

Cabinet

Tuesday 15 July 2014

PRESENT:

Councillor Evans, Chair
Councillor Peter Smith, Vice Chair
Councillors Coker, Lowry, McDonald, Penberthy, Tuffin and Vincent

Apologies for late arrival: Tracey Lee (Chief Executive)

Also in attendance: Mike Artherton (Parking and Marine Service Manager), Carole Burgoyne (Strategic Director for People), Hannah Daw (Policy and Business Planning Officer), Councillor Darcy (Chair of the Working Plymouth Co-operative Scrutiny Review Group), Judith Harwood (Assistant Director for Education, Learning and Families), Philip Heseltine (Head of Integrated Transport), Nicky Jones (Commissioning Lead, West Locality NEW Devon CCG), Craig McArdle (Head of Co-operative Commissioning), Stuart Palmer (Assistant Director for Homes and Communities), Anthony Payne (Strategic Director for Place), Chris Trevitt (Head of Partnerships and Operations), Mark Turner (Head of Waste Services), Craig Williams (Interim Programme Manager Integrated Health and Wellbeing) and Helen Wright (Democratic Support Officer).

The meeting started 2pm at and finished at 3.40pm.

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

16. **DECLARATIONS OF INTEREST**

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

17. **MINUTES**

Agreed the minutes of the meeting held on 17 June 2014.

18. **QUESTIONS FROM THE PUBLIC**

There were no questions submitted from members of the public for this meeting.

19. **CHAIR'S URGENT BUSINESS**

Councillor Evans (Council Leader) welcomed the MTV Crashes event to Plymouth which was taking place on the Hoe this evening. Top named bands would be performing, including the Kaiser Chiefs, The 1975, Example and Kiesza. The event would be broadcast in August 2014 to a potential audience of two million people. This was a fantastic opportunity to showcase Plymouth.

The second night of the event on Wednesday 16 July 2014 would be host to local bands.

This event formed part of the '100 Years 100 Events' programme which commemorated World War I and celebrated the centenary of the amalgamation of the Three Towns of Plymouth.

20. **CONTROLLED PARKING ZONES: ON STREET PARKING REVIEW SCRUTINY REPORT**

Councillor Darcy (Chair of the Working Plymouth Co-operative Scrutiny Review Group), attended the meeting and presented the scrutiny recommendations following their review of controlled parking zones and on street parking. He also presented the comments of the Co-operative Scrutiny Board referred to in minute 14 of its meeting held on 25 June 2014.

Councillor James, Chair of the Co-operative Scrutiny Board, was not able to attend the meeting.

Anthony Payne (Strategic Director for Place) submitted a report responding to the recommendations in the scrutiny report and by the Co-operative Scrutiny Board. The recommendations would form a Controlled Parking Zone (CPZ) policy which would define when the introduction a CPZ was appropriate to tackle difficulties with residents parking and set out a co-operative and democratic approach to the consultation for and adoption of such schemes.

Councillor Coker (Cabinet Member for Transport) thanked the co-operative review group for their work.

Mike Artherton (Parking and Marine Service Manager) and Gill Peele (Business Manager) also attended the meeting for this item.

Councillor Evans (Chair) joined with Councillor Coker to thank the Panel and the Co-operative Scrutiny Board for their work, together with the co-operative review group members and all those who supported it.

Alternative options considered and reasons for the decision –

As set out in the report.

Agreed the recommendations from the Co-operative Scrutiny Board, together with officer recommendations, for the adoption of a Controlled Parking Zone policy. The policy sets and defines the criteria for when a Controlled Parking Zone is an appropriate tool to help resolve parking difficulties within residential areas (as set out in the report).

21. **EXTREME WEATHER RESILIENCE REPORT**

Anthony Payne (Strategic Director for Place) submitted a report updating Cabinet of the effects of this winter's extreme weather on the City in terms of its impact on local highway maintenance, strategic road and rail connections between the city and the rest of the UK, damage to properties, green infrastructure and the City's foreshore. The report also detailed the City's resilience in dealing with this.

Councillor Coker (Cabinet Member for Transport) introduced the proposals. Philip Heseltine (Head of Integrated Transport) and Chris Trevitt (Head of Partnerships and Operations) also attended the meeting for this item.

Alternative options considered and the reasons for the decision –

As set out in the report.

The report is noted.

Agreed to write to the Local Government Association supporting any proposals to establish a ring-fenced recovery fund for extreme weather events, in order to provide certainty for local authorities for this process.

Councillor Evans (Council Leader) once again thanked the Council's staff, who had worked above and beyond the call of duty during the storms and also the staff of Amey.

22. **A FRAMEWORK FOR WORKING WITH OUR CITIZENS AND COMMUNITIES**

Carole Burgoyne (Strategic Director for People) submitted a report providing a draft new framework of working with Plymouth's citizens and communities to -

- (a) listen and respond to the Council's customers around the provision of services and city wide agendas; and
- (b) create a more sustainable model of engagement whereby citizens take control of their own communities.

Although Plymouth had had some success of working with, and within, communities, feedback indicated that engagement was fragmented, partial and community empowerment activity did not address the fundamental issue of enabling citizens to be in control of their own communities. The new framework aimed to address these shortcomings.

Councillor Peter Smith (Deputy Leader) introduced the proposals.

Stuart Palmer (Assistant Director for Homes and Communities) and Hannah Daw (Policy and Business Planning Officer) attended the meeting for this item.

Councillor Evans (Council Leader) reported that pre decision scrutiny by the Your Plymouth Scrutiny Panel had asked Cabinet to delay the decision to adopt the framework pending a co-operative review being undertaken. However, this would prevent work with partners and communities on developing the detail of how this would work in practice.

Alternative options considered and the reasons for the decision –

As set out in the report.

Agreed that -

- (1) Council adopts the co-operative engagement principles and framework as the basis for a different model of working with and supporting citizens and communities in Plymouth. These should be applied when anyone on behalf of the Council plans, develops, delivers or supports service and community engagement activity.
- (2) the Deputy Leader of the Council and officers work with members of the Your Plymouth Scrutiny Panel on a co-operative review to explore:
 - (a) how the framework would best roll out at a local level, including the potential for development of the role of ward councillors;
 - (b) how existing community organisations including Economic Development Trusts could hold and deploy neighbourhood budgets to commission local services such as youth services or health projects;
 - (c) how public health funding could be incorporated and deployed into neighbourhood budgets so that communities could commission projects and initiatives to tackle highly localised health issues and improve health and well being;
- (3) there is a community consultation exercise to receive feedback on the framework which will inform the implementation planning and an Equality Impact Assessment;
- (4) our Council works with key public, private and voluntary sector partners in the city to jointly coordinate the development of practical responses to the framework, sharing resources and delivering collectively.

23. **ROYAL NAVY PARTNERSHIP PLAN**

Tracey Lee (Chief Executive) submitted a report on a draft Royal Navy Partnership Agreement which had been jointly prepared to outline the commitment that the Royal Navy had in enhancing its visibility and image within the City and provided an enduring framework to formalise the respective roles of the Royal Navy and Plymouth City Council.

An Activity Plan would be agreed which identified the current joint working arrangements and sought to provide a co-ordinated and collaborative approach to working better together.

Councillor Penberthy (Cabinet Member for Co-operatives, Housing and Community Safety) introduced the proposals. Commodore Little, Naval Base Commander, had been invited to the meeting but, unfortunately, was not able to attend.

Alternative options considered and the reasons for the decision –

As set out in the report.

Agreed –

- (1) to adopt the Royal Navy Partnership Agreement as submitted;
- (2) that the Activity Plan would be submitted to Cabinet at a future date for its approval.

24. **CORPORATE PLAN REVIEW**

Tracey Lee (Chief Executive) submitted a report updating the Corporate Plan 2013/14 - 2016/17 which set out Plymouth's vision to become a Brilliant Co-operative Council, including the Council's values, objectives and outcomes as well as the key actions that would deliver the required changes. The review brought the plan in line with the commitments considered by Cabinet on 17 June 2014 and also removed duplicate and completed actions.

A report on progress against the Corporate Plan was submitted on a quarterly basis to the Co-operative Scrutiny Board and Cabinet and the revisions to the Corporate Plan actions set out in the report would be reported in quarter 2: October 2014.

Councillor Evans (Council Leader) introduced the proposals.

Alternative options considered and the reasons for the decision –

As set out in the report.

Agreed the revisions to the Corporate Plan appended to the report and Recommends it to the City Council for adoption.

25. **FAIRER CHARGING FOR NON-RESIDENTIAL SERVICES**

Carole Burgoyne (Strategic Director for People) submitted a report setting out the Council's proposed revised Fairer Charging Policy for non-residential services and the rationale for changing the existing policy. The proposed policy would ensure that charging would be based on the ability to pay, meet the legal framework for such policies and afford protection for veterans.

The proposed policy would bring Plymouth into line with comparator and neighbouring authorities, align Fairer Charging to the City Council's Fees, Charges and Concessions Policy and also to the guidance and regulations of the new Care Act 2014. Implementation of the policy would raise additional revenue which in turn would protect front line service delivery.

The report also detailed the comprehensive consultation process undertaken in developing this policy and how the policy would meet individual circumstances and needs.

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

The recommendations of the Caring Plymouth Co-operative Scrutiny Review Group were noted.

Craig McArdle (Head of Co-operative Commissioning) also attended the meeting for this item.

Alternative options considered and the reasons for the decision –

As set out in the report.

Agreed the revised Fairer Charging Policy for non-residential services.

26. **INTEGRATED COMMISSIONING BUSINESS CASE**

Carole Burgoyne (Strategic Director for People) submitted a report on the Integrated Commissioning project, which formed part of the Integrated Health and Well Being transformation programme, together with the business case for the project. The business case set out how Plymouth City Council and Northern, Eastern and Western Devon Clinical Commissioning Group (NEW Devon CCG) proposed to take forward Integrated Commissioning, in line with the Health and Wellbeing Board's vision of achieving integration by 2016.

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

The recommendations of the Caring Plymouth Co-operative Scrutiny Review Group were noted.

Judith Harwood (Assistant Director for Education, Learning and Families, Craig McArdle (Head of Co-operative Commissioning), Craig Williams, (Interim Programme Manager for Integrated Health and Wellbeing) and Nicky Jones (Commissioning Lead, West Locality NEW Devon CCG) also attended the meeting.

Alternative options considered and the reasons for the decision –

As set out in the report.

In order to meet the challenges facing the health and care system, Agreed that -

- (1) Plymouth City Council reviews all commissioning activity across the People Directorate and Office of the Director of Public Health and establishes a single co-operative commissioning unit ahead of integration;
- (2) Plymouth City Council works collaboratively with NEW Devon CCG to achieve a fully integrated commissioning function new entity by March 2016;
- (3) Plymouth City Council works with NEW Devon CCG to develop a section 75 agreement(s) by the end of March 2015 to pool budgets

based around:

- (a) wellness;
- (b) community based care;
- (c) complex / bed based care (excluding acute);

as a result, Plymouth City Council and NEW Devon CCG will work collaboratively to achieve an interim commissioning function by March 2015;

- (4) Plymouth City Council works with NEW Devon CCG to develop single commissioning strategies based around the above;
- (5) Recommendations (2), (3) and (4) are subject to further Plymouth City Council and NEW Devon CCG governance approvals prior to implementation in November 2014.

(Please note: Tracey Lee (Chief Executive) arrived and was present for the remaining items on the agenda).

27. **INTEGRATED COMMUNITY HEALTH AND SOCIAL CARE DELIVERY**

Carole Burgoyne (Strategic Director for People) submitted a report on the Integrated Community Health and Social Care Delivery project, which formed part of the Integrated Health and Well Being transformation programme, together with the full business case which set out how Plymouth City Council and Northern, Eastern and Western Devon Clinical Commissioning Group (NEW Devon CCG) proposed to take forward Integrated Community Health and Social Care Delivery, in line with the Health and Wellbeing Board's vision of achieving integration by 2016.

It was anticipated that by further developing an integrated approach to service delivery, citizens of Plymouth would have improved access to the right support, at the right time and by the right person. This would remove current duplication and support statutory services to meet the growing demand of complex health and social care need across the city

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

The recommendations of the Caring Plymouth Co-operative Scrutiny Review Group were noted.

Judith Harwood (Assistant Director for Education, Learning and Families, Craig McArdle (Head of Co-operative Commissioning), Craig Williams, (Interim Programme Manager for Integrated Health and Wellbeing) and Nicky Jones (Commissioning Lead, West Locality NEW Devon CCG) also attended the meeting.

Alternative options considered and the reasons for the decision –

As set out in the report.

Plymouth City Council and NEW Devon CCG being minded to integrate health and social care services, Agreed that –

- (1) Plymouth City Council works with NEW Devon CCG to develop a Section 75 agreement that pools relevant Adult Social Care and CCG budgets to facilitate the creation of a single community health and social care delivery model;
- (2) Plymouth City Council works with NEW Devon CCG to develop robust governance, contractual and financial systems that provide appropriate assurance to both organisations;
- (3) Plymouth City Council works with NEW Devon CCG and Plymouth Community Healthcare (PCH) as the incumbent local community health provider, on developing and evaluating options for the integration of Community Health and Adult Social service delivery in the City by April 2015;
- (4) to consult with staff, unions and stakeholders in developing the new service model;
- (5) the final position to be presented to Cabinet and NEW Devon CCG Governing Body in November 2014 for decision.

28. **CO-OPERATIVE CHILDREN AND YOUNG PEOPLE'S SERVICES**

Carole Burgoyne (Strategic Director for People) submitted a report on the Children and Young People's Services project, which formed part of the Integrated Health and Well Being transformation programme, together with the outline business case which set out how Plymouth City Council, in conjunction with partners, was taking forward Co-operative Children and Young People's Services in line with the priorities set out in the Plymouth Children and Young People's Plan 2011 – 2014, which was currently being refined by the Children's Partnership.

The outcomes expected from the programme were –

- (a) the prioritisation of delivering an enhanced prevention and early intervention capability for children, young people and families;
- (b) the improvement of educational outcomes for all and raising aspiration through an enhanced and integrated way of delivering school to school support and school improvement;
- (c) the extension of school organisation and support services through creation of cooperative trading companies where assets can be distributed to meet need;
- (d) the development of community learning and support for neighbourhoods through the development of a cooperative joint

venture between Plymouth Adult and Community learning (PACLs) and voluntary sector organisations;

- (e) the creation of a Local Authority Trading Co-operative Company: the healthy, local, school food co-operative;

Councillor McDonald (Cabinet Member for Children, Young People and Public Health) introduced the proposals.

Judith Harwood (Assistant Director for Education, Learning and Families, Craig McArdle (Head of Co-operative Commissioning), Craig Williams, (Interim Programme Manager for Integrated Health and Wellbeing) and Nicky Jones (Commissioning Lead, West Locality NEW Devon CCG) also attended the meeting.

Alternative options considered and the reasons for the decision –

As set out in the report.

Agreed that -

- (1) approval is given to the Outline Business Case that sets out how Plymouth City Council, in conjunction with partners, is to take forward Co-operative Children and Young People's Services in line with the priorities set out in the Plymouth Children and Young People's Plan 2011 – 2014;
- (2) further work is undertaken to develop a detailed business case which would develop five clusters which would form the proposed new co-operative delivery model -
 - education catering and facilities services;
 - community and extended learning;
 - targeted services (SEN);
 - aspiration and learning;
 - knowledge and intelligence.

Councillor Evans (Council Leader) took the opportunity to thank officers for their hard work and commitment in progressing the Integrated Commissioning Business Case, the Integrated Community Health and Social Care Delivery and the Co-operative Children and Young People's Services.

29. **IMPLEMENTING THE CARE ACT 2014**

Carole Burgoyne (Strategic Director for People) submitted a report on the Care Act 2014 which created a single modern piece of law for adult care and support in England and introduced significant new duties on local authorities with significant change involving finances, processes and people.

The report set out the main changes brought about by the legislation and the approach that Plymouth City Council was adopting to deliver its successful implementation which was linked to the wider Integrated Health and Wellbeing Transformation Programme.

Funding reforms would introduce a national minimum eligibility threshold, a cap on care costs, the introduction of Independent Personal Budgets, the maintenance of Care Accounts and a universal Deferred Payment Scheme.

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

Craig McArdle (Head of Co-operative Commissioning) and Craig Williams (Interim Programme Manager for Integrated Health and Wellbeing) also attended the meeting for this item.

Alternative options considered and the reasons for the decision –

As set out in the report.

Agreed that -

- (1) the implementation of the Care Act is linked to the wider Integrated Health and Wellbeing Transformation Programme;
- (2) the potential financial impact of the Care Act 2014 is recognised and Cabinet receive regular update reports as details become clearer.

30. **APPROVAL TO AWARD A CONTRACT EXTENSION FOR THE ONGOING MANAGEMENT OF LANDFILL GAS AT CHELSON MEADOW LANDFILL SITE**

Anthony Payne (Strategic Director for Place) submitted a report on a proposal to extend the existing landfill gas management contract for Chelson Meadow with the existing specialist landfill gas contractor (Chelson Meadow Energy Ltd a subsidiary of CLP Envirogas), with updated commercial terms to reflect partnering obligations and an equitable sharing of costs and incomes.

The obligations under the Council's Waste Management Licence in relation to the Chelson Meadow site, included the active management and control of gas and emissions generated from the landfill and the existing contractor combusts the extracted gas on the site to produce electricity which was sold into the National Grid.

A separate report, containing commercially sensitive information was also submitted and was referred to in minute 32 below.

Councillor Vincent (Cabinet Member for Environment) introduced the proposals.

Mark Turner (Head of Waste Services) attended the meeting for this item.

Alternative options considered and the reasons for the decision –

As set out in the report.

Agreed that the existing landfill gas management contract with the existing specialist landfill gas contractor (Chelson Meadow Energy Ltd a subsidiary of CLP Envirogas) is extended for a maximum period of 20 years with updated commercial terms on the terms and agreed amendments to contract conditions to include partnering obligations and an equitable sharing of costs and incomes as outlined in the private Contract Award Report referred to in minute 32 below.

31. **EXEMPT BUSINESS**

Agreed that under Section 100(A)(4) of the Local Government Act, 1972, the press and public are excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

32. **APPROVAL TO AWARD A CONTRACT EXTENSION FOR THE ONGOING MANAGEMENT OF LANDFILL GAS AT CHELSON MEADOW LANDFILL SITE (E3)**

Anthony Payne (Strategic Director for Place) submitted the contract award report for an extension of the existing landfill gas management contract with the existing specialist landfill gas contractor (Chelson Meadow Energy Ltd a subsidiary of CLP Envirogas), which contained commercially sensitive information.

(See minute 30 above).