITY VISION Britain's Ocean City

One of Europe's most vibrant, waterfront cities where an outstanding quality of life is enjoyed by everyone.

### CO-OPERATIVE VALUES

One team serving our city

**WE ARE DEMOCRATIC**

Plymouth is a place where people can have a say about what is important to them and where they can change what happens in their area.

**WE ARE RESPONSIBLE**

We take responsibility for our actions, care about their impact on others and expect others will do the same.

**WE ARE FAIR**

We will be honest and open in how we act; treat everyone with respect; we will champion fairness and create opportunities.

**WE ARE PARTNERS**

We will provide strong community leadership and work together to deliver our common ambition.

### OUR OBJECTIVES Creating a fairer Plymouth where everyone does their bit

<p><b>PIONEERING PLYMOUTH</b></p> <p>We will be pioneering by designing and delivering better services that are more accountable, flexible and efficient in spite of reducing resources.</p>	<p><b>GROWING PLYMOUTH</b></p> <p>We will make our city a great place to live by creating opportunities for better learning and greater investment, with more jobs and homes.</p>	<p><b>CARING PLYMOUTH</b></p> <p>We will promote a fairer, more equal city by investing in communities, putting citizens at the heart of decision-making, promoting independence and reducing health and social inequality.</p>	<p><b>CONFIDENT PLYMOUTH</b></p> <p>We will work towards creating a more confident city, being proud of what we can offer and growing our reputation nationally and internationally.</p>
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### THE OUTCOMES What we will achieve by this plan

<ul style="list-style-type: none"> <li>The Council provides and enables brilliant services that strive to exceed customer expectations.</li> <li>Plymouth's cultural offer provides value to the city.</li> <li>A Council that uses resources wisely.</li> <li>Pioneering in reducing the city's carbon footprint and leading in environmental and social responsibility.</li> </ul>	<ul style="list-style-type: none"> <li>More decent homes to support the population.</li> <li>A strong economy creating a range of job opportunities.</li> <li>A top performing education system from early years to continuous learning opportunities.</li> <li>Plymouth is an attractive place for investment.</li> </ul>	<ul style="list-style-type: none"> <li>We will prioritise prevention.</li> <li>We will help people take control of their lives and communities.</li> <li>Children, young people and adults are safe and confident in their communities.</li> <li>People are treated with dignity and respect.</li> </ul>	<ul style="list-style-type: none"> <li>Citizens enjoy living and working in Plymouth.</li> <li>Plymouth's brand is clear, well known and understood globally.</li> <li>Government and other agencies have confidence in the Council and partners: Plymouth's voice matters.</li> <li>Our employees are ambassadors for the city and the Council and they are proud of the difference we make.</li> </ul>
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#Plymouth  
[www.plymouth.gov.uk/ourplan](http://www.plymouth.gov.uk/ourplan)



The economic, demographic and policy environment affecting public services is accepted as the most challenging in a generation. At the same time as an aging population is placing increased demand on health and social care services, the UK is facing the longest, deepest and most sustained period of cuts to public services spending at least since World War II. The Council's Medium Term Financial plan identified in June 2013 funding cuts of £33million over the next three years which, when added to essential spend on service delivery amount to an estimated funding shortfall of circa £64.5million from 2014/15 to 2016/17, representing 30% of the Council's overall net revenue budget.

The Council has shown remarkable resilience in addressing reduced funding and increased demand in previous years, removing circa £30m of net revenue spend from 2011/12 to 2013/4 through proactive management and careful planning. However the Council has acknowledged that addressing further savings of the magnitude described above while delivering the ambitions of the Corporate Plan will require a radical change of approach.

## Review of existing transformation programmes

The council commissioned Ernst and Young in June 2013 to:

- Examine the council's financial projections and provide expert external validation of our assumptions about costs and income in the medium term
- Review the council's existing transformation programmes and provide a view as to whether they will deliver against the Corporate Plan
- Provide advice as to how the council might achieve the maximum possible benefit through a revised approach to transformation

Ernst and Young validated the council's current Medium Term Financial Plan based on projections and assumptions jointly agreed, and judged it to be robust, taking into account the complex financial landscape and changing government policy.

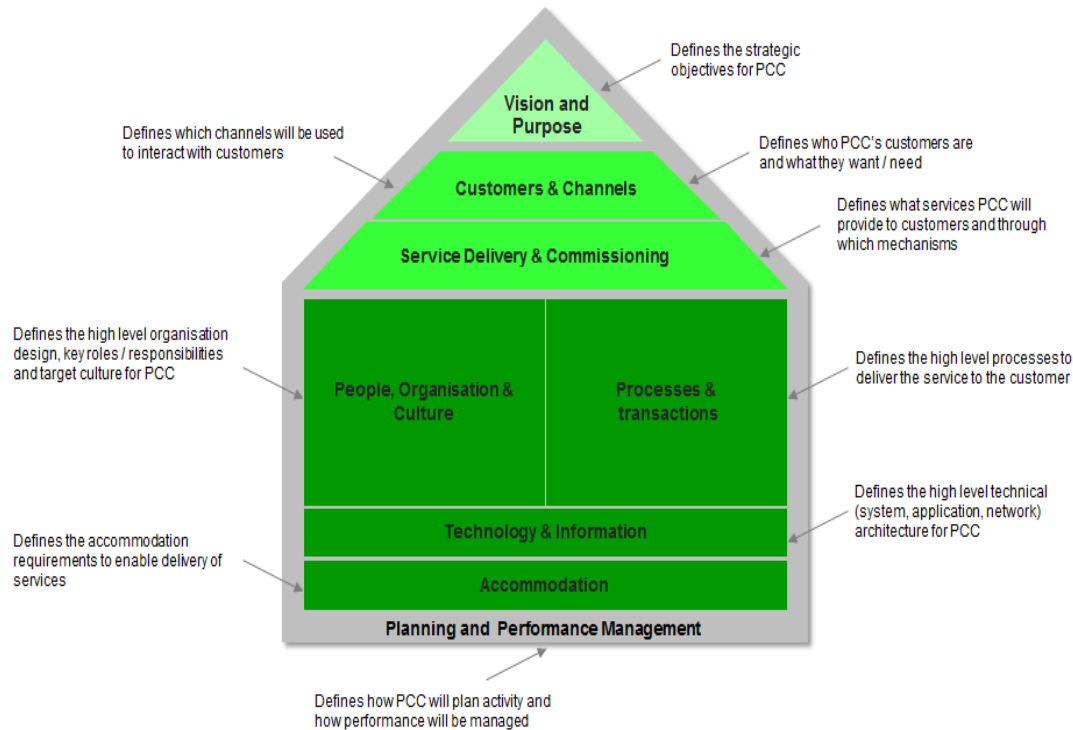
The council has initiated a number of far-reaching and ambitious change programmes over 2012-13 to address the twin aims of addressing financial constraints and improving service delivery. These include:

- Investment in Customer Transformation and Core ICT infrastructure (Cabinet approval September 2012)
- ICT Shared Services: DELT (Cabinet approval October 2013)
- Redevelopment of the Civic Centre and future accommodation requirements (Cabinet approval September 2013)
- Modernising Adult Social Care Provision (Cabinet approval January and August 2013)
- Co-location with Clinical Commissioning Group at Windsor House (Cabinet approval January 2013)

In addition to feedback and advice about individual programmes, the Council received advice that has been carefully considered, and which has informed the overall design of the Transformation Programme and the content of the business cases for the five programmes.

## Vision and Direction: The Blueprint

The Council has responded to concerns that, despite strong support for the Corporate Plan from both officers and members, there was a lack of clarity about how the Corporate Plan translates into practical action and a danger that the council might be attempting to 'do the right things, but in the wrong way'. After significant consultation with Members and over 100 staff from all levels and disciplines within the organisation, the Council's vision for the Brilliant Co-operative Council has been translated into a Blueprint which describes the capabilities which the Council will need in the future. These capabilities will be commissioned by the council and will result in services being delivered by the Council and a variety of other organisations operating across the public, community and voluntary and private sectors. The components of the Blueprint are illustrated below:



To inform the development of the main components of the Blueprint, a number of principles have been developed co-operatively with Members, senior officers and staff to ensure that the values set out in the Corporate Plan guide how the Blueprint is developed.

### Governance and Oversight

The council has also responded to advice that governance and oversight arrangements for transformation projects would benefit from being strengthened. Whilst ensuring that the council's existing constitutional arrangements for decision making are unaffected, a number of bodies have been put in place to ensure a co-ordinated approach is taken to oversight of the Transformation programme. The detail of the transformation governance arrangements were considered by the council's Audit Committee on 13 March 2014 and can be summarised as follows:

### Members

- The Members Transformation Board provides executive ownership and accountability for the Transformation Portfolio, chaired by the Cabinet Member for Transformation and comprising the individual Cabinet Members aligned to the five programmes
- The Transformation Advisory Group builds cross party dialogue, understanding and consensus on Transformation, and is chaired by the Cabinet Member for Transformation, comprising the Shadow Leader, Chair of the Co-operative Scrutiny Board and an additional ruling group Member.
- The Co-operative Scrutiny Board and Panels are aligned to the Transformation Board and programmes that match their terms of reference

## Officers

- The Transformation Portfolio Board co-ordinates the delivery of the Blueprint, prioritises decisions within and between programmes, ensures effective engagement, ensures overall resourcing and delivery of the programme and recommends Programme Business cases and exceptions. It is chaired by the Chief Executive and comprises Senior Responsible Officers for the Programmes, the Transformation Director, engagement leads, finance and HR Responsible Officers and the Head of the Portfolio Office
- Programmes are led by a Senior Responsible Officer, who is accountable for the successful delivery of the programme, achieving desired outcomes and realising expected benefits and is responsible for chairing the Programme Board and leading the Programme
- Each project within the five Programmes is led by a Project Executive who is accountable to the Senior Responsible Officer for the successful delivery of the Project, and chairs the Project Board.
- The Portfolio Office provides co-ordination and support across all the programmes and projects and ensures that sufficient capacity and capability is in place to deliver the overall programme.

There are 5 programmes to deliver the transformation.

**Customer and Service Transformation:** This programme will transform the way the council interacts with customers to meet their demands and preferences, and transform the services that the Council decides to retain in-house.

**Co-operative Centre of Operations:** Creating the business as usual strategic 'centre' for the Council, which uses the co-operative principles and intelligence to co-ordinate organisational decision making and activity.

**Integrated Health and Well Being:** The Council can engage with partners to deliver services at a lower cost, whilst also improving outcomes and customer satisfaction. The scope of the programme includes:

**People and Organisational Development:** The programme will enable the Council to define and deliver the required workforce and accommodation capability change.

The **Growth, Assets and Municipal Enterprise** programme has been developed to:

- Contribute to the growth of the City and the move towards a brilliant co-operative council.
- Generate and accelerate additional income for Plymouth City Council from economic and housing growth across the Council
- Create a brilliant co-operative street service which will :
  - Make operational changes to enhance service delivery
  - Provide evidence to design and deliver new service delivery models
  - Identify and deliver new opportunities for commercialism, new income streams
- Realise opportunities to bring in additional income from the commercialisation and increased trading of services.

## I. Executive Summary

I.1.1. The GAME programme is fundamentally linked to taking forward the Council’s vision of being a Co-operative council.

I.1.2. The GAME Programme consists of 3 parts:

- **Growth** – The encompassing and acceleration of existing and future economic and development growth within the programme to ensure delivery.
- **Assets** – The development of an asset strategy that raises income and lowers cost.
- **Municipal Enterprise** – An umbrella term for a range of projects and work streams; this includes the review, development and delivery of the street scene service, the development of new delivery models and the new/enhanced commercial focus to existing and future service provision.

This business case sets out the financial and economic case for the **Growth & Assets** project.

I.1.3. The principles behind the project have been developed to:

- Work co-operatively with our citizens as asset owners, partners and stakeholders to grow the City.
- Accelerate and co-ordinate economic growth and housing delivery within the city whilst incentives remain.
- Maximise the financial benefit to the council of new homes bonus, business rates and council tax through a new Growth Dividend.
- Increase the numbers of homes and jobs.

I.1.4. The Growth & Assets (G&A) project proposes that by accelerating commercial and housing developments, an increase of income can be achieved. The aim of project is to maximise government funding through the incentives of New Homes Bonus and retention of National Non Domestic Rates and in doing so creating a “Plymouth Growth Dividend”

I.1.5. The Project will identify a pipeline consisting of potential future housing and commercial developments. By following the proposals outlined in this business case for accelerating growth and increasing resources in key departments within the council, more of these pipeline sites could be brought forward and completed within the next three years; helping the programme to deliver co-operatively our financial and non-financial objectives.

The G&A project brings wider benefits of growth this paper focuses on the financial benefit that can be expected from accelerated development creating a Plymouth Growth Dividend. However it should be noted that the G&A project will also create significant numbers of homes and jobs. In this way there is wider benefit of a more prosperous city lowering the demand for other council provided support services.

I.1.6. In financial terms the Growth & Assets Project is expected to deliver a minimum of **£6.7million** of gross additional benefit per annum at the end of the three year programme at an investment cost of **£720,000**. The net benefit of this project being **£6 million**<sup>1</sup> at the end of financial year 2016/17. This represents a return on investment ratio of 8.3:1.

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<sup>1</sup> Net of £720,000 investment costs. Net Present value £5.8 million.

The proposal contains no other options for appraisal or consideration. The acceleration of building new homes, bringing empty ones back into use, delivering additional affordable homes and growing Plymouth’s commercial floor space, will bring in an additional uplift of income per annum of £6.7million gross.

1.1.7. Without this additional income generated from this project Plymouth City Council would have to find **additional savings** of £6.7million by 2016/17. These savings have not been identified.

1.1.8. To achieve this significant acceleration in the growth of the city additional capacity will be essential in planning, transport and estate management. Without this additional capacity the income projections within this report will be at risk.

## 2. Vision Statement

2.1.1. The **vision** of the Growth & Assets project is encompassed within the Growth, Assets and Municipal Enterprise (GAME) programme vision. GAME will deliver the key building blocks to enable Plymouth City Council to become “the Brilliant Co-operative Council”

### 2.2. The overall vision of the GAME programme will:

- Be **pioneering** in developing and delivering quality, innovative brilliant services with our citizens and partners that make a real difference to the wealth, health and well-being of the residents of Plymouth through challenging economic times.
- **Grow** Plymouth through accelerating housing and economic development creating new houses, sustainable jobs and making Plymouth an attractive place to do business, making us stronger and more confident as a result.
- Attract new investment into Plymouth by being known to be open for business and supportive of those who want to work with us in **partnership** in investing in our city. Whilst being commercial in our approach to the delivery and development of existing and new services.
- Put citizens at the heart of their communities and work with our partners to help us **care for Plymouth**. We will achieve this together by supporting communities, help them develop existing and new enterprises, redesign existing services which will in turn create new jobs, raise aspirations, improve health and educational outcomes and make the city a brilliant place to live, to work and create a future for all that reflects our guiding co-operative values.
- Raise aspirations, improving education, increasing economic growth and regeneration people will have increased **confidence in Plymouth**. With citizens, visitors and investors identifying us as a “vibrant, confident, pioneering, brilliant place to live and work” with an outstanding quality of life.

2.2.1. The Growth & Asset project will be consistent with Plymouth City Council objectives by:

<p><b>PIONEERING PLYMOUTH</b></p> <p>We will be pioneering by designing and delivering better services that are more accountable, flexible and efficient in spite of reducing resources.</p>	<ul style="list-style-type: none"> <li>• Generating additional income sources from the Growth Dividend</li> <li>• Optimising the use of Council's asset base, to release properties surplus to operational requirements</li> <li>• Delivering efficient in-house services to realise opportunities to bring in additional income from trading</li> </ul>	<p><b>CARING PLYMOUTH</b></p> <p>We will promote a fairer, more equal city by investing in communities, putting citizens at the heart of decision-making, promoting independence and reducing health and social inequality.</p>	<ul style="list-style-type: none"> <li>• Developing more employment opportunities, thus reducing benefit dependency and improved health outcomes.</li> <li>• Developing the provision of appropriate needs supportive housing stock.</li> </ul>
<p><b>GROWING PLYMOUTH</b></p> <p>We will make our city a great place to live by creating opportunities for better learning and greater investment, with more jobs and homes.</p>	<ul style="list-style-type: none"> <li>• Supporting the building of new houses to support the population.</li> <li>• Growing a stronger economy but creating a range of jobs and new business opportunities within the City.</li> <li>• Growing Plymouth's economy and making it an attractive place to live work and do business.</li> </ul>	<p><b>CONFIDENT PLYMOUTH</b></p> <p>We will work towards creating a more confident city, being proud of what we can offer and growing our reputation nationally and internationally.</p>	<ul style="list-style-type: none"> <li>• Creating a Plymouth where citizens and businesses choose to live and work in as a default</li> <li>• Using our citizen's assets to best advantage, maximising jobs, homes and developing renewable energy production.</li> </ul>

**3. Strategic Case**

3.1.1. The strategic case for the investment in this project is very compelling and not just from a financial perspective.

**3.1. Plymouth Growth Dividend**

3.1.1. Plymouth has a well-known and ambitious growth agenda, comprising 33,000 homes, 42,000 jobs and an increase in population by around 50,000 to over 300,000 by 2031. However, historically the financial benefits of this growth have not been fully modelled into the City Council's own budgets in a structured way.

3.1.2. The Growth & Assets Project is being developed to deliver this structure through the creation of a **Plymouth Growth Dividend (PGD)**.

3.1.3. The PGD proposes that by **accelerating** commercial and housing developments from a development base, through the utilisation of extra resources, an increase in income can be achieved in 3 main areas: **New Homes Bonus (NHB)**, **National Non Domestic Rates (NDR)** and **council tax**.

**New Homes Bonus and Council Tax**

3.1.4. The New Homes Bonus Scheme was introduced in 2011 to reward and incentivise local authorities to build more homes. The scheme will deliver a grant over a six year period equivalent to the level of council tax uplift, this funding is not ring-fenced and local authorities can decide locally how to spend it. Since its introduction, the City Council have already received a total annual equivalent of £3.9 million.

- 3.1.5. A local authority adding a band D home to its council tax base will receive £1,444.13 per year for the following six years: £8,664 in total.
- 3.1.6. As a local authority we are rewarded with an extra £350 per year for each home that is deemed an affordable home. In 2013/14 we built 275 affordable homes.
- 3.1.7. As more homes are built and occupied, the City Council tax base also increases, bringing in sustainable new income. Assuming that the level of council tax remains at £1,269.55 for a Band D property, every 1% increase in the council tax base (equivalent to 1,000 additional properties) will generate around an additional £500k for the City Council through increased council tax.
- 3.1.8. Using these two elements, allows the City Council to take a targeted approach to the monitoring and acceleration of future housing developments in attempt to utilise the funding opportunity and create a sustainable income stream for the future.

### **National Non Domestic Rates (NNDR)**

- 3.1.9. In 2013/14 the system of funding local government was changed, with local authorities retaining a higher percentage of National Non Domestic Business Rates (NNDR), and sharing the risk and opportunities with central government. For Plymouth City Council they retain 50% of localised business rates, which means that for any net growth in the amount collected they will retain 50%.
- 3.1.10. The level of NNDR a business pays for a property is based upon a nationally set Multiplier (currently 47.1p in the £; and 46.2p in the £ for small businesses) and the Rateable Value of a property. PCC can influence the total NNDR income for Plymouth City in two main ways, which in reality would go hand-in-hand with each other:
- Support, drive and increase the amount of occupied business space within Plymouth City.
  - Support and drive wider economic growth, which will result in an increase in rateable value of business space in Plymouth City.
- 3.1.11. Whilst previously there was no direct financial benefit to the City Council of achieving these developments within a particular budget timeframe, the new financial system allows the City Council to financially benefit from any investment either direct or by other parties by taking a proactive and coordinated approach to driving commercial and housing sites forward.

### **Plymouth Growth Dividend worked example**

- 3.1.12. The Notte Street joint residential and commercial development completed in October 2013. The site has 132 cluster flats, 0 of which are deemed as affordable homes and retail premises below with 61.9m<sup>2</sup> of rateable floor space. It should be noted in this instance that the residential elements are student units and therefore do not benefit from increased Council Tax income. The two tables below show the increase in the Plymouth Growth Dividend for the site:



**New Homes Bonus (NHB)**

Band	Number of units	Income
A	53	£50,833.38
B	36	£40,031.28
C	25	£32,194.47
D	11	£15,250.01
E	5	£9,319.45
F	1	£ 2,753.47
G	1	£ 3,177.09
H	0	£ -
<b>Total</b>	<b>132</b>	<b>£153,559.16</b>
<b>Affordable homes</b>	<b>0</b>	<b>£ -</b>
<b>NHB</b> (1 year net uplift)		<b>£153,559.16</b>
<b>NHB</b> (6 years net uplift)		<b>£921,354.94</b>

Table 1: NHB calculation

**Non Domestic Business rates (NNDR)**

Floor Space	Rateable Value	Total NNDR (pa)	NNDR to Council (pa)
61.9 m <sup>2</sup>	£9,300	£4,380.30	£2,190.15

Table 2: NNDR Calculation<sup>2</sup>**Building a Development pipeline**

3.1.13. In order to generate a sustainable and long term dividend from growth it is essential to build a pipeline of development and programme of private sector stimulation that will deliver investment into the City within the **next 3 years**. The City Council is equally incentivised for private sector and direct council development activity. It is anticipated that a proactive delivery plan might contain some or all of the following elements:

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<sup>2</sup> Note under the new NNDR arrangements 50% of the business rates comes to PCC and 50% to Central Government.

- Focus on Major Redevelopment Schemes e.g. Derriford and City Centre
- Strategic Property Review interventions e.g. acquisitions fund and trading arm
- Surplus land review
- Get Plymouth Building
- The Plan for Homes
- Inward Investment strategy, business grants and incentives package
- City Deal and other major government interventions
- Maximising all available gap funding e.g. Growing Places
- Collaboration with regeneration agencies e.g. HCA
- Business Support, demand stimulation and accelerated growth programme
- Meanwhile uses
- Intensification and expansion of existing estate e.g. Tamar Science Park
- Direct Development schemes
- Get the Plymouth Housing Development partnership to deliver more homes.
- Sherford
- Plymstock Quarry
- North Prospect
- Project vision (Bretonside)
- Millbay regeneration
- Plymouth Plan

3.1.14. It should be noted that some of these developments will continue to deliver benefits beyond the three year period as not all units will be complete the imperative of the programme being to bring forward and accelerate schemes that are able to deliver within the 3 year period. Equally some may not be delivered in the next 3 financial years due to their size and complexity but will be part of the longer pipeline supporting the City's future growth and ambitions.

### Promoting Growth

3.1.15. Plymouth City Council has a good record of promoting growth and a healthy pipeline of opportunities. However the added financial pressures linked to current incentives means that this work stream (i.e. the Plymouth "**Growth Dividend**") will be the mechanism to **accelerate** this activity over the next three years in a more proactive way. This will involve a much more coordinated and integrated commitment to developing investor relationships. The City Council itself is equally incentivised for direct development activity on its own land and in relation to possible future land acquisitions.

3.1.16. The programme provides a driver for developing the prioritisation and acceleration of growth projects for delivery in 2014/15. Equally it enables acceleration and "horizon scanning" for the 2015/16/17 pipeline growth opportunities that will deliver within the timeline of the programme.

### Enabling Growth

3.1.17. The chart below outlines the opportunity for growth over the next 10 years. Within this there is a substantial potential pipeline of projects that can be accelerated to be completed within the current 3 year budget timeline. The current **baseline** position can be delivered within existing resources but the opportunity for increased revenue is substantial if resources are invested in enabling that growth. The potential "pipeline" schemes would need additional resource to deliver them.

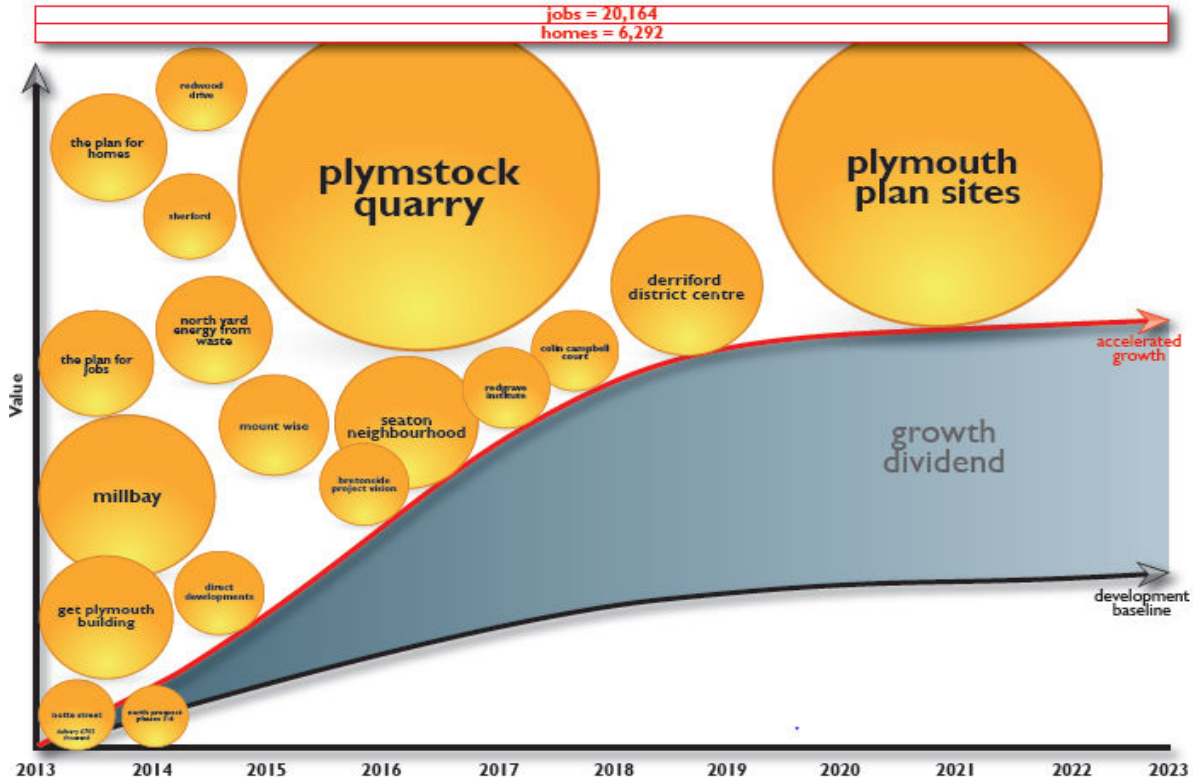


Chart 1: Potential pipeline

3.1.18. This project is unlike other project work streams within GAME as it is centred on the acceleration of existing working practices rather than changing them. For successful delivery, the project requires specialist subject matter experts; these include specialists which have skills in the following areas.

- Regeneration expertise
- Planning and Transport expertise
- Surveying and development viability expertise
- Legal expertise for unlocking large scale developments

**Resilience of the pipeline**

3.1.19. The Table below shows the number of potential development sites currently in the pipeline for both housing and commercial developments. The strength of this pipeline provides further confidence of achieving the targets. There are always a percentage of projects that ultimately will not be implemented, despite securing planning permission. Some planning permissions granted will not be implemented for a variety of financial, legal or other reasons. In acknowledgement that in the normal course of events some development projects will not ultimately be completed – and therefore contribute to the Plymouth Growth Dividend, it will be important that the structured approach of the programme minimises the number of non-implemented projects.

	2014/2015	2015/2016	2016/2017	2017+	Total
<b>Housing Sites</b>	28	32	24	34	<b>118</b>
<b>Commercial Sites</b>	12	15	15	70	<b>112</b>

Table 3: Resilience of the pipeline

There are 23 live inward investment enquires in the pipeline<sup>3</sup>. These vary from large opportunities which will create 100 plus jobs to smaller high tech businesses which will generate niche high value jobs.

3.1.20. Table 4 below contains the programme of accelerated income from the Plymouth Growth Dividend components for the next three years. The schedule is made up of expected income from future developments

	20/14/15	2015/16	2016/17	Total
New Homes Bonus Scheme	£1,188k	£743k	£ 958k	<b>£2,890k</b>
New Council Tax	£500k	£650k	£850k	<b>£2,000k</b>
Increase in NNDR	£850k	£500k	£500k	<b>£1,850k</b>
<b>Total</b>	<b>£2,538k</b>	<b>£1,893k</b>	<b>£2,308k</b>	<b>£6,740k</b>
No. new homes	450	620	800	<b>1,970</b>

Table 4: Growth Dividend Schedule

### 3.2. Asset Management

3.2.1. This element of the project will ensure strategically we link with the People & Organisational Development project to ensure that we deliver our corporate strategic accommodation blueprint aims of:

- have the right buildings in the right places to deliver our outcomes and support collaboration with partners
- align assets and buildings with our priorities, maximising their value for the city

3.2.2. Plymouth City Council is fortunate to own a substantial estate comprising circa 2,467 property interests made up of the corporate and commercial estate.

	Commercial Estate	Corporate Estate	Total Estate
Number of Buildings	1767	700	<b>2467</b>
Capital Value of Buildings	£136m	£351m	<b>£487m</b>
Gross Annual Running Costs			<b>£13.7m</b>
Gross Annual Income Stream	£6.73m	£.700k <sup>4</sup>	<b>£7.43m</b>

Table 5: Plymouth City Council Estate

<sup>3</sup> As at 1/6/14

<sup>4</sup> CCG, PCHT, AMEY

3.2.3. The size of the City Council's estate should enable it to utilise its assets strategically to support and drive the growth agenda. However, there will also be opportunities for the City Council to occupy less space itself, to deliver and support services. In doing so, the cost of running its Corporate Estate can be reduced. Depending on the assets vacated, this may provide an opportunity to organically grow the Commercial Estate, if and when commercial opportunities arise, which are worth producing to restock the estate against increased income potential. The current rate of occupancy of the commercial estate stands at 94%.<sup>5</sup>

### **The Commercial Estate**

3.2.4. The Commercial Estate comprises an extensive and diverse range of properties and more than 1,800 interests and tenancies including retail, industrial and office properties, business centres, market stalls and benches, ground leases, development land and leisure assets. In 2013/14 there was £6.7 million of income to the City Council; the Commercial Estate supports 326 businesses and 2,670 jobs.

3.2.5. Within the Commercial Estate, 35% of property interests accounts for 85% of the total income with the top three tenants accounting for £1.2 million (18%) of the annual rental income. Work is underway to maximise income.

#### **Some examples are:**

- Deliver 30,000 sq. of direct development employment space at Langage
- Create Asset Categorisation System
- Delivering increased income
- Cross Sector Strategic Asset Management with partners
- Delivering Homes – agree terms of disposal for Get Plymouth Building and Plan for Homes housing sites.

3.2.6. In addition, the Council could utilise capital receipts from the disposal of assets to create an income stream. For example £10 million of capital receipts from land sales could be re-invested in Plymouth commercial property acquisitions to create an income stream of circa £900k per annum based on a 9% property yield. In this way the Council could increase the size of its Commercial Estate and generate an additional sustainable net income source.<sup>6</sup> Therefore, as part of this programme, opportunities will be reviewed as they maybe become available and considered within a wider strategic fit.

### **The Corporate Estate**

3.2.7. The City Council's Transformation Programme is reviewing how the organisation interacts with its customers (through the Customer and Service Transformation programme) and its staff (People and Organisation Development programme). Both programmes are likely to significantly change the assets required in the future from changing delivery models and new ways of working.

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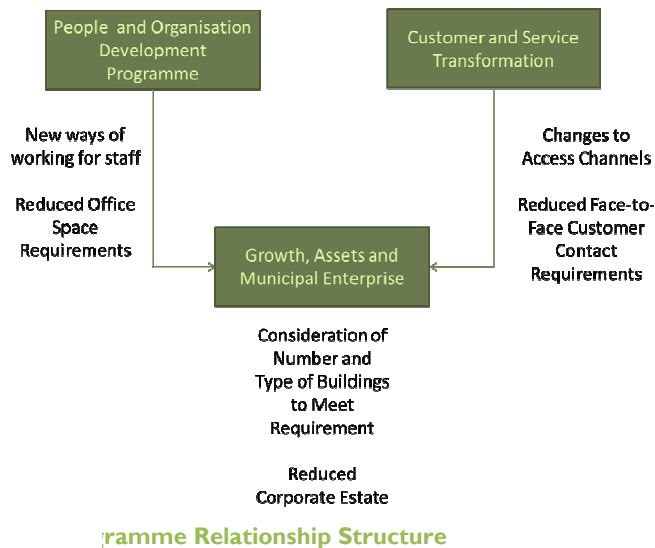
<sup>5</sup> As at 28/5/14

<sup>6</sup> Jones Lang LaSalle Strategic property review 2013.

3.2.8. The City Council has recently introduced a Corporate Landlord model, and in tandem with the accommodation element of the Transformation Programme could release assets with more services co-locating and the development of shared facilities with other partners within Plymouth such as the co-location of City Council, Clinical Commissioning Group and NHS at Windsor House.

3.2.9. The GAME programme Asset Management work stream is driven from the output of two other programmes. The Customer & Service Transformation and the People and Organisation whose strategic decisions will form the “future state” of accommodation asset need. The GAME programme is ideally placed to be the guardian of Council wide asset portfolio.

3.2.10. The development of the specification for corporate asset usage will be derived from the other Transformation programmes and feed into the Asset project as outlined in the Figure 1 below.



3.2.11. The outputs of the change programme present a significant opportunity to strategically reduce the size of assets that the City Council occupies directly. Any Corporate Assets that become surplus to operational requirements should be reviewed to see if they could add value to the Commercial Estate prior to disposal.

3.2.12. In addition, there is a significant multi-million pound liability related to building repairs where assets have not been historically maintained. By strategic rationalisation of assets, the City Council can avoid this liability, although there may be a negative impact on the ability to dispose of some assets.

## Enabling the Asset Work Stream

3.2.13. To enable the **acceleration** of this project and subsequent delivery of a plan through the programme that delivers reduction in operating costs, increase in income and releases surplus assets and supports the Growth project there is a need for an additional resource to accelerate this area of work and deliver the project.

### 3.3. The Growth & Assets project in context 2014/15

3.3.1. The Growth & Assets project is in flight and we have already commenced work on this project so it is important to provide assurance that this project can be delivered. The project started to deliver financial benefits for 2014/15 and is proving itself as a deliverer of growth. Therefore setting the context for 2014/15 gives credibility to our proposal and the investment required continuing the acceleration of this growth.

3.3.2. The GAME programme is required to return £4 million worth of benefits in 2014/15 of which £2.5 million will be delivered from the Growth & Asset Project. Table 2 shows the breakdown of this income stream. There is a high degree of confidence that 2014/15 targets will be delivered.

## New Homes Bonus

3.3.3. The government confirmed on the 5th February 2014 that Plymouth's New Homes Bonus for 2014/2015 will be £3.595 million. The Plymouth Growth Dividend was required to return additional income of £1.1 million on top of the existing baseline of £2.4 million in 2013/2014. Therefore this target has already been met.

3.3.4. A pipeline of accelerated new developments is already in place to ensure that 2015/16/17 targets can be met, although there are complexities associated with this in relation to the payment of New Homes Bonus from October to October (rather than financial years) and the deductions that are made from the demolition of homes most often associated with major regeneration programmes across the city.

## Council Tax

3.3.5. As a result of more new homes there is a clear correlation with additional revenue from these new homes and Council Tax payments. In 2014/2015 the target of £500,000 for additional Council Tax will be subject to confirmation of the net additions to the city's housing stock from the CTB returns to CLG, which are influenced by the number empty properties in those returns. Whilst New Homes Bonus is paid by CLG as an unringfenced grant (with provisional allocations usually announced in December of each year) Council Tax revenues will come direct from the occupiers of the new homes.

3.3.6. The Council tax target has been defined allowing for the fact that student property developments do not incur Council Tax and that there will be inevitably a number of homes that will become vacant in the year.

## Non Domestic Business Rates

- 3.3.7. Plymouth City Council currently retains half of the total of Non – Domestic business rates, which for 2014/15 will be at 46.2% of the rateable value.
- 3.3.8. All commercial properties have been identified that can deliver NNDR increases in the period used to measure the 2014/15 target.
- 3.3.9. To date £750,000 of new business rates to set against the 2014/15 target have been identified. In addition, a current pipeline of another £100,000 in new commercial properties coming on stream 2014/15 will be brought forward.
- 3.3.10. Additional NNDR will also arise from the opening of the North Yard Energy from Waste plant. The actual level of NNDR expected has not yet been confirmed by the Valuation office and so has not been built in to targets. However, income from this for the last quarter of the 2014/2015 can be reasonable expected upon the plant becoming operational, and that will add to the NNDR.

## 3.4. Objectives

3.4.1. The GAME programme through Growth & Assets is expected to achieve the following outcomes within 2014/15/16:

- Maximising government funding – increased sustainable income to the City Council through the New Homes Bonus, uplift in NNDR and increased Council Tax income totalling £6.74 million.
- Accelerated investment –through a pipeline of private sector and City Council-led regeneration projects.
- Wider growth benefits from acceleration – including from lower unemployment, reduced long-term benefit dependency and improved health outcomes.
- Asset governance – a structured asset governance structure that supports the strategic plan for assets; and facilitates the efficient and cost-effective management of existing assets.
- Efficient, creative and effective use of assets – more proactive alignment of assets (accommodation, operational and non-operational) and estate with Plymouth’s priorities, maximising their value, with the right buildings in the right places to deliver outcomes and support collaboration with partners. This will act as an enabler for the outcomes of the other programmes.
- A less costly asset base – an asset base that costs the City Council less money to run and maintain and maximise commercial opportunities.

## 3.5. Scope

3.5.1. The scope of this project is largely confined to land and buildings within the boundary of the city. Where there are cross-border opportunities the City Council will work with neighbouring authorities. This can be seen in the diagram below:



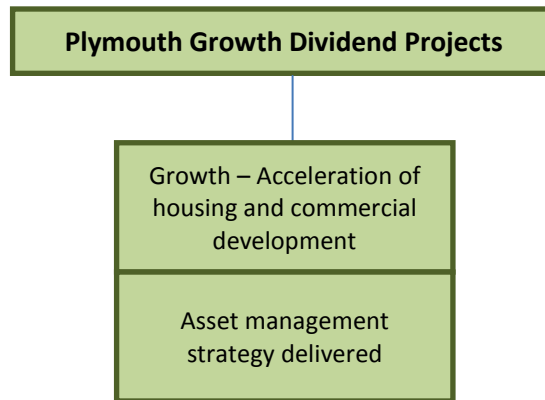


Figure 2: Project Scope

### 3.6. Out of scope

3.6.1. The following areas are not within scope of this project, and will form parts of the transformation programmes indicated

- Facilities management (Co-operative Centre of Operations)
- Accommodation strategy (People & Organisational development)

### 3.7. Assumptions

- That NHB/NNDR legislation remains unchanged throughout the duration of the programme.
- That financial resource is available to fund the need to accelerate developments to realise the Plymouth Growth Dividend.
- That the New Homes Bonus is based upon the delivery of an accelerated delivery of additional homes which number: 450 dwellings in 2014/2015; 620 dwellings in 2015/2016; and 800 dwellings in 2016/2017.
- That there are no major changes in the reporting arrangements to CLG in relation to empty homes.
- That a suitable financial accounting allowance is made in relation to the Plymouth Growth Dividend associated with developments completed in 2016/2017 given that the New Homes Bonus payments are October to October and will not be paid until April 2017.
- That the Council Tax baseline is £86.7 million in 2014/2015; £88.4 million in 2015/2016; and £90.2 million in 2016/2017.
- That the NNDR base date is 1<sup>st</sup> February 2013 and baseline is £42.13 million
- The 2013/14 baseline for New Homes Bonus is at £2.4 million.

## 4. Stakeholders

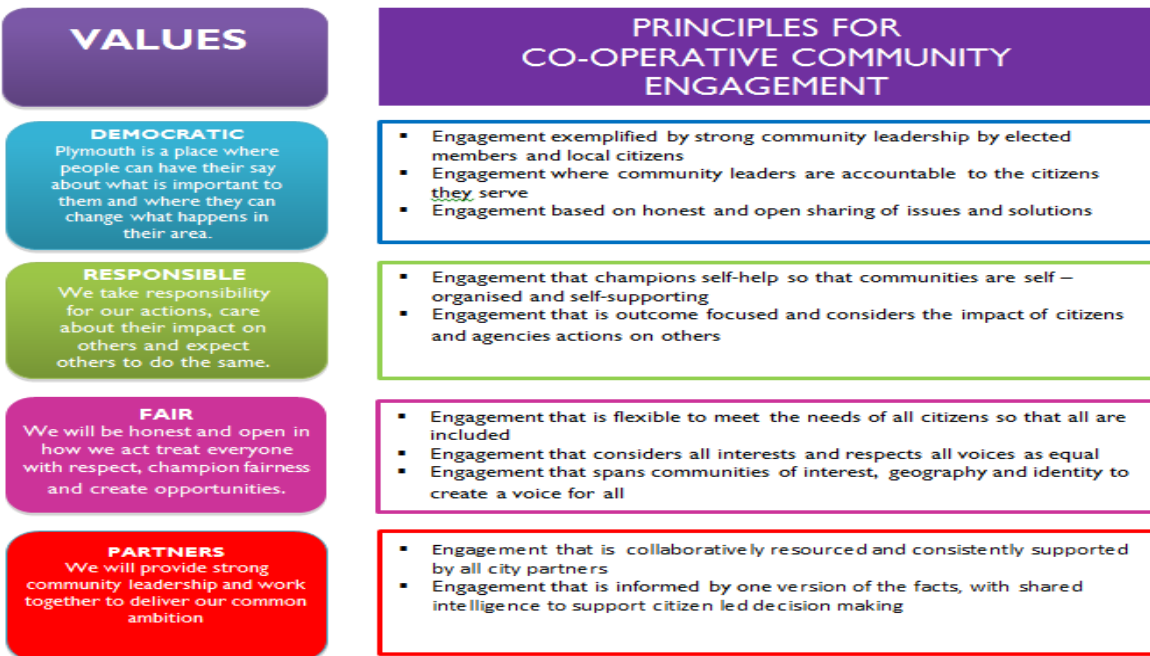
### 4.1. Background

4.1.1. The project will need to engage with staff, partners, customers, community and elected members throughout its whole duration. Existing communications channels will be utilised and engagement will align with Plymouth City Council's corporate values and corporate vision.

4.1.2. There are already existing communications channels open for planning and economic development and these will be utilised during this project. The project will develop new methods of engagement where appropriate and utilise existing mechanisms through existing groups/networks/boards as well as the statutory processes through systems such as planning. This project recognises that our citizens are:

- Customers as innovators, Citizens know things that many professionals don't know.
- Customers as resources, Citizens have time, information and financial resources that they are willing to invest to improve their own quality of life and into helping others.
- Customers as asset-holders, Citizens have diverse capabilities and talents which they can share with professionals and other citizens
- Customers as community-developers, Citizens can engage in collaborative rather than paternalistic relationships with staff, with service users and with other members of the public.

We will adopt and live the principles for co-operative community engagement.



4.1.3. Below are a set of high level analyses of identified stakeholders. All stakeholder involvement is subject to change as the project evolves.

## 4.2. Staff Engagement

4.2.1. Staff across council may be affected by changes made within this project; therefore engagement with all staff areas is a major aspect of our communication plans. Events such as walk-ins, briefings and road shows will enable maximum involvement from affected and non-affected staff adhering to the holistic and cohesive principles adopted by all of the Transformation related projects.

Stakeholder Type	Stakeholder	Responsible	Accountable	Consulted	Informed
Affected Staff	CMT		X		
	SMT		X		
	Trade Unions			X	
	Place Directorate			X	
Non-affected Staff	Council Wide Staff				X
	Transformation Programme		X		

Table 6: Staff Engagement

## 4.3. Partner Engagement

4.3.1. The following partners (see below) will be closely involved with the project. This list of partners may change to reflect the scope as will the nature of the engagement as it becomes clearer as to how partners will need to be involved with Growth & Assets.

Stakeholder Type	Stakeholder	Responsible	Accountable	Consulted	Informed
Growth Related Partners	Public Sector Land Board			X	
	Local Enterprise Partnership			X	
	Plymouth Growth Board			X	
	Plymouth Culture Board			X	
	Destination Plymouth			X	
	Regeneration Forum				X
	After Care Programme				X
	Businesses wanting to be in Plymouth				X
	Plymouth Stakeholder Group				X
	Chamber of Commerce				X
	Land Owners				X
	Federation of Small Businesses				X

Table 7: Partner Engagement

#### 4.4. Member Engagement

4.4.1. The Growth & Assets project will need to understand how and when to utilise the democratic decision making processes available, and be aware of the importance, where appropriate, of ensuring elected member/political engagement throughout its duration. This will often involve existing opportunities for member engagement and information sharing. Furthermore, elected members, where appropriate, will also need to receive feedback from other engagement strands to aide broader understanding of how we are using a co-operative approach to engagement throughout the transformation programme.

4.4.2. This list of elected member stakeholders may change to reflect the scope of the relevant project:

Stakeholder Type	Stakeholder	Responsible	Accountable	Consulted	Informed
Elected Members	Cabinet			X	
	Shadow Cabinet				X
	Member Transformation Board		X	X	
	Council's Scrutiny Function			X	
	Transformation Advisory Group			X	
	MPs				X

Table 8: Member Engagement

#### 4.5. Community Engagement

4.5.1. The successes of this project will be of benefit wider community with increases in the local economy, number of affordable new homes and number of jobs; and will need to be communicated to them accordingly.

Stakeholder Type	Stakeholder	Responsible	Accountable	Consulted	Informed
Communities and Customers	Communities of Identity			X	X
	Communities of Interest			X	X
	Communities of Geography			X	X
	Citizens			X	X

Table 9: Community Engagement

## 5. Financial Case

### 5.1. Benefits

5.1.1. The Growth & Assets Project is aiming to deliver a minimum over **£6.7million** of gross additional benefit at the end of the three year programme. This at an investment cost of **£720,000**, a net benefit of £6 million at the end of financial year 2016/17.

5.1.2. The Baseline dates for the Plymouth Growth Dividend are as follows:

	2014/15	2015/16	2016/17
NHB	1 <sup>st</sup> Oct '12 – 31 <sup>st</sup> Sep '13	1 <sup>st</sup> Oct '13 – 31 <sup>st</sup> Sep '14	1 <sup>st</sup> Oct '14 – 31 <sup>st</sup> Sep '15
Council Tax	1 <sup>st</sup> Oct '12 – 31 <sup>st</sup> Sep '13	1 <sup>st</sup> Oct '13 – 31 <sup>st</sup> Sep '14	1 <sup>st</sup> Oct '14 – 31 <sup>st</sup> Sep '15
NNDR	1 <sup>st</sup> Feb '13 – 31 <sup>st</sup> Mar '15	1 <sup>st</sup> Apr '15 – 31 <sup>st</sup> Mar '16	1 <sup>st</sup> Apr '16 – 31 <sup>st</sup> Mar '17

Table 10: Baseline Dates

5.1.3. Table 11 below indicates the Gross benefits. The costs are Human investment costs as the project is dependent on extra resources to deliver an acceleration of benefit.

Target Addressable Income	Target Addressable Income / £	Income Generating Theme	Income Opportunities	Additional Income 2014/15 - £k	Additional Income 2015/16 - £k	Additional Income 2016/17 - £k	Total Additional Income £k
<b>New Homes Bonus</b>	450 Homes in 14/15 620 Homes in 15/16 800 Homes in 16/17	Increase (Volume)	Increase in # of new homes and business sites > increase in NHB entitlement	1,189	743	958	<b>2,890</b>
<b>Council Tax</b>	13/14 - £85m 14/15 - £86.7m 15/16 - £88.4m 16/17 - £90.2m Average (14/15-16/17) £88.4m	Increase (Volume)	Increase in # of new homes > increase in total value of council tax income	500	650	850	<b>2,000</b>
<b>National Non Domestic Rates</b>	13/14 – £42.134m Rates Retained (Jan 13 NDRI form)	Increase (Volume)	Increase in # of business sites > more businesses > increase in total value of NNDR income	850	500	500	<b>1,850</b>
<b>Total</b>				<b>2,539</b>	<b>1,893</b>	<b>2,308</b>	<b>6,740</b>

Table 11: Gross Financial Benefits

## 5.2. Expected Costs

5.2.1. Table 12 & Table 13 below show a breakdown of the expected costs of the project and the resources required to deliver them.

Costs	14/15	15/16	16/17	Total
Programme Support	£69k	£69k	£69k	<b>£207k</b>
Subject Matter Experts (see Resources table below)	£171k	£171k	£171k	<b>£513k</b>
<b>Total</b>	<b>£240k</b>	<b>£240k</b>	<b>£240k</b>	<b>£720k</b>

**Table 12: Project Costs Breakdown**

Resources																		
Area	Resource Description																	
Estimated Costs <ul style="list-style-type: none"> <li>Capital</li> <li>Revenue</li> <li>External Funding</li> </ul>	<ul style="list-style-type: none"> <li><b>£720k over the duration of the Programme the job</b></li> </ul>																	
Estimated Funding <ul style="list-style-type: none"> <li>Internal Revenue</li> <li>Internal Capital</li> <li>Grants</li> </ul> Include any requirements set by funding providers	<b>Transformation funding of resources to deliver G&amp;A</b>																	
Ring Fenced Budgets e.g. HRA / Schools	<b>NA</b>																	
Project Team (give details of project team members)	<table border="1"> <thead> <tr> <th>Role</th> <th>FTE</th> <th>Outline role</th> </tr> </thead> <tbody> <tr> <td>Planning Officer /Urban Designer (FTC)</td> <td>1</td> <td>Senior planning post with to drive city centre/ Derriford projects and deal with major applications</td> </tr> <tr> <td>Transport Officer (FTC)</td> <td>1</td> <td>Senior transport post with to drive city centre/ Derriford projects and deal with major applications</td> </tr> <tr> <td>Viability Officer/Surveyor (FTC)</td> <td>1</td> <td>Shared resource with ED to help with valuations, viability assessments, Section 106 discussions etc. (separate from need for ED to have dedicated surveyor – this is NOT an alternative proposal as that is still needed)</td> </tr> <tr> <td>Surveyor (FTC)</td> <td>1</td> <td>To drive and project manage the asset management strategy</td> </tr> </tbody> </table> <p><b>The team will be supported by a Project Support Officer.</b></p>			Role	FTE	Outline role	Planning Officer /Urban Designer (FTC)	1	Senior planning post with to drive city centre/ Derriford projects and deal with major applications	Transport Officer (FTC)	1	Senior transport post with to drive city centre/ Derriford projects and deal with major applications	Viability Officer/Surveyor (FTC)	1	Shared resource with ED to help with valuations, viability assessments, Section 106 discussions etc. (separate from need for ED to have dedicated surveyor – this is NOT an alternative proposal as that is still needed)	Surveyor (FTC)	1	To drive and project manage the asset management strategy
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Surveyor (FTC)	1	To drive and project manage the asset management strategy																
Transformation Resource Requirements <b>E.g. business analyst; finance; legal; procurement; HR</b>	<b>Technical Resource Required</b>	<b>Est Start Date</b>	<b>Est End Date</b>															
	The project will draw on technical support during the duration of the project, the exact nature to be determined.																	
Business Resource Requirements <b>E.g. subject matter experts; internal service area resources</b>	<b>Business Resource Required</b>	<b>Est Start Date</b>	<b>Est End Date</b>															
	See above	28/2/14	31/6/14															

Table 13: Resources

## 6. Risk Analysis

Key Risks <i>List any identified risks</i>							
ID	Risk Owner	Risk Description (A short summary of the event)	Current Risk Rating	Actions to reduce risk to target	Action Implementation Date	Action Owner	Decision, Action or Escalation Required
GAME_08_RSK_1	Paul Barnard	Changes in national policy related to NNDR & NHB changing funding regimes post 2015.	M	The project will be controlled by delivering revenue throughout the life cycle and ensuring acceleration of schemes to maximise revenue whilst existing schemes are valid, whilst lobbying to maintain.	03/12/2013	Paul Barnard	To Note
GAME_RSK_3	Paul Barnard	The development market is uncertain and therefore development gain cannot be guaranteed.	M	The programme prioritises schemes based upon those projects that will be delivered within the lifespan of the programme.	03/12/2013	PM	To Note
GAME_RSK_4	Paul Barnard	The nature of development is such that there is a 2/3 year lag as development projects are worked up from initiation.	M	Accelerate deliverable GROWTH projects within the current pipeline and dedicate resources to ensure acceleration.	03/12/2013	PM	To Note
GAME_RSK_7	Malcolm Coe	The revaluation of business rates will now take place in 2017. With the uncertainty of the outcome of this revaluation a residual risk exists to the financial benefits after the programme life cycle	M	The programme/project cannot control this risk but it should be noted as a potential residual risk post 2017.	14/01/2014	Malcolm Coe	To Note
GAME_RSK_8	Malcolm Coe	New Homes Bonus. With no clear indication that Central government will continue with NHB after 2015 there is a residual risk after the programme closes of this revenue stream being "turned off" which would result from a sizeable year on year income stream	M	The programme/post cannot control this risk but it should be noted as a potential residual risk post 2015	14/01/2014	Malcolm Coe	To Note

Table 14: Risks

## 6.1. Interdependencies

6.1.1. The Growth & Assets element of the project will have a particular interdependency with the POD and Customer-Centric Council programmes. Changing the ways of staff working across the City Council will alter the building and office space requirements to support council staff. Similarly, changing how the City Council engages with its staff will have a fundamental impact on the number, location and type of assets that the organisation will require in the future.

## 7. Project Plan

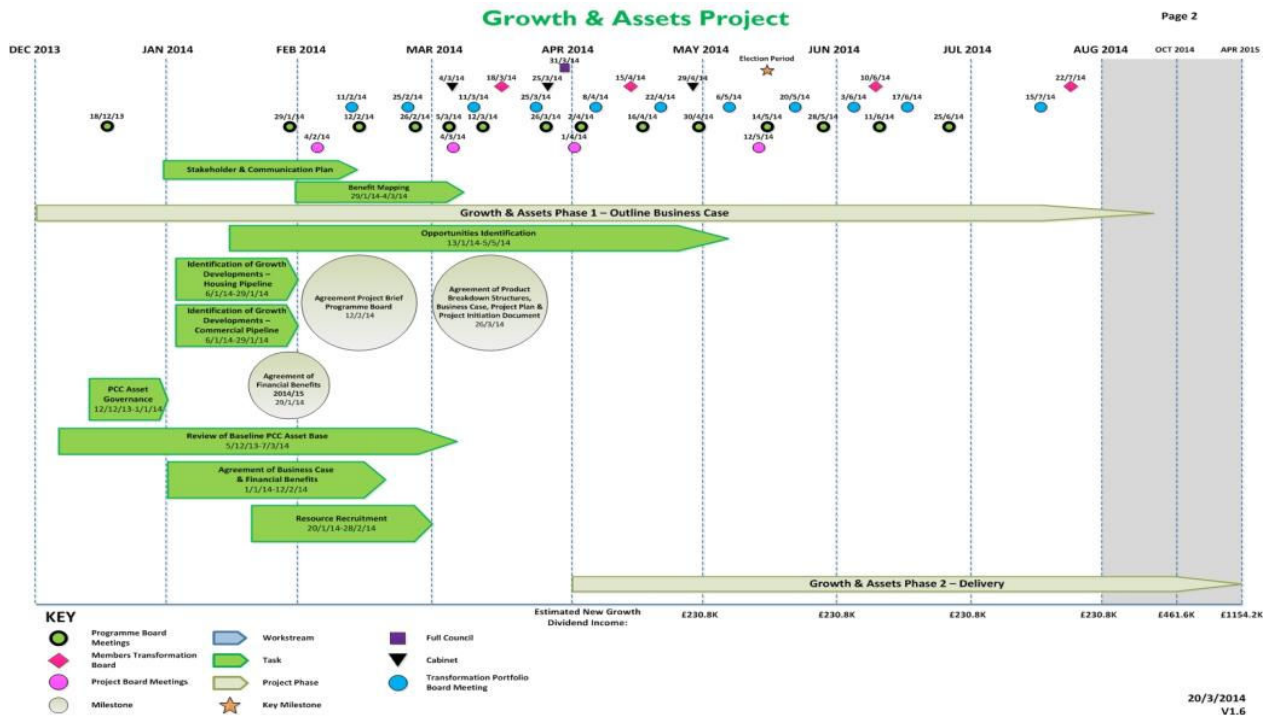


Figure 3: Project Plan

### 7.2. Project Organisation

7.2.1. A Growth & Assets Project Board will be chaired by Paul Barnard or David Draffan. This board will include relevant staff from Economic Development, Strategic Planning and Infrastructure and Finance so as to ensure that there is better coordination on modelling of the Plymouth Growth Dividend, and the assumptions behind future projections, better coordination with Finance on various statutory and other returns to government which will affect NNDR and New Homes Bonus, and a clear drive and focus on delivering the projects that are crucial to achieve these accelerated levels of commercial and housing development supported by sufficient capacity from transformation costs.

- Project Board Chairs - David Draffan (Assets) and Paul Barnard (Growth)
- Professional support from members David James, James Watt, Matt Ward, Grant Jackson, Claire Judd and Nick Carter

7.2.2. The Plymouth Growth Dividend is a unique project as the financial benefits and outcome are based upon successfully **completed** developments. Development projects can often be multi-faceted complex and have long time periods between conception and delivery as financial and legal due diligence is undertaken and various statutory consents secured. The project accelerates the development pipeline and with dedicated additional resources can deliver the Growth & Asset element of the GAME programme.



7.2.3. It is proposed that these two projects will be supported initially as follows:

- **Growth Project** : Subject Matter Experts (planning, transport, regeneration, surveying, legal)
- **Asset Project** – Subject Matter Experts (surveyor, legal)

7.2.4. Resources will be scaled up and down over the life cycle of the project depending upon need.

### 7.3. Quality Management

7.3.1. This project will follow the Quality Management Strategy and Plan which can be found at S:\Transformation\Portfolio Office\12. Quality Planning

### 7.4. Project Management Methodology

7.4.1. Management of Portfolio, Managing Successful Programmes and Prince 2 methodologies will be used as tailored specifically for Plymouth City Council Transformation Portfolio. See S:\Transformation\Portfolio Office

### 7.5. Any other tools / methodologies / processes / standards / assurance

1. Plymouth City Council Transformation Portfolio Lifecycle has been developed to assure the safe delivery of the projects and programmes in the Transformation Portfolio.
2. Governance is applied across the Projects and Programmes in accordance with the Transformation Start-up pack and subsequent documentation found in the Portfolio Office. See S:\Transformation\Portfolio Office
3. All documents pertaining to the standards, processes, tools, methodologies and assurance to be applied to all Programmes and Projects in the Transformation Portfolio will be found in the Portfolio Office Folder as shown above.

All files for specific Programmes and Projects will be filed by Programme and Project. See S:\Transformation\Programme and Project Folders

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**PLYMOUTH CITY COUNCIL**

<b>Subject:</b>	Contract Awards for Food for School Meals and Community Meals
<b>Committee:</b>	Cabinet
<b>Date:</b>	17 June 2014
<b>Cabinet Member:</b>	Councillor McDonald
<b>CMT Member:</b>	Carole Burgoyne (Strategic Director for People)
<b>Author:</b>	Brad Pearce, Education Catering Manager
<b>Contact details:</b>	T: 01752 307159 E: brad.pearce@plymouth.gov.uk
<b>Ref:</b>	1060965
<b>Key Decision:</b>	Yes
<b>Part:</b>	I

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**Purpose of the report:**

To consider the approval of contracts to supply food and catering consumables within the Education Catering Service to enable and support the delivery of the statutory provision of school meals (Free School Meals, Paid for Meals and Universal Infant Free School Meals) to 67 infant, junior, primary and special schools as well as a number of primary and secondary academies across the City.

Furthermore, the contracts supply the food and ingredients for production of freshly prepared, hot community meals for the vulnerable and elderly.

See Part II for the detailed contract award report.

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**The Brilliant Co-operative Council Corporate Plan 2013/14 -2016/17:**

Through the tendering and award of these contracts the Education Catering Service fulfils the Council's Brilliant Co-operative Plan, Vision and objectives:

**Pioneering Plymouth:** the service is viewed nationally as a model of best practice for provision of school food and its procurement of locally sourced, seasonal and regional ingredients. The service was the first local authority caterer to be awarded the Gold Catering Mark by the Soil Association's Food for Life.

**Growing Plymouth:** the service now and in the future has demonstrated the benefit to the local and regional economy through its procurement of fresh, local and seasonal produce. This creates employment and wealth to be re-invested in to the city. As recognised by the independent report by the New Economic Foundation in 2012 which identified that the Social Return on Investment (SORI) into the local and regional economy was £3.04 for every £1.00 spent.

**Caring Plymouth:** the service provides statutory free school meals across the City and to pupils in school settings with specific dietary needs. The service also provides community meals to a number of adults as referred by Adult Social Care

**Confident Plymouth:** good food, leading to better nutrition (across all ages) leads to better attainment and future prospects. For children and young people the provision of these contracts allows the Council and schools to play a vital role in setting the health and well-being agenda leading to greater employment opportunities and fulfilled lives. For others, community meals allows for the Council and service to support citizens to retain their freedoms and independence.

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**Implications for Medium Term Financial Plan and Resource Implications:**

**Including finance, human, IT and land:**

None. The budgets for the provision of school food are delegated to schools and the service is a traded service with food costs borne from Free School Meal income (via the Dedicated Schools Grant), income from Paid for Meals and, from September 2014, from revenue funding for Universal Infant Free School Meals (UIFSM).

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

This proposal will support the Council's aims and objectives of minimising Child Poverty through support to schools of maximising take-up of free school meals thereby maximising household incomes and increasing employment opportunities for families. The recommended award of contracts supports local businesses, producers and, therefore, local employment and the well-being of local families and household incomes.

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**Equality and Diversity:**

Has an Equality Impact Assessment been undertaken? Yes

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**Recommendations and Reasons for recommended action:**

The award of these contracts, as well as meeting the terms of OJEU and procurement law, through the criteria set out in the tender documentation, supports and maintains the Council's co-operative value of "Growing Plymouth". Each of the proposed food suppliers are either family-run businesses based in Devon and Cornwall or a company with a strong local and regional presence and distribution base.

As a result of these contracts, with each of the suppliers sourcing and delivering from within and across the peninsula, the spend into the local and regional economy will be up to £1.8m and, with the introduction of Universal Infant Free School Meals (UIFSM) from September 2014 it is estimated that this will increase by a further £0.5m.

It is recommended, therefore, that contracts are let with the suppliers that have scored the highest in each Lot. This detail is contained in the Part II Detailed Contract Report.

**Lot 1** representing Fresh Meat, Offal, Poultry and Fish

**Lot 2** representing Ambient Dry and Chilled foods

**Lot 3** representing Frozen Foods

**Lot 4** representing Dairy and Bakery Products

**Lot 5** representing Fresh Fruit and Vegetables

**Lot 6** representing Non-Food and Disposable Items.

These contracts support the continued direct employment of 250 frontline staff in schools across the City as well as producers, growers and distributors from across the region.

These award of these contracts fully support the local and regional economy and fulfilling the Brilliant Co-operative Council aims of Pioneering, Growing, Caring and Confident Plymouth.

**Alternative options considered and rejected:**

A failure to award contracts will result in the service and schools being unable to provide the statutory duty of the provision of Free School Meals, a Paid for Meal upon request an Universal Infant Free School Meals. For elderly or vulnerable citizens in receipt of the community meals service a failure of supply would be hugely damaging and result in services needing to be procured from elsewhere.

**Published work / information:**

None

**Background papers:**

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	
Equality Impact Assessment	x									

**Sign off:**

Fin	MH14 15.01	Leg	LT 20435	Mon Off	RSN 20434	HR		Assets		IT		Strat Proc	MC/SP U/360/C P/0514
Originating SMT Member: Judith Harwood													
Has the Cabinet Member(s) agreed the content of the report? Yes													

## 1.0 Introduction

- 1.1 Education Catering Service currently provides upwards of 8,000 meals per day across the city and the past year has seen significant partnership work with individual schools and substantial percentage growth in individual schools.
- 1.2 The service was the first local authority caterer in the country to be awarded the Soil Associations Gold Standard Food for Life Catering Mark in recognition of our menus and use of using fresh seasonal menus and scratch cooking as well as Compassion in World Farming's Good Egg Award for using Free Range Eggs.
- 1.3 The service is a Fairtrade champion, supporting the City's Fairtrade status and works with schools through it's Fairtrade Schools Group to provide support with educational activities with support from our local suppliers and, in conjunction with School Nutrition Action Groups (SNAG) work to increase awareness of Fairtrade and the number of Fairtrade items and ingredients used on school menus
- 1.4 The service is nationally recognised as the Local Authority Caterer of the Year 2013 by EDUcatering magazine and the wider school food and contract catering industry
- 1.5 The service, and therefore these contracts, provides schools food to 67 schools including nursery, maintained infant, junior and primary, special and secondary schools as well as academies, trust and foundation schools. (Prospective contractors were advised that the status of each establishment may change during the life of this contract (e.g. from maintained to academy) and that this may have an effect on the food and nutrient standards applicable).
- 1.6 Public Health England have recognised our work through their "Healthier and More Sustainable Catering: a toolkit for serving food to adults" in respect of best practice guidance for our provision of community meals.
- 1.7 The provision of school is a statutory duty which, following delegation of budgets in 2013, sits with Governors of schools and academies rather than the Council. However, the 67 schools receiving services from the Education Catering Service as the Council's school food provider have pooled budgets and asked that the services be centrally provided.
- 1.8 Centrally procured contracts providing for more cost effective and efficient procurement, economies of scale, control and management of food quality and food standards, traceability and then menu development and nutritional analysis and allergen awareness.
- 1.9 The statutory provision is for a nutritionally compliant two-course Free School Meal for those pupils and students registered as eligible under set Government criteria, a Paid for Meal upon request and, from September 2014, Universal Infant Free School Meals for all pupils aged 5-7 (i.e. in Reception, Year 1 and Year 2).

## 2.0 Current status of contracts

- 2.1 Current contracts for the Provision of Food and Catering Products were let in October 2009, with an initial contract period of three years followed by two one-year extensions. Therefore the final extension will expire on the 30<sup>th</sup> of September 2014.
- 2.2 Through the new contract, the Council is looking to continue to procure the Provision of Food and Catering products for the preparation and service of nutritionally compliant, hot, healthy, appealing and appetising menus and school food to children and young people of all ages in a wide variety of school settings and academic establishments and for community meals.

## 3.0 Expectations and future opportunities for growth

- 3.1 Prospective suppliers will have known the importance of the provision of high quality school food which, as well as nutrition, is an essential aspect of the pupils' education and personal development and longer term health and well-being and attainment.
- 3.2 Within the scope and remit of procurement legislation and OJEU we identified that we were looking for prospective suppliers to support the service in (a) the maintenance of the Gold Standard Food for Life Catering Mark (<http://www.foodforlife.org.uk/>) and also as (b) a founder member of the Sustainable Food Cities network (<http://sustainablefoodcities.org/>) our work towards achieving this accreditation over the life of the contract.
- 3.3 The introduction of Universal Infant Free School Meals from September 2014 delivers an expectation of a very significant increase in meals per day alongside our drive to further improve services and increase paid meal take up across all sectors.
- 3.4 In line with levels of take-up in previous FSM Pilots in Durham and Newham it is anticipated numbers of meals provided will increase significantly. The average take-up levels in pilot areas was 87% whilst in Tower Hamlets and Islington who are currently provided FSM to all pupils take-up is circa 100%. For Plymouth we are planning for an anticipated increase of up to 3,000 meals per day.
- 3.5 We have made our expectations of potential contractors clear and asked them to demonstrate their readiness and business continuity for this but to also positively demonstrate how they will support the aims and objectives of the service and wider council.
- 3.6 The future offers exciting and innovative opportunities for the service, Council and the successful contractors and partners to work together with schools to deliver on the actions within the national School Food Plan and proposed new Food and Nutritional Standards to deliver freshly prepared and cooked hot meals to children and young people that are nutritious, appetising, appealing, flavourful and affordable and with individual schools will transform the education of food and what children eat.

- 3.7 The service also now provides the Community Meals to referred clients and paying customers across the City, providing home cooked meals from scratch delivered hot and ready to eat in the clients home. These meals are prepared and cooked in and collected from a number of schools kitchens to assist with maximisation of labour, management of food costs and, logistically, to reduce deliveries and eco-footprint. The Community Meals service is a seven day 52 week service and work is underway to expand this element of the business both for the traditional lunch time meal offer and a cold tea-time meal option.

#### **4.0 Proposed new contracts**

- 4.1 Contracts for the provision of food and food related items contained within these Lots required to be let and commence on the 1<sup>st</sup> October 2014. The contract will be for a period of 3 years, with the option to extend for a further two x 1 year periods.
- 4.2 Through the procurement of these contracts and services successful contractors will work with the service, schools and the wider council to support the health and well-being of citizens of all ages and combat health and other related problems through the provision of healthy ingredients to enable the delivery of food and menu choices that meet the required standard which appeal to our customers and available at affordable prices.
- 4.3 To ensure that the contracts were open and available to as many potential suppliers as possible including SME's the work was split into four geographical city zones and also into Lots as follows:
- Lot 1 representing Fresh Meat, Offal, Poultry and Fish
  - Lot 2 representing Ambient Dry and Chilled foods
  - Lot 3 representing Frozen Foods
  - Lot 4 representing Dairy and Bakery Products
  - Lot 5 representing Fresh Fruit and Vegetables
  - Lot 6 representing Non-Food and Disposable Items
- 4.4 The detailed contract award report is in Part II but it was a two-stage Restricted Procedure, the Council's preferred tender procedure for high value procurement as detailed Contract Standing Orders.
- 4.5 Nine companies responded to the PQQ and, with next stage selection based on value for money 45% and quality basis 55%, along with the number of requirements matched (All requirements specified were expected to be met) six companies were invited to tender.
- 4.6 Tenderers were provided with a "shopping list" of requirements for each Lot based on current range of produce and related to expected annual quantities.

#### **5.0 Evaluation of risk**

- 5.1 The procurement of fresh, local and seasonal produce and ingredients is vital to the continued provision of high quality, and valued school food to children, young people and also the vulnerable or elderly who are assessed as eligible to receive a community meal.



- 5.2 Food provided via centrally procured contracts in this way allow for access to and supply of high quality ingredients which meet all food hygiene, storage and transport regulations.
- 5.3 Schools, stakeholders and customers across the age range and their families can be assured of products, produce and ingredients that adhere to, amongst other elements, the highest standards of animal welfare, Red Tractor Assured, Allergen information and labelling, Free Range Eggs and full traceability. Providing for safe food in a safe environment.
- 5.4 The use of electronic invoicing to an identified number of Level 3 Suppliers via DCal also produces significant savings in terms of ordering and payment of invoices via Council Lodge Cards.
- 5.5 The level of local employment within the food supply and delivery chain cannot be under-valued and adds to the Social Return on Investment (SORI) generated.

## **6.0 Conclusion**

- 6.1 Working to fully support the model and ideals of the Brilliant Co-operative Council the award of these contracts secures for the provision of fresh, local, seasonal food, produce and ingredients from proposed suppliers who all have a presence in Devon and Cornwall.
- 6.2 With developments in the school food service to increase take-up plus the introduction of UIFSM from September 2014 and community meals these contracts will further significantly increase the contract spend into Plymouth and increase employment both in the food supply chain (wholesale) and food service delivery (customer facing).
- 6.3 As a result of these contracts, spend into the local and regional economy will be between £1.6 - £1.8m per year and, with the introduction of UIFSM from September bringing an anticipated increase in meals served of 30%, this is likely to grow by a further £0.5m per year.
- 6.4 These contracts secure the employment of farmers, growers, producers and food distributors from across the region and, in schools, 250 frontline catering staff.

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**PLYMOUTH CITY COUNCIL**

<b>Subject:</b>	Education Catering Service: Creation of a Local Authority Trading co-operative Company
<b>Committee:</b>	Cabinet
<b>Date:</b>	17 June 2014
<b>Cabinet Member:</b>	Councillor McDonald
<b>CMT Member:</b>	Carole Burgoyne (Strategic Director for People)
<b>Author:</b>	Brad Pearce, Education Catering Manager
<b>Contact details:</b>	T: 01752 307159 E: brad.pearce@plymouth.gov.uk
<b>Ref:</b>	I060595
<b>Key Decision:</b>	Yes
<b>Part:</b>	I

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**Purpose of the report:**

To consider the creation of a Local Authority Trading co-operative Company: the healthy, local, school food cooperative in the light of school funding reforms.

Following real collaborative and joined up work between schools, the education catering service and the Council to secure and ensure the future of school food services in a viable, sustainable and cooperative manner it has been demonstrated by words, actions and budgetary outturn how services such as school food can be delivered in a mutually beneficial and cooperative way.

The cohort of educational establishments within the proposed structure includes maintained infant, junior, primary and special schools and academies.

Not only does this proposal and recommendation allow for the sustainable, affordable and viable service delivery in to the future but crucially is perhaps the first time that such significant numbers of individual schools and governing bodies have insisted on working together with the service for the greater good and benefit of all children and young people across the City - putting those pupils at the very heart of service planning – and sharing risk.

The co-operative trading company through its partners as shareholders will work to deliver efficient, economic, viable and sustainable services committing budgets to provide fair access to services for all and for the benefit of all.

The collaborative work of all partners as shareholders in the trading co-operative will focus and galvanise all aspects of local and regional priorities and, where possible, procurement linked to education, health and well-being of all stakeholders into the future.

The attention of Cabinet Members is drawn to the business case and appendices which are submitted in part 2 of this agenda as they contain commercially sensitive information.

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**The Brilliant Co-operative Council Corporate Plan 2013/14 -2016/17:**

The Education Catering Service and this proposal to create the City's first local authority trading co-operative truly reflects the Council's Brilliant Cooperative Plan, vision and objectives:

**Pioneering Plymouth:** the service is viewed nationally for its work and also for the pioneering way that we have worked with schools and the primary head teachers association and governors in a truly altruistic way for the greater good and shared risk.

**Growing Plymouth:** the service now and in the future has demonstrated the benefit to the local and regional economy through its procurement of fresh, local and seasonal produce. This creates employment and wealth to be re-invested in to the city. Creating the cooperative to present greater freedoms and increasing the business opportunities will allow for increased direct employment of staff.

**Caring Plymouth:** the service provides statutory free school meals across the City and to pupils in school settings with specific dietary needs. The service also provides community meals to a number of adults as referred by Adult Social Care and the opportunities and freedoms presented by the cooperative will allow for this area to grow.

**Confident Plymouth:** good food, leading to better nutrition (across all ages) leads to better attainment and future prospects. For children and young people the cooperative will allow the Council and schools to play a vital role in setting the health and well-being agenda for a generation leading to greater employment opportunities and fulfilled lives. For others, community meals allows for the Council and the cooperative to support citizens to retain their freedoms and independence.

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**Implications for Medium Term Financial Plan and Resource Implications:**

**Including finance, human, IT and land:**

None. The budgets for the school food services are all delegated to schools following School Funding Reform in 2013 and do not represent any Council or Council Tax Payer funding. Delegated budgets are for schools and academies to determine how best those should be spent and, with de-delegation prohibited, schools were offered and agreed as a cohort to "pool" all funds to support each other and share risk as an interim arrangement pending the creation of the alternative delivery structure – the local authority trading cooperative.

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

This proposal will support the Council's aims and objectives of minimising Child Poverty through support to schools of maximising take-up of free school meals thereby maximising household incomes and increasing employment opportunities for families. The service is actively working with schools to maximise the registration and receipt of Pupil Premium.

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**Equality and Diversity:**

Has an Equality Impact Assessment been undertaken? Yes

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**Recommendations and Reasons for recommended action:**

It is recommended that, subject to final due diligence checks and negotiations with schools, Cabinet accept this proposal to allow the Education Catering Service to be created as a Local Authority Trading cooperative Company jointly owned with schools with effect from 01 September 2014 in order to (a) put school food production and service at the heart of schools (b) allow for cost effective and efficient delivery of services with appropriate freedoms to secure additional business and back office support (c) ensure delivery of statutory requirements of school food and (d) demonstrate that services can be delivered in a truly cooperative way at nil cost to the Council incorporating the full co-operative model and ideals into the Governance and Board.

The final decision to proceed is delegated to the Cabinet Member for Children, Young People and Public Health in consultation with the Cabinet Member for Finance and the Assistant Director for Finance. This is providing that the degree of risk, as advised by officers, of proceeding after the completion of due diligence, negotiations with schools and implementation planning is acceptable. The reason for this is to allow implementation to continue without further Cabinet approval, within the tolerances set out in the business plan subject to the satisfactory outcome to negotiations with schools.

**Alternative options considered and rejected:**

1. Schools runs services directly and independently
2. Outsource service through OJEU and commercial tender to private sector
3. Cease service provision (statutory service)

**Published work / information:**

The School Food Plan: [www.schoolfoodplan.com](http://www.schoolfoodplan.com)

Universal Infant Free School Meals: [www.gov.uk/government/publications](http://www.gov.uk/government/publications)

Ref: DFE-00073-2014

School Funding Reform – “Next Steps towards a fairer system”

[www.gov.uk/government/publications](http://www.gov.uk/government/publications)

Ref: DFE-00029-2012

**Background papers:**

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	
Equality Impact Assessment	x									

**Sign off:**

Fin	Djn. 1415 .09	Leg	LT 1993 6	Mon Off	DVS /204 48	HR	HR- CS0 2.6.1 4	Assets		IT		Strat Proc	
Originating SMT Member: Judith Harwood													
Has the Cabinet Member(s) agreed the content of the report? Yes													

## **1.0 Introduction**

- 1.1 There is a statutory requirement for nutritionally compliant school meals to be provided in all schools and academies by virtue of the Education Act 1996, the Education and Inspections Act 2006 (plus amendments in 2007, 2008 and 2009) and now the Children and Families Act 2014.
- 1.2 The requirement is to provide a nutritionally compliant Free School Meal (FSM) to those pupils registered as eligible under set Government criteria (based on household income and access to benefits), a Paid for Meal upon request of the pupil or parent / guardian and now, from September 2014, a free school meal to all pupils aged 5 – 7 (i.e. those pupils in Reception, Year 1 and Year 2) a Universal Infant Free School Meal (UIFSM).
- 1.3 Furthermore, although these statutory responsibilities transferred from the Council to individual School Governing Bodies upon delegation, an inability by schools to meet these needs will directly impact the aims, pledges and priorities of the Council.
- 1.4 In Plymouth, we have supported the provision of school food as a centrally delivered service since local government re-organisation in 1998 and have made significant investment in the service and infrastructure over the last 7 years including refurbishment of 40-plus school kitchens and, with Exceptional Capital funding have designed, built and installed 20 new kitchens where schools previously had no facilities, ending transported meals across the City.
- 1.5 The Education Catering Service is recognised nationally for its high profile work producing high quality school food with a dedicated and committed frontline staff (circa 250 employees) using fresh, seasonal and locally sourced produce wherever possible.
- 1.6 The service is a Fairtrade champion, supporting the City's Fairtrade status and works with schools through its Fairtrade Schools Group to provide support with educational activities with support from our local suppliers and, in conjunction with School Nutrition Action Groups (SNAG) work to increase awareness of Fairtrade and the number of Fairtrade items and ingredients used on school menus
- 1.7 The service was the first local authority caterer in the country to achieve the Soil Association's Food for Life Gold Catering Mark and is the current holder of EDUcatering Excellence Award as Local Authority Caterer of the Year 2013, runner up in the Cost Sector 2014 Service Team of the Year and is nominated for MJ Excellence Award 2014 as Best Council Services Team.
- 1.8 The service is a founder member of Food: Plymouth and the Sustainable Food City network and is currently working with these partners (including the National Marine Aquarium) to secure Sustainable Food City and Sustainable Fish City status.

## **2.0 Reason for change**

- 2.1 As a consequence of School Funding Reform – “Next Steps towards a fairer system” the budgets for the provision of school meals across the City were required to be delegated with effect from 01 April 2013. De-delegation was specifically prohibited.

- 2.2 The funds available are all central Government funds from the Dedicated Schools Grant (DSG) and cover FSM (current eligibility criteria), equipment maintenance, repair and replacement, statutory H & S plus other statutory aspects, trade waste collections and utilities. Additional revenue funding for UIFSM is due in June 2014.
- 2.3 There is no central or corporate budget to pay staff or purchase food and ingredients. This is funded from FSM and paid meal income. This is a truly traded service.
- 2.4 As a result of the agreed scheme of delegation it was apparent that individual schools would receive varying sums of money and that individually they would be unlikely to be able to continue to maintain their kitchens, employ staff and deliver the food service.
- 2.5 As a centrally provided service the Council had also, to date, provided some additional financial support at year-end for the reducing, but ongoing, costs of job evaluation. As a consequence it was considered highly likely that schools would be forced to close school kitchens, fail in the statutory delivery of school food resulting in staff redundancies and loss of business and income for local and regional food and ingredient producers and wholesalers and the consequential loss of the Social Return on Investment (SORI) as recognised by the independent report by the New Economic Foundation in 2012 which identified that the benefit to the local and regional economy was £3.04 for every £1.00 spent.

### **3.0 Action, consensus and positive cooperation**

- 3.1 Working collaboratively, and building on the trust and strengths of relationships between schools, the Plymouth Association of Primary Head teachers (PAPH) and the education catering service it was relatively easy to identify a very clear and politically altruistic way forward.
- 3.2 Schools and partners liked and valued the services they were receiving. They wanted to retain yet strengthen the partnerships and working arrangements that were in place. They understood what should be provided and what needed to happen.
- 3.3 For the financial year 2013/14, all those schools and academies receiving services from the Education Catering Service agreed to “pool” the entire delegated funds in a spirit of true cooperative thinking to support each other, share risk and ensure continued provision of high quality food, at the same cost to all pupils regardless of where they lived or attended school.
- 3.4 Schools entered into this “pooled” budget arrangement for the period 01 April 2013 onwards on the understanding that this was an interim arrangement until the creation of an alternative delivery structure was created and, as a group, asked that the Education Catering Service provide the service during this period of transition.
- 3.5 Schools supported the “pooling arrangement” fully intending that it would ultimately lead to the setting up of a company which had a strong schools representation.
- 3.6 Cabinet, recognising this consensus, also agreed, for a fixed term and at a year-on-year and reducing level, to support schools financially with the additional costs of job evaluation pending identification and agreement on a sustainable, viable city-wide service delivery model. PAPH and schools welcomed this additional support.

- 3.7 A School Food Steering Group was convened in January 2013 consisting of representatives from PAPH, PAG (Plymouth Association of Governors), Headteachers from maintained primary and special schools, academies, governors and school business managers as well as officers from the service, HR, Finance and others as appropriate to the agenda and topic.
- 3.8 There were clear and defined Terms of Reference and a short, focussed and targeted task and finish programme of meetings and agenda: to explore options for the future delivery of a sustainable school food service in which schools would be integral to the service delivery. See Appendix A (Part I).

#### 4.0 Local improving performance and take-up of school meals

- 4.1 Take up for the year ending 2012/13 equated to a circa 38% which, although marginally below the national average of circa 40% is the highest in the South West. Working cooperatively with schools and PAPH this last year has paid significant dividends with take-up in individual schools increasing by around 10% and a significantly improved financial outturn position for the overall business. Appendix B – Year-end Comparison 2012/13 v. 2013/14 (Part II)

	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013	2013/14
Paid for Meals	1,038,342	870,837	856,376	863,531	806,499	806,513	896,915
Free school meals	552,398	518,209	566,950	611,224	611,566	632,394	633,874

- 4.2 Providing every child with the Best Start in Life and improving health inequalities and outcomes are key City objectives. By ensuring that children and young people from all backgrounds are able to access high quality, freshly prepared school food using fresh, seasonal and local ingredients which also meet the mandatory food and nutritional standards this service plays a pivotal role. In particular the service supports colleagues in schools, the Council and Public Health to:
- “Reduce Child Poverty” and “Reduce the gap in life expectancy by at least 10% between the lowest fifth of areas with the lowest life expectancy and the population as a whole by 2020”; and,
  - “Decrease the rate of childhood obesity in Year 6 children by 10% by 2020”
  - “Boost local purchasing” - an independent review by the New Economics Foundation (NEF) reported that food purchases by the service from local and regional suppliers contributed £1.2 million to the economy annually and for every pound spent saw a return of £3.04.
- 4.3 The announcement of UIFSM from September 2014 provides a significant opportunity to increase the take up of meals. This will allow the opportunity for more children from all backgrounds to receive high quality, freshly prepared, locally sourced food. In addition the increase in volumes will:
- increase funding and income levels to move the service on to a more sustainable footing
  - increase local procurement and spend into the local economy



- increase employment opportunities, and;
- through re-investment of surpluses, maintain the kitchen estate to support not only lunch but also breakfast and after-school provision
- allow for creative use of the kitchen facilities and staff to support the delivery of the new curriculum requirement to provide practical cookery to all pupils up to the age of 14.

## **5.0 A cooperative future and a plan for traded growth and development**

- 5.1 Through extensive engagement, schools have signalled a very clear desire to work collaboratively and cooperatively with the Council through PAPH Cooperative CIC to create a local authority trading co-operative company as a first stage move towards a fully Co-operative Trading Entity over a given period. See Appendix C – list of schools and academies (Part I).
- 5.2 The proposal is that the trading cooperative will be 51% Council owned and 49% owned by schools and will be a company limited by shares.
- 5.3 External legal advice has been received and the Governance and Board Structure has been set-out as appropriately constituted with One School: One Vote.
- 5.4 Co-operative aspects woven into the Governance and Board structures will provide for : -
- Members of the Co-operative (in this case schools) to have a controlling influence over the direction of the organisation which will positively impact service quality.
  - The comparatively low risks to managing high costs associated with in house provision/ maintaining the status quo.
  - The ability of the members of the organisation e.g. service users to benefit from the success of the organisation which improves local ownership, control and oversight.
- 5.5 The freedoms provided by the local authority trading cooperative will enable continued delivery of nutritionally balanced menus and efficient procurement of food, contributing to the city strategy, corporate objectives and better services to priority customer groups (children and young people and those living in the most deprived wards) and crucially allow for schools, parents / guardians and pupils to be assured of the continued delivery of locally sourced, fresh, seasonal, cost effective and safe food and ingredients.

## **6.0 Additional mutual and cooperative outcomes and benefits**

- 6.1 The influence and control schools and the Council can exercise over services, in particular in its ability to appoint the board of directors which will positively impact service quality.
- 6.2 The comparatively low risks to managing high costs associated with in-house provision/ maintaining the status quo, combined with the advantage of avoiding the costs of procurement under the TECKAL exemption.
- 6.3 The ability of the Local Authority co-operative Trading Company to manage its financial relationship through dividends paid back the trading cooperative and through the control with the organisation to provide services. Schools, with the Council, retain control over the surplus/ dividend.

- 6.4 The development of this new Cooperative model with schools as shareholders, through PAPH Co-operative CIC (representing schools) will be the torchbearer for achieving the City's ambition of being a Co-operative Council and allows opportunities for other stakeholder groups to take control of the direction of the services delivered.

# SCHOOL FOOD TECHNICAL STEERING GROUP

Final Business Plan 2013/14



The School Food Reference Group was established to manage the changes to school meals delivery following the national school funding reform. The majority of maintained primary and special schools have agreed to pool catering budgets during 2013/14 whilst alternative delivery models are explored.

## Scope

The following are within the scope of work for the School Food Reference Group:

- 1) Consideration of the future delivery models for school meals
- 2) Finance arrangements for the catering pool from April 2013 to March 2014
- 3) Profitability of individual school kitchens
- 4) Menu development in line with nutritional standards
- 5) Impact of welfare reform – eligibility criteria and ability of parents to pay
- 6) Setting the meal price
- 7) Food contracts procurement
- 8) Staffing issues
- 9) Wider issues such as childhood obesity and whole school food policies

## Principles

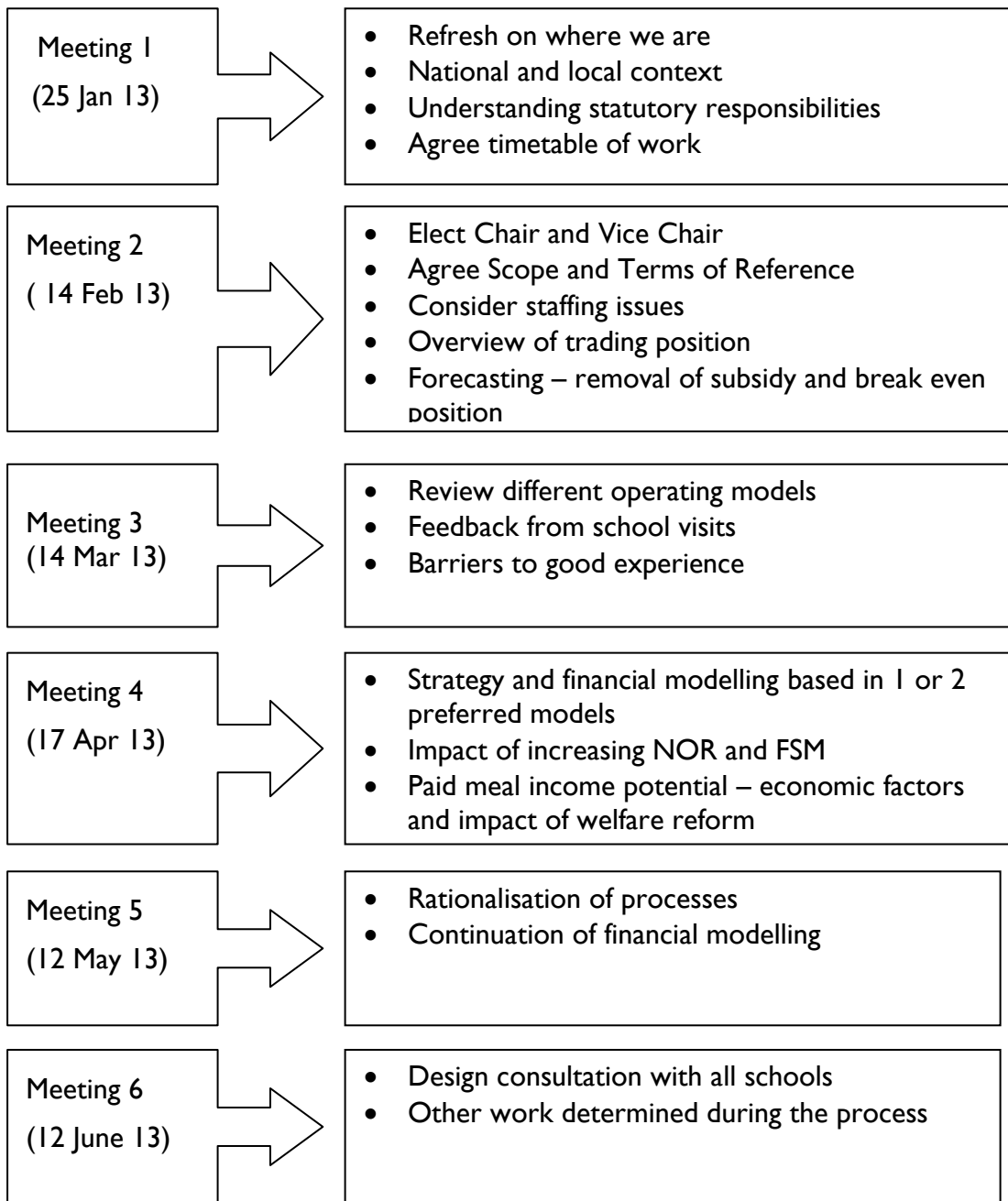
All recommendations of the group will be based on the following principles:

- 1) Children need to be involved in shaping the offer
- 2) Building on strengths and what the majority of schools have said via decision to pool
- 3) Collaboration and cooperative model values
- 4) Vision for a longer term sustainable City wide offer

## Governance Arrangements

The group will operate according to the Terms of Reference.

**Timetable of Work**



**Minutes of the Meeting**

Minutes will be taken. Part 1 will be published via the PAPH Newsletter, Part 2 will remain confidential to the steering group.

# School Food Steering Group

## Terms of Reference

### **1. Membership**

The members of the group will be drawn from:

Primary Sector	-	4 Representatives
Special Sector	-	2 Representatives
Governors	-	2 Representative
Academy	-	1 Representative

Local Authority officers will feed into relevant meetings.

### **2. Quorum**

The number of members required at each meeting to reach quorum is:

Primary Sector	-	2 Representatives
Special Sector	-	1 Representatives
Governors	-	1 Representative
Academy	-	0 Representative

Each sector has an obligation to ensure the group is quorate.

### **3. Observers**

Observers may attend and will be subject to the Part II exclusions.

### **4. Appointment of Chair and Vice Chair**

The members of the group will appoint a Chair and Vice Chair which may be an officer of the Local Authority.

### **5. Conduct of Meetings**

The meetings will not be held in public.

Members will be required to make declarations of interest relating to any potential personal gain.

Members should seek to represent the views of all children and schools and not their individual establishment.

Members will recognise the importance of confidentiality when discussing sensitive information and adhere to the agreed communication protocols.

### **6. Communication Protocols**

The group will approve communication updates for all schools at the end of each meeting outlining the work of the group and timetable for releasing detailed information.

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<b>Primary</b>	IN THE POOL 2013/14	IN THE POOL 2014/15
Austin Farm	Yes	Yes
Beechwood	Yes	Yes
Boringdon	Yes	Yes
Cathedral	Yes	Yes (Acad 1/4/14)
Chaddlewood	Yes	Yes
College Road	Yes	Yes
Compton C of E	Yes	Yes
Drake	Yes	Yes
Dunstone	Yes	Yes
Egguckland Vale	Yes	Yes
Elburton	No / Acad	No / Acad / Sep SLA with service
Ernesettle	Yes	Yes
Ford	Yes	Yes
Glen Park	Yes	Yes
Goosewell	Yes	Yes
High Street	Yes	Yes
Highview	Yes	Yes
Holy Cross RC	Yes	Yes (Acad 1/4/14)
Hooe	No / Acad	Yes / Acad / new
Hyde Park Infants	Yes	Yes
Hyde Park Junior	Yes	Yes
Keyham Barton RC	Yes	Yes (Acad 1/4/14)
Knowle	Yes	Yes
Laira Green	Yes	Yes
Leigham	Yes	Yes
Lipson Vale	Yes	Yes
Manadon Vale	Yes	Yes
Marlborough	Yes	Yes
Mary Deans C of	Yes	Yes
Mayflower	Yes	Yes / Acad
Montpelier	Yes	Yes
Morice Town	Yes	Yes
Mount Street	Yes	Yes
Mount Wise	Yes	Yes
Oakwood	Yes	Yes
Pennycross	Yes	Yes
Pilgrim	Yes	Yes
Plaiستow Hill	Yes	Yes
Plympton St Mary's CE Infant	Yes	Yes
Plympton St Maurice	Yes	Yes
Pomphlett	Yes	Yes
Prince Rock	Yes	Yes
Salisbury Road	Yes	Yes
Shakespeare	Yes	Yes
St Andrews C of E	Yes	Yes
St Budeaux	Yes	Yes
St Edward's Church	Yes	Yes
St George's C of E	Yes	Yes / Acad
St Joseph's RC	Yes	Yes (Acad 1/4/14)
St Paul's RC	Yes	Yes (Acad 1/4/14)
St Peters C of E	Yes	Yes
St Peter's RC	Yes	Yes (Acad 1/4/14)
Stoke Damerel	Yes	Yes
Stuart Road	Yes	Yes
Thornbury	Yes	Yes
Tor Bridge	Yes	Yes
Victoria Road	Yes	Yes
Weston Mill	Yes	Yes
Widley Court	Yes	Yes
Woodfield	Yes	Yes
Woodford Primary	Yes	Yes
Yealmpstone Farm	Yes	Yes
	60	61
<b>Special</b>		
Brook Green	Yes	Yes
Courtlands	Yes	Yes
Downham	Yes	Yes
Longcause	Yes	Yes
Mill Ford	Yes	Yes
Martinsgate	No	Yes
	5	6
Total schools in "pool"	65	67

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# CABINET

17 June 2014



## CABINET APPOINTMENTS

Report of Giles Perritt, Assistant Chief Executive

Cabinet Member: Councillor Evans

A number of appointments to various bodies were submitted to the Annual Meeting of the City Council subject to confirmation by Cabinet at its first meeting of the municipal year -

Subject to approval at the Annual Meeting of the Council, Cabinet are recommended to confirm the following appointments –

	Role	Organisation	Membership	Appointments 2014/15
1	Joint Cabinet Committee	South West Devon Joint Waste Partnership	Two Cabinet Members + one observer  Any Cabinet Member can act as a substitute member	Councillors Coker and Vincent  Councillor Michael Leaves - observer
2	Advisory Group to Cabinet	Mount Edgumbe Joint Committee	Seven City Councillors  Four Labour and three Conservative councillors	Councillors Peter Smith (Chair), Damarell, McDonald, Vincent, Mrs Pengelly, Churchill, Stark.  <b>Substitutes:</b> Councillors Jarvis, Sparling and Fry.
3	Advisory Group to Cabinet	Employment Liaison Committee	Five councillors  Three Labour and two Conservative councillors including the Cabinet Member with responsibility for staffing	Councillors Peter Smith, Hendy, Sparling, Mrs Beer and Sam Leaves.

4	Advisory Group to Cabinet	Corporate Parenting Group	Eight councillors Four Labour and four Conservative councillors	Councillors Philippa Davey (Chair), Bowie, Sam Davey, Tuohy, Mrs Bowyer (Vice Chair), Jordan, Mrs Foster and Downie.
5	Advisory Group to Cabinet	Child Poverty Working Group	Six councillors Three Labour and three Conservative councillors	Councillors Penberthy, Bowie, McDonald, Mrs Beer, Mrs Bowyer and Downie.

	<b>Organisation</b>	<b>Members</b>	<b>Appointments 2014/15</b>
6	Bus Lane Adjudication Service Joint Committee	Cabinet Member with responsibility for transport	Councillor Coker
7	PATROL (Parking and Traffic Regulations outside London) Adjudication Joint Committee	Cabinet Member with responsibility for transport	Councillor Coker
8	Plymouth Urban Fringes Development Plan Document Joint Member Panel	two councillors – posts of Leader and Deputy Leader	Cllrs Evans and Peter Smith
9	Tamar Science Park Ltd. – Board of Directors	one Cabinet Member + one officer	Cllr Evans with authority to vote on behalf of the Council at the AGM David Draffan
10	Heart of the South West Local Enterprise Partnership	Cabinet Member with responsibility for economic development	Councillor Evans
11	Heart of the South West Community Interest Company (when established)	Cabinet Member with responsibility for economic development and deputy	Councillor Evans Deputy: Chief Executive
12	Heart of the South West Local Transport Board	Cabinet Member with responsibility for transport	Councillor Coker

13	Plymouth Growth Board	Cabinet Member with responsibility for economic development / regeneration	Councillor Evans
14	Plymouth Culture Board	Cabinet Member with responsibility for culture	Councillor Peter Smith
15	Plymouth Sports Board	Cabinet Member with responsibility for sport	Councillor Peter Smith
16	Plymouth Community Safety Partnership	Cabinet Member or officer	Councillor Penberthy
17	Plymouth Children's Partnership	Cabinet Member with responsibility for children and young people	Councillor McDonald
18	Children's Safeguarding Board	Cabinet Member with responsibility for children and young people	Councillor McDonald
19	Adult Safeguarding Board	Cabinet Member with responsibility for adult social care	Councillor Tuffin
20	Care and Repair Management Committee	Cabinet Member for adult services	Councillor Tuffin
21	Destination Plymouth Board	Cabinet Member for Planning, Strategic Housing and Economic Development	Councillor Evans
22	Plymouth Waterfront Partnership Board	Leader/Cabinet Member	Councillor Peter Smith
23	Plymouth Waterfront Partnership Board	Three ward councillors from the St Peter and the Waterfront and Sutton and Mount Gould Wards	Councillors McDonald, Mrs Nelder and Penberthy
24	City Council Investment Board	Leader / Deputy Leader and Cabinet Members with responsibility for finance, education and transport	Councillors Evans/ Peter Smith, Coker, Lowry and McDonald

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