



#plymcabinet

Democratic and Member Support

Chief Executive's Department
Plymouth City Council
Ballard House
Plymouth PL1 3BJ

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Published 20 November 2017

Cabinet

Tuesday 28 November 2017
4 pm
Council House, Plymouth

Members:

Councillor Bowyer, Chair
Councillor Nicholson, Vice Chair
Councillors Mrs Beer, Mrs Bowyer, Darcy, Downie, Jordan, Michael Leaves, Ricketts and Riley.

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 31 October 2017.

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, Ballard House, Plymouth, PL1 3BJ, or email to 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. Unauthorised Encampment Policy and Procedure (Pages 9 - 40)

7. Corporate Finance Monitoring Report Q2 (Pages 41 - 74)

8. Corporate Performance Monitoring Report Q2 (to follow)

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

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

Declare the interest and speak and vote

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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 31 October 2017****PRESENT:**

Councillor Bowyer, in the Chair.

Councillor Nicholson, Vice Chair.

Councillors Mrs Beer, Mrs Bowyer, Darcy, Downie, Jordan, Michael Leaves, Ricketts and Riley.

The meeting started at 4.00 pm and finished at 5.15 pm.

Note: The full discussion can be viewed on the webcast of the City Council meeting at www.plymouth.gov.uk. At a future meeting, the Council 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.

45. **Declarations of Interest**

Name	Minute Number	Reason	Interest
Councillor Patrick Nicholson	49	Contracts Manager employed by Devonport Royal Dockyard Limited part of Babcock international Group, working on their Warships Support Business, with commercial responsibility for the refits of HMS Albion, HMS, Bulwark, HMS Montrose, HMS Northumberland, HMS Kent, HMS Lancaster, HMS Richmond and HMS Portland and for Fleet Time Maintenance Periods on HMS Ocean, HMS Argyll, HMS Monmouth, HMS Somerset and HMS Sutherland	Disclosable Pecuniary Interest

46. **Minutes**The minutes of the 26 September 2017 were agreed.47. **Chair's Urgent Business**

There were no items of Chair's urgent business.

48. **Questions from the Public**

<p>Question submitted by: Adrian Bridgman</p>
<p>To the Cabinet Member/s for: Deputy Leader of the Council (Strategic Transport, Housing and Planning)</p>
<p>Question:</p> <p>Palace Theatre, Union Street</p> <p>In the light of photographic evidence published in the Herald, what enforcement action will be taken under the Planning (Listed Buildings and Conservation Areas) Act 1990 or other relevant legislation to ensure that the owner repairs and maintains the Palace Theatre to an acceptable standard.</p>
<p>Response:</p> <p>The Palace Theatre and adjoining hotel are important Grade II* listed buildings, with a prominent impact on Union Street. This is why Policy PLY 34 of the Submitted Plymouth and South West Devon Joint Local Plan not only supports “the preservation and enhancement of the historic character of the Union Street Conservation Area”, but specifically encourages “a high quality restoration of the Palace Theatre, appropriate to the special architectural and historic character of the building that provides daytime as well as night time activity”.</p> <p>However, we must remember that the buildings are privately owned and therefore the responsibility is with the landowner for their repair and maintenance.</p> <p>Notwithstanding this, the City Council has been prepared to take proactive action. In July 2013, the City Council discussed ‘Urgent Repair Works’ with the owner and with English Heritage. These works were completed by the owner, leading to a significant improvement in the condition of the building without the need for an Urgent Repair Works Notice being issued.</p> <p>As part of the historic buildings tidy up enforcement initiative in 2015, a ‘Section 215 notice’ was served on the building with further improvement works carried out at that time in compliance with that notice.</p> <p>City Council officers continue to assess the condition of the building and are actively investigating the matter. Cooperative discussions are taking place with the owner regarding improvements and repairs. The building is also inspected under the City Council’s duties in connection with the Building Regulations and dangerous structures to ensure that the building does not pose a risk to the public.</p> <p>Ultimately, the future of the building is inextricably linked to the need to find a long-term viable and sustainable use, which is why the city Council’s planning policies are supportive in this regard.</p>

The Leader introduced a report on the Administration's Commitments. Highlighting the level of high quality jobs which had been improved within the City. The Leader also confirmed he had written to all Members of Parliament in the South West, to the Defence Secretary and the Local Government Association Chairman regarding the importance to the local economy of amphibious assault ships based at Devonport Dockyard.

Cabinet members referred to successes including -

- The delivery of new homes
- Transport Infrastructure
- Recycling levels and improvement to Weston Mill recycling centre
- The completion of the review into a new committee structure

Councillor Downie, Cabinet Member for Safer and Stronger Communities, announced that at next scheduled Cabinet Meeting proposals for additional enforcement officers would be brought forward.

Agreed to note the report.

50. **Medium Term Financial Strategy**

Councillor Ian Darcy, Cabinet Member for Finance and IT, introduced the report. During the discussion Cabinet members made contributions regarding –

- the Health and Social Care Integrated budget
- the Public Health Grant
- Children's Social provision and increase in demand
- Dedicated schools grant

Agreed –

1. to approve and recommend the Medium Term Financial Strategy to the Council at its meeting of 20 November 2017;
2. to recommend the Leader of the Council writes to the Secretary of State for Communities and Local Government to express the Council's concerns about the availability of resources for Social Care and request additional funding for Adults and Children's Services as part of the local government finance settlement.

51. **Director of Public Health Annual Report**

Councillor Mrs Bowyer, Cabinet Member for Health and Social Care, introduced the report of the Director for Public Health. Members highlighted –

- that Year four of Thrive Plymouth would focus on wellbeing, including mental wellbeing;
- the Improvements to the response rate to the survey of young people;
- the Improvements to the numbers of children able to swim;
- the reduction of young people smoking and drinking alcohol;

- the ease of accessibility of the report

Cabinet agreed -

1. the report after offering reflections on the approaches being taken to support health and wellbeing of children and young people in the City through the activity of schools and partners;
2. to note the challenges identified to support health and wellbeing for children in the school settings;
3. to the dissemination of the report in council wards either as a whole or in aspects of its content.

52. **Plan for Education Business Case**

Councillor Mrs Beer, Cabinet Member for Children and Young People, outlined the report which set out the options for the future shape of the Education, Participation and Skills Department in light of government policy, Council strategy and the statutory requirements placed on the Department. Members discussed –

- how further integration could improve standards;
- the commitment of Schools to future partnership arrangements;
- Risk.

Agreed to -

1. approve the attached report to enable the further work to continue with schools to develop a business case for future partnership working.
2. note the budget requirement of a minimum funding level of £9.2m for 2018/19 for the partnership to progress.
3. endorse that educational attainment is a priority area for the Council and support the development of a robust plan by the Plymouth Education Board alongside the DFE.

53. **Community Health, Wellbeing and Special Needs and Disability (SEND) Support Services Integration - Business Case**

Councillor Mrs Beer, Cabinet Member for Children and Young People, introduced the report which set out the current position regarding community health, wellbeing and SEND support in Plymouth, and the proposal for the future integrated delivery of these services. The business case set out the possible options for integration, the risks and benefits of these approaches,

Cabinet members questioned officers on the procurement process and agreed –

1. to approve the operational and strategic direction of travel towards integration of community health, wellbeing and SEND services between 2017 and 2019 (Phase One).
2. to acknowledge that a procurement of the services currently provided by Livewell South West (including Public Health funded School Nursing and Health Visiting

services) would be carried out as required by procurement regulations and that procurement will be led by NEW Devon CCG. The commissioned provider will be expected to work in partnership with the existing service providers to ensure the benefits of integration are not disrupted.

3. that more formal options for longer term partnership working can be researched and considered for possible implementation, if appropriate, from 2019 onwards.

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PLYMOUTH CITY COUNCIL

Subject: Gypsy Roma and Traveller Policy
Unauthorised Encampments

Committee: Cabinet

Date: 28th November 2017

Cabinet Member: Councillor Dave Downie.

CMT Member: Carole Burgoyne, Strategic Director for People

Author: Malisa Collyer, Strategic Manager Community Connections

Contact details Tel: 01752 307 081
email: malisa.collyer@plymouth.gov.uk

Ref:

Key Decision: No

Part:

Purpose of the report:

This report presents Plymouth City Council policy for dealing with Gypsy Roma and Traveller unauthorised encampments with the aim of reducing the impact on the city.

The Corporate Plan 2016 - 19:

The policy relates to the City Vision in providing good quality accommodation for the Gypsy Roma and Traveller community when needed and providing a strategic approach to managing unauthorised encampments. This provision of stopping places meets our priorities for Growing Plymouth in providing a broad range of homes and Caring Plymouth in creating inclusive communities and respecting people's wishes.

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

Cost avoidance could be realised through a reduction in the number of unauthorised encampments and a subsequent clear up costs in the long term. It is the intention that the temporary and negotiated stopping places incur charges for the residents and as such will contribute towards the cost of managing the stopping places.

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

The lack of suitable policy severely hampers the City Council's ability to manage unauthorised encampments, and prevents the Police from using their powers to move on.

Equality and Diversity

Has an Equality Impact Assessment been undertaken? Yes

EIA will be completed for Policy and subsequent selected site(s)

Recommendations and Reasons for recommended action:

It is recommended that Plymouth City Council:

1. Gypsy Roma and Traveller Unauthorised Encampment Policy is approved subject to consultation on the policy via the scrutiny process.
2. Identification of sites for temporary stopping places progresses once JLP inspection has completed.

Please see Policy.

Alternative options considered and rejected:

Continuing with existing procedure and lack of policy is not a viable option because:

- An unplanned, ad hoc and reactive approach will continue to incur costs, arising from dealing with unauthorised encampments, and stronger powers cannot be employed without stopping places.
 - An unplanned approach is inconsistent with commitments in the Corporate Plan and will damage the reputation of the City Council as a progressive forward thinking authority.
 - Unauthorised encampments will continue to cause upset in both the traveller and settled communities, and tensions will remain.
 - Gypsy and Traveller needs will not be met and therefore significant inequalities will remain.
-

Published work / information:

[Gypsy and traveller sites consultation document 31 March - 12 May 2009, Plymouth city council Department of development](#)
[PBA - Gypsies and Travellers and Travelling Showpeople Site Assessment Study - Final Report](#)
Joint Local Plan

Background papers:

Strategic Land Review 2016 (Hyperlink Unavailable)

Sign off: comment must be sought from those whose area of responsibility may be affected by the decision, as follows (insert references of Finance, Legal and Monitoring Officer reps, and of HR, Corporate Property, IT and Strat. Proc. as appropriate):

Fin	djn17 18.13 4	Leg	29414 HMI7 .11.17	Mon Off	29430/DVS	HR		Assets		IT		Strat Proc	
Originating SMT Member: Matt Garret, Head of Community Connections													
Has the Cabinet Member(s) agreed the contents of the report? Yes													

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GYPSY ROMA AND TRAVELLER POLICY

Unauthorised Encampments



Executive Summary

Plymouth City Council is responsible for dealing with unauthorised Gypsy Roma and Traveller encampments on land owned by the Council.

The travelling community can experience difficulties finding an authorised place to stop, and may set up an encampment on someone's land without consent, including green space, highway verges and lay-bys. This is a breach of civil law and, in certain circumstances, may be a breach of criminal law.

Plymouth City Council's approach is based on the need to uphold the law and prevent unlawful occupation of land, whilst meeting the needs of communities.

The aim of this policy is to address the need for an effective approach to the management of unauthorised Gypsy Roma and Traveller encampments on Plymouth City Council land, whilst ensuring that the rights of Plymouth's local settled community and the Gypsy Roma and Traveller communities are balanced.

In addition to this it aims to clarify the internal working arrangements around unauthorised encampments across Plymouth City Council departments and services so that any future unauthorised encampments can be managed successfully, swiftly and without detriment to any community.

This policy is also reliant on a collaborative approach with our partners, namely Devon & Cornwall Police, Health and Social Care and Charitable organisations as well as Ward Members and their constituents, on how we will manage an unauthorised encampment on Plymouth City Council land.

The overarching aim of the policy is to achieve, where possible, a locally agreed end to unauthorised encampments and to avoid the formal eviction process. However this policy sets out the formal process for eviction, and when this will be used.

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DRAFT

1.0 Introduction

Plymouth has experienced a consistent number of unauthorised encampments in the last 4 years, this number is not declining. Gypsies Roma and Travellers have occupied land within parks, on some of our highways and on private land. In addition to this some areas have experienced multiple unauthorised encampments during the last 4 years, and this has resulted in additional resources being deployed to deal with the encampment and subsequent site clean-up. The same groups occupying the unauthorised encampments have move from one location to another causing considerable financial cost to the council, but have a clear need to remain in the city for a period of time.

This policy outlines our duties and powers, and our decision making framework. It includes best practice from other areas and builds on our own experience to ensure our process is fair, legal, equitable and ensures community cohesion is safeguarded.

Included in this policy:

- The roles and responsibilities within Plymouth City Council in relation to unauthorised encampments
- Alternative arrangements for Gypsy Roma and Traveller community
- Process when an unauthorised encampment does occur
- Requirements for recording and monitoring
- Requirements for engagement with the public, partners and other stakeholders
- Post site vacation actions

2.0 Aims of the Policy

This policy aims to sets out how Plymouth City Council will respond to unauthorised encampments on Plymouth City Council owned land. The policy seeks to ensure that its approach to responding to unauthorised encampments is consistent, lawful and proportionate.

The policy has been developed within the context of the Government publication “Dealing with Illegal and Unauthorised Encampments. A Summary of Available Powers (2015)”¹. This document is clear - managing unauthorised encampments must involve a balance between the rights of the landowner and/or wider community and the rights and welfare needs of those who have established the unauthorised encampment.

This policy does not cover the allocation and management of pitches at Bayview Caravan Park, The Ride, Plymouth. This procedure and policy is covered elsewhere. This policy does, however, cover unauthorised encampments that could occur on the land at Bayview Caravan Park as it is owned by Plymouth City Council.

¹ Dealing with illegal and unauthorised encampments; A summary of available powers, March 2015, DCLG.

3.0 National and Local Context

Gypsies Roma and Travellers have been part of our community for hundreds of years. This includes those who travel regularly, families living in bricks and mortar housing and on our permanent site at Bayview Caravan Park, The Ride. We experience around 30-35 unauthorised encampments a year.

Nationally there is a shortage of transit/temporary stopping places. There are currently around 300 socially rented Gypsy Roma and Traveller sites in England. However, this still leaves a national shortage of authorised sites, with around one in four Gypsy, Roma and Traveller households having nowhere to call home. The Government has established a new framework of housing and planning systems designed to increase site provision to meet the accommodation needs of Gypsy, Roma and Traveller communities reducing the number of unauthorised encampments and promoting good relationships with the settled community.

Plymouth City Council is taking steps to meet the assessed need for sites through the provision of a Temporary Stopping Place and Negotiated Stopping Places. Places where unauthorised encampments occur are generally unsuitable for Gypsies Roma and Travellers, as they do not contain the appropriate facilities, e.g. water, waste disposal facilities, pitch security and general safety measures. The lack of facilities can lead to unsanitary and dangerous conditions. Unauthorised encampments can cause concern to nearby communities; businesses in the vicinity and the statutory agencies that have to respond to concerns, especially the Plymouth City Council and the Police.

Government guidance says that where unauthorised encampments are not causing problems; they can be tolerated (or negotiated) for a short time. In Plymouth, each unauthorised encampment is assessed individually and a community impact assessment is carried out ([Appendix E](#)). The length of stay allowable is considered on the facts and circumstances relevant to each individual unauthorised encampment and the surrounding community. Enforcement action is taken as soon as is reasonable and practicable, where an unauthorised encampment cannot be tolerated.

This policy provides details on how Plymouth City Council deal with unauthorised encampments, including alternative arrangements including provision of temporary stopping places for Gypsy Roma and Traveller's visiting our city with the aim of reducing the impact on the city, and the travelling community.

The city experiences unauthorised encampments of travellers throughout the year, but predominantly and more frequently in the months between March and September.

4.0 Statutory Duties of the Council

Local authorities have a statutory duty to ensure that all communities are fairly represented when it comes to unauthorised encampments on public land.

5.0 Legal Powers to Remove Travellers from unauthorised land

There are a number of powers available to the Council to deal with unauthorised encampments on Council land including:

Local Authority Powers

Part 55 Civil Procedures Rules

- Can only be used by landowner, to regain possession of the land
- Requires civil court proceedings and is enforced by court bailiffs
- Does not provide any criminal sanctions to prevent return by trespassers onto the land.

Section 77 - 78 Criminal Justice & Public Order Act 1994.

- Can only be used by local authority
- Can be used on any land forming part of the highway, any other unoccupied land, or any occupied land without the consent of the occupier
- Courts only become involved if occupants fail to leave the land, but then also commit criminal offence by doing so.
- Enforcement is by local authority officers. Police could assist to prevent serious disorder
- Contains sanctions preventing those individuals returning to the land for three months.

It is Plymouth City Councils policy to utilise Part 55 of the Civil Procedure Rules where trespassers refuse to move on and where an encampment cannot be tolerated for a short period of time and the community impact assessment suggests vacation of the site quickly.

These powers are used following a welfare assessment carried out by Community Connections.

Both powers require a court hearing and as a result it can take up to fourteen days before an encampment is moved, and then often simply to another equally unsuitable location, where the process begins again.

Police Powers

The police also have powers to deal with unauthorised encampments:

Section 61 – 62 Criminal Justice & Public Order Act 1994.

- Can only be used by police if any of three conditions are met:
 - If any persons have caused damage to the land or property on the land;
 - Use threatening, abusive or insulting words or behaviour, or
 - There are 6 or more vehicles on the land
- Can be used on any land (except the highway), to remove occupants & vehicles
- Does not require involvement of the courts, and is enforced by the police
- Criminal sanctions are created, preventing return to the land within 3 months.

Section 62 A-E Criminal Justice & Public Order Act 1994.

- Can only be used where an alternative 'relevant caravan site' is available for occupation
- Can only be used by the police, on any land, to remove occupants and vehicles
- Does not require involvement of the courts, and is enforced by the police.
- Contains sanctions preventing return to the land for three months.

For the purposes of section 62 A 'relevant caravan site' means a caravan site which is:

- (a) situated in the area of a local authority within whose area the land is situated, and
- (b) managed by a relevant site manager (Community Connections).

Plymouth City Council operates a temporary stopping place (i.e. somewhere to redirect as a 'relevant caravan site'), and work closely with Devon and Cornwall Police supporting them to use their powers to remove unauthorised encampments to redirect Gypsy Roma and Travellers to a temporary stopping place, thus avoiding the need for Plymouth City Council to take action through the courts to regain possession of land, which can be resource intensive and expensive.

Plymouth City Council will work with the Gypsy Roma and Traveller community to advise, in advance of visiting, where an authorised encampment can be established for a period of time, thus avoiding the need for the use of police powers and enforcement action.

Public Space Protection Orders (PSPOs)

- Introduced in 2014 under the Anti-Social Behaviour, Crime and Policing Act, PSPOs enable councils to criminalise particular, non-criminal, activities taking place within a specified area deemed by the local authority to have "a detrimental effect on the quality of life of those in the locality", e.g. local recreational facilities and play parks.
- Public consultation must take place prior to the PSPO being enforceable, and the PSPO must be proportionate to the risk on the area itself.
- Only sustainable if used in conjunction with alternative options such as temporary stopping places, or negotiated stopping places.
- PSPOs will only be considered for sites most frequently used as unauthorised encampments, after full feasibility and consultation with communities.

6.0 Our Roles & Responsibilities

Different departments and agencies involved with unauthorised encampments have different roles and responsibilities in dealing with encampments. It is important that roles are clearly defined to minimise duplication and ensure that both the travellers and the local settled community know who to contact for specific issues.

Community Connections provides a strategic role on Gypsies Roma and Travellers and manages the permanent residential sites, Bayview Caravan Park, The Ride. Community Connections will also manage a Temporary Stopping Place and Negotiated Stopping Places.

[Appendix B](#) and [Appendix C](#) provide details on the roles and responsibilities of Plymouth City Council departments and our partners.

7.0 Our Approach

Plymouth City Council liaise with the Gypsy Roma and Traveller community to advise of locations where they can establish authorised encampments, via Temporary or Negotiated Stopping Places for a set period of time.

Where the Council receives a report of an unauthorised encampment ([Appendix A](#)), this is passed on to the Council's Community Connections Team, who will seek confirmation that the occupied land is owned by Plymouth City Council.

Community Connections will conduct a community impact assessment and will act to remove an unauthorised encampment from an unsuitable site as quickly as is practicably and reasonably possible in accordance with relevant legislation, and assessment of the site. The site will be assessed for its suitability as a negotiated stopping place via a community impact assessment ([Appendix E](#)).

Where the land is not owned by the Council, the relevant land owner (where known) shall be notified and general advice provided as required.

The Police, local residents and local Ward Members shall be notified of all encampments on Plymouth City Council owned land.

Where it is confirmed that the unauthorised encampment is located on Council Land, the officers from Community Connections shall visit the encampment as soon as is practicably possible (generally that same day) and complete site inspection, welfare check forms and community impact assessment. They will also inform the occupants of our policy to re-direct Gypsy Roma and Travellers to a Temporary Stopping Place.

Welfare checks will be conducted upon arrival to any site ([Appendix F](#)), and officers will identify any relevant welfare needs of the site occupiers. This welfare assessment has particular regard to the welfare needs of children, the elderly or other people who may be vulnerable. Where support or welfare needs are identified the Council will try to assist or refer the matter to the relevant agency. Where significant needs are identified the case will be assessed on its own merits.

Upon visiting the Community Connections Officers will explain to the occupants that they are trespassing on Plymouth City Council owned land and they will be moved on by Police officers using s62 should they choose to not use a Temporary Stopping Place.

Where the trespassers do not move on within 24 hours, Devon & Cornwall Police will be engaged to use powers under sections 62 A-E of Criminal Justice and Public Order Act 1994 to direct the occupiers to leave land and remove any vehicle and property from the land to a Temporary Stopping Place where there is suitable pitches available within the local authority area.

7.1 Temporary Stopping Place

A Plymouth City Council temporary stopping place is in temporary use as an authorised short-term place for the travelling community to stay. There are limited pitches within a site, so work with the community to establish anticipated days of stay, reason for visit and welfare needs whilst visiting will be essential.

The timescale of stopping is up to 3 months. All residents will require temporary licences to stay on a site and will be required to pay site fees for use of facilities. The site will provide a hardstanding, WC facilities, water (not necessarily via stand pipe) and waste collection at a fee.

The occupiers will be asked to sign and abide by a code of conduct ([Appendix D](#)), should this be breached, legal action will be taken to gain possession of the land.

7.2 Negotiated Stopping Place

Where the location of an unauthorised encampment has previously been identified as a low impact place (Negotiated Stopping Place) and the circumstances of the trespassers themselves require a degree of flexibility, then at the discretion of Plymouth City Council a negotiated period of up to a maximum of 14 days may be given. Extensions beyond 14 days may be considered in exceptional circumstances (i.e. Welfare need). A negotiate stopping place should not be re-occupied by the same Gypsies Roma and Travellers within six months, and preferably should not be used by any other Gypsies Roma and Travellers for at least 28 days, post vacation of the site. In essence this means that the Council will treat the individuals as 'tolerated trespassers' for this period. If they have not vacated at the end of this period then legal action to gain possession shall commence.

In considering whether to negotiate with Gypsy Roma and Travellers to form an encampment, the first consideration must be the location and the immediate impact on the settled community.

Health and welfare needs might lead to consideration of an extension of time at a negotiated stopping place these may include: accessing urgent medical attention; i.e. a surgical procedure or other acute medical (but not chronic need); or a complication in pregnancy or post-natal care. If there is a negotiation to allow an encampment, consideration will be given as to whether it is appropriate to make provision for a water supply, toilet provision or rubbish clearance, at a fee.

7.3 Non-negotiable locations

There are locations where an encampment will not be acceptable under any circumstances.

Set out below is a list of the types of site where unauthorised camping will not be acceptable, and travellers will be moved on using our or police powers:

- A Site of Special Scientific Interest (SSSI) where an encampment endangers a sensitive environment or wildlife
- School car park or playing fields (especially in term time)
- A town centre public park
- Car parks, including hospital, supermarket or leisure facility car parks
- Recreation ground and public playing fields
- A site where pollution from vehicles or dumping could damage ground water or water courses
- A derelict area with toxic waste or other serious ground pollution
- A 'village green' or other open area within a residential area

- The verge of a busy road where fast traffic is a danger to unauthorised campers or their children

7.4 Action when a group of Gypsies Roma or Travellers have moved on.

The encamped group will be required to clear up any site before leaving. Where a site requires a clean-up this shall be undertaken by the Council, Street Scene and Waste team in collaboration with Public Protection to secure any evidence required for prosecution.

The Council reserves the right to recharge for any costs associated with site clearance. In addition the Council will take any necessary action to secure locations which are subject to serial encampments, through means of preventative action.

8.0 Working with our Partners

Devon & Cornwall Police work closely with Plymouth City Council in all aspects of the Gypsy Roma and Traveller community. They assist and support the managing of unauthorised encampments when required and work to an approved code of practice in this regard. The Police must take account of the issues of behaviour, whether criminal, antisocial behaviour or nuisance by both the travelling community and the settled community in combination with the impact on the landowner rather than simply because encampments are present at a specific location.

9.0 Consultation

Consultation for this policy was conducted via the Plymouth City Council scrutiny process.

10.0 Complaints & Comments about this Policy

Comments, complaints or suggestions about this policy or any aspect of our work are welcomed. The Council's standard comments, complaints and appeals procedure will be followed. If you would like a copy of this, please contact us on Tel 01752 668000 or go to the website www.plymouth.gov.uk.

If a complaint is about a Freedom of Information request, you can complain to the Information Commissioner, www.ico.org.uk.

11.0 Access to Information & Data Protection

The information collected via the Welfare Check form will be used to make appropriate referral and signposting to welfare and support services. The information may be passed on to the Department of Work and Pensions and Inland Revenue as permitted by law.

The Council may also check the information provided by the customer or information provided by a third party, with other information held by the Council.

The Council may also obtain information from certain third parties, or give information to them to check the accuracy of the information, to prevent or detect crime, or to protect public funds in other ways, as permitted by law. These third parties include Government Departments and other Local Authorities.

Personal information will not be disclosed about customers to anyone outside Plymouth City Council nor will we use information about you for other purposes unless the law permits this.

Information may be used for statistical purpose. Such information will be displayed so that it cannot be attributed to any person.

Plymouth City Council is the data controller for the purposes of the Data Protection Act 1998.

12.0 Review and Revision of this Policy

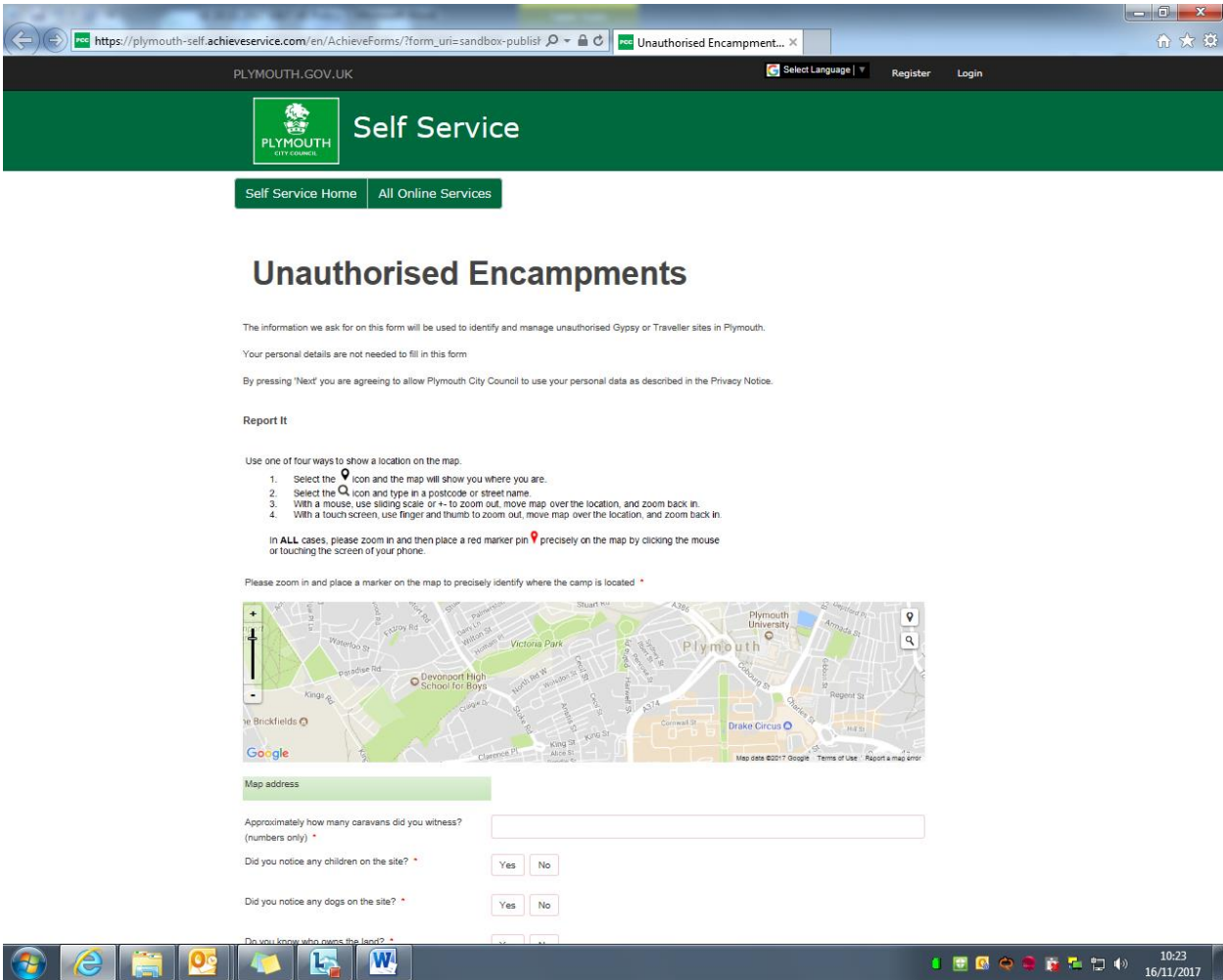
This policy will be reviewed and revised when required.

13.0 Appendices

- A** **Unauthorised Encampment Reporting Form**
[Plymouth City Council Unauthorised Encampment online service](#)
- B** **Unauthorised Encampment Process Map**
[GRT UE Process Map v1 15.11.17.docx](#)
- C** **Unauthorised Encampment Roles & Responsibilities**
[GRT UE Roles & Responsibilities v1 15.11.17.docx](#)
- D** **Code of Conduct**
[GRT Temporary and Negotiated Stopping Places Code of Conduct v1 13.11.17.docx](#)
- E** **Community Impact Assessment**
[GRT UE Community Impact Assessment v1 13.11.17.docx](#)
- F** **Welfare Check Form**
[GRT Welfare Check Form v1 15.11.17.docx](#)
- G** **Frequently Asked Questions**
[GRT UE FAQs v1 13.11.17.docx](#)

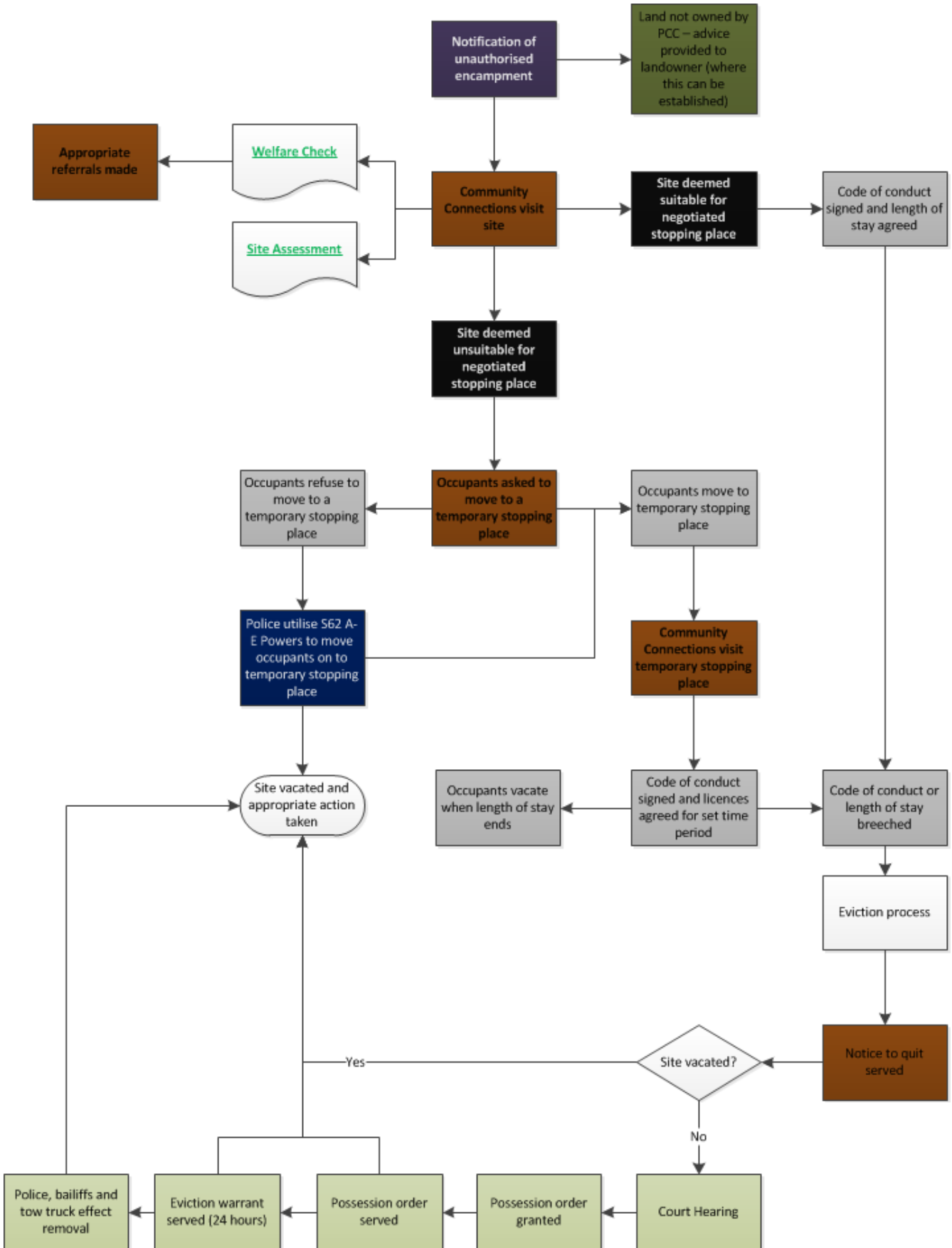
[Back to content](#)

A **Unauthorised Encampment Reporting Form** **Plymouth City Council Unauthorised Encampment online service**



UNAUTHORISED ENCAMPMENTS

Process Map (to be read with [UE Roles & Responsibilities](#))



UNAUTHORISED ENCAMPMENTS ROLES & RESPONSIBILITIES



All partners involved in the management of unauthorised encampments are concerned with the swift and proportionate need to deal with unauthorised encampments and build trust and confidence in local communities and the Gypsy Roma and Traveller communities and therefore the need to evict will be balanced against the need of those involved in, and affected by an encampment together with the impact the encampment may have on the site.

Plymouth City Council

There are numerous departments within PCC that are involved in the Gypsy Roma and Traveller community and dealing with unauthorised encampments.

Community Connections

- Community Connections has the overall strategic responsibility for dealing with unauthorised encampments, but must do this in collaboration with internal and external partners.
- Community Connections must respond to reports of unauthorised encampments in a timely manner, with a Community Connections Officer (CCO) visiting within 24 hours of report on weekdays.
- Community Connections has an obligation to carry out welfare assessments on unauthorised encampments, ensuring that where need is identified the appropriate department and agencies are alerted.
- Community Connections will conduct a site assessment for each unauthorised encampment to establish its appropriateness as a negotiated stopping place.
- Community Connections will notify all relevant partner agencies and internal departments of all encampments and will communicate with the local settled community.
- Community Connections will liaise directly with the Gypsy Roma and Traveller community, providing copies of Unauthorised Encampment Policy and its appendices upon request, and that it is clearly explained.
- Community Connections will liaise with the Gypsy Roma and Traveller community to ensure they are aware of a temporary stopping place prior to any visit to Plymouth.
- Community Connections will ensure the code of conduct for temporary and negotiated stopping places is clearly explained and that all licence agreements for a temporary stopping place is clearly explained.
- Community Connections will order waste management and WCs for negotiated and temporary stopping places.
- Community Connection will collect the site fee's from the residents of negotiated and temporary stopping places.

Property & Terrier Team

- The Property & Terrier Team will provide land ownership details upon request from Community Connections or Legal Services.

Legal Services

- Legal services will provide advice and guidance on all legal aspects of unauthorised encampments, possession process and court processes.
- They will prepare all paperwork for the eviction and court process in liaison with Community Connections.
- Legal services will support in the preparation of licence agreements for a temporary stopping place.

Street Scene and Waste

- Street Scene and Waste will provide waste management to negotiated and a temporary stopping places, upon request.
- Street Scene and Waste will provide site clear up post vacation as and when required.
- When clearing sites they will work closely with Public Protection should evidence of fly tipping be found.
- Street Scene and Waste will work with Community Connections to identify vulnerable sites and preventative works. These works will either be carried out by Street Scene and Waste or via Corporate Property Team.

Devon & Cornwall Police

- The police do have a duty to uphold the law, but must take into account humanitarian considerations when deciding on appropriate action.
- Where there are reports of violence, threats of intimidation or criminal damage the police will risk assess the situation, whether the threats emanate from the Travellers or the settled community.
- The police will work with Community Connections to utilise powers, when required and proportionate under Section 62 A-E Criminal Justice & Public Order Act 1994.
- The police will support as and when requested at any evictions where proportionate to do so.

Gypsy Roma and Traveller Community

- Plymouth City Council ask that the Gypsy Roma and Traveller community notify Community Connections when they intend on visiting Plymouth in order for us to give details of a temporary stopping place.
- Those forming an unauthorised encampment will be asked to vacate to a temporary stopping place, we ask that they do this swiftly and without any damage left to the site and all rubbish is cleared away.
- Gypsy Roma and Traveller community staying at a negotiated or temporary stopping place will abide by the code of conduct.
- Gypsy Roma and Traveller community to notify Community Connections of any change of circumstances whilst staying at a negotiated or temporary stopping place.

GRT TEMPORARY AND NEGOTIATED STOPPING PLACES CODE OF CONDUCT

Community Connections



CODE OF CONDUCT

- This Code of Conduct is for members of the Gypsy, Roma and Travelling community who are setting up a temporary encampment at a temporary or negotiated stopping place offered by Plymouth City Council in accordance with our Unauthorised Encampment Policy.
- In accordance with our Policy, if you do not follow the Code of Conduct we will probably take action to evict you from the site and we will not tolerate you at other sites in future. It is therefore in your best interest to adhere to this Code.
- Please make sure everyone with you understands this Code and ideally elect a 'site representative' to make sure everyone follows the Code.
- Please tell us if you need help understanding this Code.

If you camp on land belonging to Plymouth City Council we expect good behaviour.

Park vehicles safely:

- Do not park vehicles/units too close together.
- For fire safety, there should be at least 6 meters between each unit.
- There should be enough room for you to walk freely around the unit.
- Take care around electrical cables.
- Large trees/overhanging branches can be dangerous.

Keep groups small:

- Depending on the site you are visiting, will depend on the size of the group that is permitted.
- Do not take up more room than is necessary.
- If there is not enough room, your group will need to get smaller.

Keep the site safe from hazards:

- Empty/vacated accommodation/vehicles may be removed if left, without good reason, for more than 3 consecutive weeks, or for more than 12 weeks in any 52 week period.
- Do not block entrances with vehicles, boulders or anything else.
- Do not lock gates or barriers.
- For your safety the site must be easily vacated in the event of a fire, or provide access to emergency vehicles.

- Do allow others to use roads, paths, drop-curbs, exits or entrances etc. and carry out their usual business or leisure.

Keep the site tidy:

- Do store and remove rubbish properly (use bins provided, store rubbish well in bags first.
- Let Community Connections know if you need advice on waste disposal and storage.
- Do recycle rubbish where possible.
- Do not dump rubbish on other land or leave it lying around
- Do not burn rubbish that can cause black smoke.
- Do not use the site for sorting or storing scrap.
- If you leave the site in a mess, we may take steps to recover clean-up costs which can be up to £2,500.
- Do not remove or damage anything at the site, including trees, plants, chippings and earth moundings.
- Do not cut trees for your own use without the landowner's permission.
- Do keep the site as clean and tidy as possible.
- Do not leave lots of things lying around.
- Do not pollute the land with oil, chemicals or other waste.

If you cause damage we may fine you for repairs and we may treat it as a crime. Failure to pay for the damage would be a breach of the Code of Conduct.

Do not disturb others:

- Do not create bad smells that disturb others.
- Do go to the toilet in a hygienic way. For example: Do dispose of human waste safely. Do tell us if you need a Portable Toilet. Do not go to the toilet where other people can see you. Do 'bag and bin' if necessary. Tell us if you need bags and anti-bacterial wipes.
- Do not make loud noises that disturb others.
- Do not leave fires (including candles) unattended.
- Do not light fires if they could get out of control.
- Do not use heating/welding equipment near gas containers or other material that can catch fire.
- Keep away from passing traffic.
- Do not cause an obstruction, frustration or danger to other road users.
- Do supervise children and make sure they play safely and do not disturb others unreasonably.
- Advice: check for dangers such as ponds, rivers, gaps in fences, traffic, electric pylons, wasps nests, broken glass and Adders.
- Do not go on other land without permission from the landowner (trespass).
- Do not allow animals (i.e. horses) to graze on land without the landowner's permission.
- Do not use hunting guns on or near roads, houses, leisure grounds, public footpaths or businesses.

- It is against the law to hunt with guns on land without the landowner's permission.
- This includes use of cross-bows and other weapons.
- Do not 'decorate' the site entrance or display things which could be distracting to drivers.
- Do not display offensive items.
- Do not use the site for criminal activities.
- Criminal activity includes possession of a banned dog type, Trafficking, dealing drugs and unlawful possession or use of firearms.
- Do not drive quad bikes on land without permission

Terms of stay:

- Do agree a leave date with Community Connections and try to keep to it.
- Do actively look for suitable alternative sites.
- Do pay charges for the provision of toilets/facilities on time.
- Your charges are:
 - £20 per week
- Do not invite or allow other occupants on to the site without agreement from Community Connections
- Do listen to and act on complaints.
- Community Connections will undertake a welfare check upon your arrival, but please get in touch with us if you require any further information or support
- Your Community Connections Team can be contacted on 01752 304440
- Do keep in contact with us and provide us with a mobile number if you have one.
- Contact the Police, Racial Equality Council or Community Connections Team if you experience harassment.

Eviction:

- If we are going to evict you, we still expect good behaviour. The Police have powers to move you immediately: If six or more vehicles are present and you damage property, or are abusive or threatening to others.

Encampments that will never be tolerated:

- A Site of Special Scientific Interest (SSSI) where an encampment endangers a sensitive environment or wildlife
- School car park or playing fields (especially in term time)
- A town centre public park
- Car parks, including hospital, supermarket or leisure facility car parks
- Recreation ground and public playing fields
- A site where pollution from vehicles or dumping could damage ground water or water courses
- A derelict area with toxic waste or other serious ground pollution

- A 'village green' or other open area within a residential area
- The verge of a busy road where fast traffic is a danger to unauthorised campers or their children

Signed	Print Name	Date

UNAUTHORISED ENCAMPMENT COMMUNITY IMPACT ASSESSMENT



Site	Date of Assessment	Name of Assessor

	Yes/No	
Is the site already known?		Assess any reoccurrence of issues previously present:
Any issues known previously?		Details:
Does the site have easy access?		If no, this site is not appropriate to stop on.
Is the site close to busy roads, housing, farm land or within an industrial estate?		If yes, this site may not be appropriate. The site needs to be safe and not within close proximity of businesses or housing.
Is the site open and visual to a large section of the settled population?		Sites need to be safe, not hidden but also not in the middle of busy populated areas.
Are there any other hazards that can be deemed unsafe for this encampment?		Details:
Is an encampment at this site likely to have a negative impact on the settled community?		Give details: E.g. noise, disturbance, blocking access to open spaces, previous complaints.
Is this site easy for Community Connections and waste/street		Services will need to be delivered and other agencies may wish to visit.

services to access for visits?		
Have Councillors been consulted?		Do Councillors have any knowledge to pass on regarding potential issues?
Are there any other points that need to be assessed with the site?		

Decision Made	Date of Decision

Action to be taken	By Whom	By date

WELFARE CHECKS

Community Connections



Date of check:	Officer(s) undertaking check:

General information

Date of arrival	Site location

To be completed during site visit

Code of Conduct explained & local information provided?	Yes	No

Section I:

Question	Yes	No
Are you all travelling together?		
Are you happy for me to ask you questions about the whole site?		
Do you have any local connection to the area?		

Intended length of stay	Leave at the weekend	
	Leave after the weekend	
	Stay for 2 weeks maximum	
	For as long as we are allowed	
	Other (please specify e.g. wedding/funeral)	
What is your current accommodation situation?	Live on your own site	
	Live on a council site	
	Live on a private site	
	Live on the roadside	
	Other	
	Details	

Section 2 – Information about people:

No of adults		No of Children	
Names		Names & DoB	
Is anyone unwell?	Yes <input type="checkbox"/>	No	<input type="checkbox"/>
Would they like to see a doctor/nurse?	None		
	Doctor		
	Nurse		
	Health visitor		
	Dentist		
	Other		
Details			
Would you like any other information about:	Benefits		
	Reporting racist incidents and other crimes		
	Adult education		
	Making a homelessness application in Plymouth		
	Other		
Details			

Section 3 – Information about vehicles:

No. vehicles in total		No. caravans		No. cars	
------------------------------	--	---------------------	--	-----------------	--

Question	Yes	No
Is there anything affecting your ability to travel? (e.g. un-roadworthy vehicles)		
Details		

Section 4 – Information about animals:

Question	Animal	How many?
Are there any animals on site?	Dogs	
	Horses	
	Other	
Detail		
Would you like details of a local vet or the RSPCA?	Vet	
	RSPCA	
	Other	
	Detail	

Additional information:

Section 5 – data protection:

Question	Yes	No
We may need to share this information with other departments including health, education and other council services. Do you have any objection to this?		
If yes, please tell us why?		

Section 6 –agreement/disclaimer:

I agree that the information provided here is correct, and that by signing this form, I agree that it may be shared with other council departments and partners.		
Or (Please select as necessary)		
I have declined to provide Welfare information to the Plymouth City Council representative		
Name of occupant		Signature (It is ok if you do not have a signature. We just need your mark here)
Date		
Name of officer		Signature
Department		Telephone
Would you like a copy of this info?		Yes
		No

(If 'Yes', we will make sure a copy is taken and returned to you here before you leave).

UNAUTHORISED ENCAMPMENTS**Frequently Asked Questions****Q. What rights do people have?**

Everyone has rights, including the travellers, the local community and the people who own the land where the unauthorised encampment is located.

Gypsies and Travellers, as with all other ethnic groups who have a particular culture, language or values, are protected from discrimination by the Race Relations (Amendment) Act 2000 and the Human Rights Act 1998,

The decision to adopt a travelling lifestyle where housing need is met through living within a vehicle either on a long or short-term basis is made by a wide variety of people for a wide variety of reasons. It is therefore important that Gypsies and Travellers are not denied the right to mainstream services that the Council provides.

Q. What is an unauthorised encampment?

An unauthorised encampment exists when an individual or group of individuals move onto a piece of land they do not own, without the permission or consent of the landowner or occupier of the land. Within the context of this policy an encampment may consist of caravans and or other vehicles.

Q. Can the Council remove the encampment from their land immediately?

No. The Council must

- Show that the gypsies/travellers are on the land without consent.
- Have regard to the general health and welfare of the group and the children's education.
- Ensure that the Human Rights Act 1998 has been fully complied with.

To do this the Council follows a set procedure that is based on Government guidance. This procedure includes proving ownership of the land, carrying out assessments for the health, welfare and education criteria, and assessing the impact of the encampment on its location and local neighbourhood.

Once these have been carried out the Council may use this information for the service of notices and summonses to apply for a court order to enable the Council to evict the encampment from the site.

If the travellers are found to be camped illegally on Council land then the Council may make an application to the Magistrates Court for an Eviction Order or to County Court for a Possession Order.

Q. How long will it take for the travellers to be removed?

This will depend on the circumstances of each individual case. The Council needs to take into account the issues referred to above, as well as how long it takes to obtain a court hearing.

In some instances, following government guidance, the Council may tolerate an encampment up to two weeks if high standards are maintained on site and the legitimate use of the site by others is not affected.

Q. Can the court refuse to grant the Council an order to move the travellers on?

Yes! The Court can refuse to grant an order if it believes that:

- the Council has failed to make adequate enquiries regarding the for the health, welfare and education of the campers, or
- if there is an unavoidable reason for the travellers to remain on site

The Council must show that it has taken all reasonable steps to find out this information before going to court.

Q. What can the Police do?

The Police under certain circumstances can use powers under Sections 61 and 62 of the Criminal Justice and Public Order Act 1994. It is for the police to decide if these powers are to be used. Generally speaking these powers are only invoked where there are situations of criminality or public disorder.

The duty of the police is to preserve the peace and to prevent and detect crime. Trespass on land is not itself a criminal offence. The Police will investigate any reports of crime and public disorder.

Prevention of trespass and the removal of trespassers are the responsibility of the Landowner and not the Police.

Q. What can the landowner do if the if the encampment is on private land?

It is the landowner's responsibility to take the necessary action to evict the encampment.

The landowner can attempt to agree a leaving date with the travellers or take proceedings in the County Court under the Civil Procedures Rules 1998 to obtain a Court Order for their eviction as trespassers.

Q. What can the Council do If the landowner fails to take action?

The landowner may be in breach of Planning legislation and the Caravan Sites Act 1960 unless the landowner has already obtained planning permission for a caravan site.

If there is no planning permission the Council may take proceedings against the landowner to require removal of the illegally parked caravans.

Q. What can the Council do if an eviction order for public land is not complied with?

If the Eviction Order is not complied with then the Council can remove the caravans and other vehicles from the city.

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PLYMOUTH CITY COUNCIL

Subject:	Capital & Revenue Monitoring Report 2017/18– Quarter 2
Committee:	Cabinet
Date:	28 November 2017
Cabinet Member:	Councillor Darcy
CMT Member:	Andrew Hardingham – Interim Joint Strategic Director for Transformation and Change
Author:	Paul Looby – Head of Financial Planning and Reporting Hannah West - Finance Business Partner
Contact details	Tel: 01752 307271 email: paul.looby@plymouth.gov.uk Tel: 01752 305171 email: hannah.west@plymouth.gov.uk
Ref:	
Key Decision:	No
Part:	I

Purpose of the report:

This report outlines the finance monitoring position of the Council as at the end of September 2017.

The primary purpose of this report is to detail how the Council is delivering against its financial measures using its capital and revenue resources, to approve relevant budget variations and virements, and report new schemes approved in the capital programme.

As shown in Table I below, the estimated revenue overspend is £3.277m. The overall forecast net spend equates to £187.159m against a budget of £183.883m, which is a variance of 1.78 %. This needs to be read within the context of needing to deliver in excess of £18.000m of savings in 2017/18 on the back of balancing the 2016/17 revenue budget where £24.000m of net revenue reductions were successfully delivered.

Additional management solutions and escalated action to deliver further savings from the council's transformation programme will be brought to the table over the coming months in order to address the in year forecasted overspend.

Table 1: End of year revenue forecast

	Budget £m	Forecast Outturn £m	Variance £m
Total General Fund Budget	183.883	187.159	3.277

The latest approved capital budget covering 2016/17 – 2020/21 stood at £895.000m which was agreed at Council on 27th February 2017. This report details a revised capital budget of £836.000m, covering the period 2017/18 – 2021/22.

The Corporate Plan 2016/17 – 2018/19:

This quarterly report is fundamentally linked to delivering the priorities within the Council's Corporate Plan. Allocating limited resources to key priorities will maximise the benefits to the residents of Plymouth.

Implications for Medium Term Financial Strategy and Resource Implications:

Robust and accurate financial monitoring underpins the Council's Medium Term Financial Strategy (MTFS). The Council's Medium Term Financial Forecast is updated regularly based on on-going monitoring information, both on a local and national context. Any adverse variations from the annual budget will place pressure on the MTFS going forward and require additional savings to be generated in future years.

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

The reducing revenue and capital resources across the public sector has been identified as a key risk within our Strategic Risk register. The ability to deliver spending plans is paramount to ensuring the Council can achieve its objectives to be a Pioneering, Growing, Caring and Confident City.

Equality and Diversity

This report monitors our performance against our approved budget 2017/18. As part of the budget setting process, EIA were undertaken for all areas.

Recommendations and Reasons for recommended action:

That Cabinet -

1. note the current revenue monitoring position and action plans in place to reduce/mitigate shortfalls;
2. approve the non-delegated virements which have occurred since 1st July 2017;
3. note Full Council’s approval that the Capital Budget 2017 -2022 is revised to £691.000m (as shown in Table 6).

Alternative options considered and rejected:

None – our Financial Regulations require us to produce regular monitoring of our finance resources.

Published work / information:

2017/18 Annual Budget: [2017 Budget Report](#)

Background papers:

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	

Sign off:

Fin	Djn1718.1 30	Leg	29348dvs	Mon Off		HR		Assets		IT		Strat Proc	
Originating SMT Member: Andrew Hardingham, AD for Finance													
Has the Cabinet Member(s) agreed the contents of the report? Yes													

SEPTEMBER 2017 FINANCE MONITORING

Table 2: Revenue Monitoring Position

Directorate	Gross Expenditure	Gross Income	2017/18 Latest Approved Budget	Forecast Outturn	Forecast Year End Variation	Movement from previous month
	£m	£m	£m	£m	£m	£m
Executive Office	3.752	(0.126)	3.626	3.633	0.007	0.007
Corporate Items	14.324	(12.835)	1.489	1.789	0.300	0.000
Transformation and Change	149.123	(116.437)	32.686	33.173	0.487	(0.607)
People Directorate	254.132	(131.822)	122.310	124.505	2.195	0.000
Office of the Director of Public Health	19.731	(19.531)	0.200	0.200	0.000	0.000
Place Directorate	74.092	(50.521)	23.571	23.859	0.288	(0.733)
TOTAL	515.154	(331.272)	183.883	187.159	3.277	(1.333)

Table 3: Plymouth Integrated Fund

Plymouth Integrated Fund	Section 75 indicative position	2017/18 Latest Budget	Forecast Outturn	Forecast Year End Overspend / (Underspend)
	£m	£m	£m	£m
New Devon CCG – Plymouth locality	331.000	329.912	329.842	(0.069)
Plymouth City Council	*131.000	258.417	258.417	0.000
TOTAL	462.000	588.329	588.260	(0.069)

The financial position above for the Plymouth Integrated Fund is at September 2017. The full report is shown in Appendix I.

*This represents the net People Directorate budget plus the gross Public Health Commissioning budget (which is financed by a ring fenced Department of Health Grant).

Table 4: Key Issues and Corrective Actions

Issue	Variation £M	Management Corrective Action
EXECUTIVE OFFICE	0.007	Small pressure remains following timing of service review. This pressure will be addressed before the end of the year.
CORPORATE ITEMS	0.300	Procurement step up of £0.300m. Discussions are underway to agree an action plan to meet this pressure in full before the end of the financial year. Legacy pressures (Procurement £0.343m, CST £0.549m, Commercialisation £0.136m and Strategic Asset Review £0.070m) and Pension deficit (£0.600m) need to be managed in 2017/18.
TRANSFORMATION and CHANGE – Finance	0.123	Following a review of Facilities Management Services a pressure has been identified with utility costs. This is linked to market forces and the service area is looking to manage this down. The department is continuing to hold vacancies to manage demand led services.
TRANSFORMATION and CHANGE – Legal	0.000	There is currently a nil variance to report.
TRANSFORMATION and CHANGE – Customer Services	0.000	The forecast shortfall of £0.311m remains despite reviewing the costs of debt recovery through the court system but is currently being off-set by other in year savings. A mid-year review is underway to assess recovery of overpayments from historic council tax benefit and confirm any shortfall in rent allowance and rent rebate subsidy.
TRANSFORMATION and CHANGE – Human Resources & OD	(0.160)	There is currently an underspend due to in year vacancy savings.

TRANSFORMATION and CHANGE – All Departments	0.369	Reallocation of Commercialisation and CST programme targets totalling £0.467m less (£0.098m) staffing budget savings.
TRANSFORMATION and CHANGE – Transformation and Portfolio	0.155	Departmental pressures remain and is being managed through vacant posts.
TRANSFORMATION and CHANGE – ICT Commissioned Service	0.000	There is currently a nil variance to report.
<p>PEOPLE – Children Young People and Families</p> <p>The Children Young People and Families Service are reporting a budget pressure of £1.500m at quarter 2. Although the overall number of looked after children have increased this month, we are reporting no change in pressure in the month and are consuming the increased cost of placements for the additional young people. A region wide lack of placements has meant that some children have been placed in residential rather than the preferred fostering placements at a much higher cost.</p> <p>There are risks that continue to require close monitoring and management:</p> <ul style="list-style-type: none"> • Increased cost and volume of young people’s placements since budget setting autumn 2016. • Lack of immediate availability of the right in-house foster care placements creating overuse of IFA’s. • There are still a number of individual packages of care at considerably higher cost due to the needs of the young person. • Regional wide commissioning activity did not bring about the anticipated holding and reduction of placement costs 	1.500	<p>The CYPF overspend can be attributed to the increased cost and volume of looked after children’s placements. We are on track to achieve savings against the £1.500m delivery plans in place. Work is being currently undertaken at pace to reduce placement costs and consider realistic invest to save propositions.</p> <p>A piece of work has been undertaken to ensure a systematic review of all young people in supported living and new arrangements for plans for them are in place. This will ensure appropriate plans are in place for young people improving timeliness and reducing cost pressure. Extensive work is underway to review all placements in order to reduce the pressure on cost and volume where appropriate.</p> <p>The level of response following the fostering campaign has been very positive and exceeded our expectations. However, we won’t see the impact of this until later in the year and we already have a number of IFA carers moving across to the PCC In House Service. Part of the strategy to increase the number of children subject to a Special Guardianship Order has been successful; we have seen an increase in SGO and a corresponding reduction in IFA/ In House Foster Care.</p>

<p>in both the residential and IFA sectors.</p> <ul style="list-style-type: none"> • There are currently 32 Residential Placements with budget for only 25 • There are currently 112 Independent Foster Care (IFA's) placements with budget for only 92. We are aiming to achieve savings from the transformation of our In House Foster Care Service. <p>A region wide lack of placements due to an increase in demand for placements, both national and regionally continues to impact negatively on sufficiency.</p>		
<p>PEOPLE – Strategic Commissioning</p> <p>The Strategic Commissioning service is forecasting a year end overspend against budget of £0.437m at month 6, no change from month 5. There is still a large pressure on the Domiciliary Care budget, as per previous months, however the major changes for month 6 are:</p> <ul style="list-style-type: none"> • (£0.499m) Residential / Nursing Income – Additional income from long and short stay residential and nursing clients; • £0.139m Short Stays & Bed Nights - Bed nights continuing to increase, unique client numbers are 16.5% higher than same time last year; • £0.209m Supported Living - Additional clients plus assumption for backdated client as notified by GW; • £0.050m Residential / Nursing Expenditure - Number of bed nights used for nursing continue to grow; • £0.101m Other Variations. 	<p>0.437</p>	<p>Strategic Commissioning will need to make over £5.2m of savings in 2017/18 as part of the overall People Directorate target of £7.117m, which are assumed to be achieved in the year end figure above. It is, however, noted that plans are still being developed for approx. £2 million of this.</p>

<p>PEOPLE – Education Participation and Skills</p> <p>Education, Participation and Skills are reporting a balanced budget position at Month 6, no change from Month 5. The previously reported pressure of £1.370m regarding the on-going legacy liabilities from the 1998 transfer to Unitary status is now being considered as an overall council issue with options to be worked through during the year. At this stage it is not being reported as a budget pressure as plans are in place to resolve prior to the financial year end.</p>	<p>0.000</p>	<p>A plan is being written to scope all of the education-related services within Education, Participation and Skills and recommend an approach and plan for transforming in order to realise savings.</p>
<p>PEOPLE – Community Connections</p> <p>Community Connections is reporting a budget overspend of £0.258m mainly as a result of increased demand for emergency temporary accommodation, this is the same pressure reported in the previous month.</p> <p>Average B & B numbers for April to September have been 55 placements per night with nightly costs increasing, as demand has increased use of Travelodge together with increasing accommodation needs for families.</p> <p>Cost pressure for maintaining an average 51 per night placement level £0.707m, which the service is targeting to reduce with use of alternative properties provided through existing contracts.</p> <p>As part of the MTFs for 2017/18, Community Connections</p>	<p>0.258</p>	<p>Action is ongoing to limit the overall cost pressure through lower placements and prevention work.</p>

<p>are expected to make savings of £0.500m to contribute to the £7.117m Directorate target.</p>		
<p>PEOPLE – Management & Support</p> <p>This budget is projecting to balance for 2017/18.</p>	<p>0.000</p>	
<p>PUBLIC HEALTH</p> <p>Although the 17/18 Public Health ring-fenced grant was cut by a further £0.398m for Plymouth City Council, the Directorate is on track to achieve a balanced budget. However there are pressures with achieving some income targets and there is increasing demand for activity led services.</p>	<p>0.000</p>	<p>ODPH is working towards achieving a balanced budget.</p>
<p>PLACE - Strategic Planning and Infrastructure</p> <p>Taking account of in-service pressures, an overall favourable variation can be identified of £0.04 resulting in a forecasted underspend of £0.183 for year-end. The major fee income activities continue to perform very well despite a further slowing this month and concessionary fares saving remains steady, although outturn on both is difficult to predict at this stage. Notwithstanding this, key risks looking ahead relate to the potential for increased costs in relation to concessionary fares later in the year and a drop off of performance on planning application and building control fees. Additionally,</p>	<p>(0.183)</p>	<p>Risks are being closely monitored on a monthly basis by SP&I Management Team to ensure early action where necessary. At present this include positive actions to maintain and drive planning and BC income, review level of legal representation for joint local plan public examination and negotiation of full cost recovery of contribution from South Hams & West Devon.</p>

<p>costs are unknown in relation to the forthcoming public examination into the joint local plan, and there is a potential for shortfall in project based income that is important for the Engineering Design and Natural Infrastructure teams.</p>		
<p>PLACE - Management Support (Director's budget)</p> <p>There is a £0.405m savings target which has accumulated as a result of step ups in year on year efficiency targets.</p>	<p>0.306</p>	<p>£0.306m remains of the £0.405m target which requires a delivery plan. £0.099m has been achieved through several one off savings. It should be noted that ED have increased their current underspend through a series of one off savings which have mitigated this adverse variation £0.306m, see section below.</p>
<p>PLACE - Economic Development</p> <p>Forecast income generation, including from Asset Investment Fund acquisitions, have enabled a number of expected spend pressures within Economic Development to be met. This includes enabling the removal of the Corporate Landlord budget savings target for Museums "mothballing", and containing an overall MTV net cost.</p>	<p>(0.510)</p>	<p>Efforts continue to be taken to maximise income and reasonably contain costs.</p>
<p>PLACE – GAME</p> <p>The New Homes Bonus target has already been achieved for 17/18</p>	<p>0.000</p>	<p>Target has been met</p>

Overall Comments Finance AD

The reported projected overspend continues to fall with a £1.150m improvement bringing the overall position to a £3.460m forecast overspend. However, as at the end of quarter 2 the forecast is higher than the target position.

The main changes in the last month see a reduced forecast overspend within Transformation and Change due to managing staff vacancies and a reduced forecast pressure within Place due to an improving position across all areas including a forecast underspend within Highways and Car Parking due to capitalisation of the eligible costs and additional income from the Car Parking trading account.

Pressures remain within the People Directorate but the overall position remains stable. The People directorate continues to face challenges primarily due to cost and volume pressures within both Children's services and Adults. Reviews of all placements will continue to reduce the pressure on cost and volume and where possible preventative work undertaken. Partnership working with health partners continues to mitigate the pressures within Adult Social Care.

With a gross budget of £515m a projected overspend of £3m equates to 0.6% and needs to be put into context when considering the range and complexity of services that are being provided. However, the council must declare a balanced budget at year end so all directorates will therefore continue to drive out efficiencies and savings where possible and look to maximise income across all services where feasible.

The Transformation Programme continues to deliver benefits and savings but there are ongoing risks for all services which will continue to be closely managed and monitored,

At the half way stage of the financial year there are still significant challenges ahead that need to be addressed to reach a balanced position at year end. In managing this year's budget it should be recognised there are a number of underlying pressures the Council is trying to manage across all directorates and all opportunities need to be explored to achieve a balanced budget at year end. Additional resources are being invested in Street Scene Services to enable the continued improvement of services.

Recommendation

It is recommended that Cabinet note the current monitoring position.

VIREMENTS

Table 5 below includes a number of virements between specific directorate budgets. All virements in excess of £0.1m are required to be approved by Cabinet and are shown below.

Table 5 Virements detail

Directorate	Agreed team movements	Transfer of Grant Carry forward budgets from 16/17 to 17/18	Realignment of Delivery Plan coming out of People Mgmt and Support	GCOCD Budget Cleanse following meeting with AH, HW and HM - to ensure budget agrees to MTFS increase of £500k	Totals
	£'000	£'000	£'000	£'000	£'000
Executive Office	(10)				(10)
Corporate Items		(350)			(350)
Transformation and Change	10	58		0	68
People Directorate		66	0	0	66
Public Health		41			41
Place Directorate	0	185			185
	0	0	0	0	0

Recommendation

It is recommended that Cabinet approve the non-delegated virements which have occurred since 1st July 2017.

Capital Programme 2017-2022

The latest approved capital budget was reported to Council on 25 September 2017, as £836.000m.

Since this approval the 2016-17 outturn has been reported and 2021-22 has been added. This has resulted in a decrease in the overall budget for the period 2017 -2022, by £59m to £836.000m. The capital budget has been adjusted to take into account some of the Priority List assumptions that were already include in the existing budget income assumptions.

The five year capital budget 2017-2022 is currently forecasted at £691.000m. This is set out in Table 6 below.

Table 6: Current Capital Resources

Description	£m
Latest Approved Budget 2016 - 2022	836
Reduction in the capital budget due to some of the Priority List assumptions were already include in the existing budget income assumptions	(151)
Other changes	6
Total Revised Capital Budget for Approval (2017-2022)	691

The Capital budget consists of the following elements:

Description	£m
Capital Programme	201
Priority List (original approval)	417
Less: Priority list approved in Capital Programme	(46)
Reduction in the capital budget due to some of the Priority List assumptions were already include in the existing budget income assumptions	(151)
Income Assumptions *	270
Total Revised Capital Budget for Approval (2017-2022)	691

* Estimate of income to be received to finance future capital projects

Within the approved budget (representing forecast resources), the Capital Programme represents projects that have been approved by the City Council Investment Board (CCIB). Project officers prepare detailed business cases and present them to the board and if approved the CCIB recommends them to the Leader for approval. Once the executive decision has been signed by the leader the projects are added to the Capital Programme for delivery.

Table 7 below shows the revised annual programme for the period 2017-22, as at the end of September 2017. Appendix 2 shows a detailed breakdown of the Capital Programme.

Table 7: Revised Capital Programme

Capital Programme by Delivery Outcome

Primary Outcome of Projects	£m
Securing Growth in the City Centre/Waterfront	10.847
Securing Growth in Derriford and the Northern Corridor	19.568
Securing Growth in the Eastern Corridor	7.681
Delivering More/Better Housing	6.414
Ensuring Essential City Infrastructure	28.261
Improving Neighbourhoods and Community Infrastructure	7.912
Ensuring Good Quality School Places	7.349
Growing the Economy	4.754
Delivering Oceansgate	15.577
Connecting the City	0.115
Celebrating Mayflower	3.416
Delivering The Box	29.733
Transforming Services	59.106
Total	200.733

Capital Programme by Directorate

Directorate	2017/18	2018/19	2019/20	2020/21	2021/22	Total
	£m	£m	£m	£m	£m	£m
Transformation & change	8.060	1.485	0.984	0.984	-	11.513
People	11.003	4.049	0.225	0.225	0.225	15.727
Place	100.856	51.771	15.824	3.038	2.004	173.493
Total	119.919	57.305	17.033	4.247	2.229	200.733

Recommendation

Cabinet are asked to recommend to Council that the Capital Budget 2017 -2022 is revised to £691.000m (as shown in Table 6).

Appendix 2: Detailed Breakdown of the Capital Programme

Approved Capital Programme	2017/18	2018/19	2019/20	2020/21	2021/22	Total
	£000	£000	£000	£000	£000	£000
Celebrating Mayflower						
Mayflower 400 - Public Realm Improvements	300	534	281	-	-	1,115
Mayflower 400 – Public Realm Enabling	100	400	500			1,000
Mayflower 400 - Trails	316	665	985			1,966
Mayflower 400 - Merchants House	25					25
Mayflower 400 - Elizabethan House	250					250
Mayflower 400 - Monument	50					50
Mayflower 400 - Waterfront Event Infrastructure	10					10
Total Celebrating Mayflower	1,051	1,599	1,766	0	0	4,416
Connecting the City						
Mayflower Coach Station	49	-	-	-	-	49
Creation of Non-Scheduled Coach Drop Off Points	66	-	-	-	-	66
Total Connecting the City	115	-	-	-	-	115
Delivering More/Better Housing						
Self Build Housing Sites	188	-	-	-	-	188
Former Whitleigh Community Centre	180	-	-	-	-	180
Empty Homes / Enabling	63	-	-	-	-	63
North Prospect Phase 5	-	500	450	-	-	950
Prince Maurice Road	359	-	-	-	-	359
Bath Street	1,663	981	-	-	-	2,644
Plan for Homes	300	200	200	300	-	1,000
Homes for Veterans (Nelson Project)	225	-	-	-	-	225
Extra Care Housing Support Millbay	450	-	-	-	-	450
How Street Specialist Housing Programme	275	-	-	-	-	275
Bournemouth Churches Housing Association	80	-	-	-	-	80
Total Delivering More/Better Housing	3,783	1,681	650	300	0	6,414
Delivering Oceansgate						
South Yard Remediation/separation works	1,726	7,729	-	-	-	9,455
South Yard Area 1 East Direct Development	6,121	-	-	-	-	6,121
Total Delivering Oceansgate	7,847	7,729	-	-	-	15,576
Delivering The Box						
The Box	9,218	13,583	6,611	312	-	29,734
Total Delivering The Box	9,218	13,583	6,611	321	-	29,734

Ensuring Essential City Infrastructure						
Clean Vehicle Technology Improvements	81	-	-	-	-	81
Bus Punctuality improvement plan (BPIP)	253	-	-	-	-	253
Access Road to Housing Site in Estover	112	-	-	-	-	112
S106 Transport Projects	167	162	-	-	-	329
Millbay School Creative Arts highway work	49	-	-	-	-	49
Billacombe Footbridge	50	642	-	-	-	692
Derriford Community Park	123	498	22	4	4	651
European Marine Sites - Recreational Behaviour Changing Measures	28	28	55	-	-	111
Home Energy	34	46	-	-	-	80
Millbay Boulevard	25					25
Development Funding	475	-	-	-	-	475
Capitalised Maintenance Schemes	9,250	6,000	5,042	2,000	2,000	24,292
Flood defence Works	53	-	-	-	-	53
Container Provision	672	-	-	-	-	672
West Hoe Pier	105	-	-	-	-	105
Mount Edgcumbe Sea Wall Repairs	569	-	-	-	-	569
Mount Edgcumbe Commercialisation	180	84	-	-	-	264
Total Ensuring Essential City Infrastructure	12,226	7,460	5,119	2,004	2,004	28,813
Ensuring Good Quality School Places						
Stoke Damerel Basic Need	22					22
Pennycross Basic Need	1,750	-	-	-	-	1,750
Pomphlett Basic Need	893	1,600	-	-	-	2,493
Oreston Academy Basic Need	226	-	-	-	-	226
Yealmpstone Farm Primary School Basic Need	1,796	1,004	-	-	-	2,800
Woodford Primary School - Decking	59	-	-	-	-	59
Total Ensuring Good Quality School Places	4,746	2,604	-	-	-	7,350
Growing the Economy						
Social Enterprise Fund	824	29	-	-	-	853
Langage Development Phase 2	2,301	870	-	-	-	3,171
STEM Provision at City College	481	-	-	-	-	481
39 Tavistock Place	202	15	-	33	-	250
Total Growing the Economy	3,808	914	0	33	0	4,755
Improving neighbourhoods and delivering community infrastructure / facilities						
MVV Devonport Biodiversity Improvements	219	-	-	-	-	219
Active Neighbourhoods	77	-	-	-	-	77
Infrastructure Works at Honicknowle	-	26	-	-	-	26

Bond Street Playing fields (Southway Community Football Facility)	40	473	-	-	-	513
Staddiscombe Sports Improvements	-	58	-	-	-	58
Higher Efford Play Pitch Enhancements	50	388	66	-	-	504
Central Park Sports Plateau	40	340	52	-	-	432
Central Park Improvements	723	1,277	-	-	-	2,000
Improving Outdoor Play	595	264	-	-	-	859
Central Park Wooded Valley	35	-	-	-	-	35
Dunstone Woods	13	-	-	-	-	13
Blockhouse Park Playground Refurbishment	2	-	-	-	-	2
Manadon Play Pitches	1,029	1,024	-	-	-	2,053
St Budeaux Tennis Courts	3	-	-	-	-	3
MAP Early Years Capital Fund	300	-	-	-	-	300
Children Centres	265					265
Total Improving neighbourhoods and delivering community infrastructure / facilities	3,391	3,850	118	-	-	7,359
Securing Growth in Derriford and Northern Corridor						
Forder Valley Link Road- Development Costs	2,390	-	-	-	-	2,390
Derriford Transport scheme - Derriford Roundabout / William Prance Road	12,221	50	-	-	-	12,271
Derriford Hospital interchange scheme	37	-	-	-	-	37
N Corridor Junction Imps - PI Outland Rd	196	1,221	-	-	-	1,417
Purchase of 444 Tavistock Road	32	-	-	-	-	32
Purchase of 422 Tavistock Road	275					275
Northern Corridor Strategic Cycle Network	550	1,750	840	-	-	3,140
Marjons Link Road	6	-	-	-	-	6
Total Securing Growth in Derriford and Northern Corridor	15,707	3,021	840	-	-	19,568
Securing Growth in the City Centre and Waterfront						
Devonport Market High Tech 'Play Market'	713	1,318	-	-	-	2,031
City Centre Public Realm	526					526
Market Way Public Realm	215					215
Sutton Harbour Public Realm Improvements	32	-	-	-	-	32
Visitor signage	86	-	-	-	-	86
Cobourg House	3,323	-	-	-	-	3,323
Quality Hotel	70	266	-	-	-	336
Colin Campbell Court Phase 1	965	-	-	-	-	965
Colin Campbell Court Phase 2	950	730				1,680
Plymouth City Market Major Refurbishment	1,289	-	-	-	-	1,289
City Centre Shop Fronts Grant Scheme	176	114	-	-	-	290

West End Public Realm	74	-	-	-	-	74
Total Securing Growth in the City Centre and Waterfront	8,419	2,428	-	-	-	10,847
Securing Growth in the Eastern Corridor						
Eastern Corridor Junction Improvements	1,503	1,512	340	-	-	3,355
Eastern Corridor Strategic Cycle Network	1,307	1,839	380	380	-	3,906
Woolwell to The George	420	-	-	-	-	420
Total Securing Growth in the Eastern Corridor	3,230	3,351	720	380	-	7,681
Transforming Services						
Street lighting bulb replacement	119	-	-	-	-	119
Highways Information Management System	342	-	-	-	-	342
Fleet Replacement Programme	1,478	-	-	-	-	1,478
Weston Mill Recycling Centre	204					204
Chelson Meadow Closure & Leachate Plant Upgrade	259					259
Bell Park Industrial Estate	335	-	-	-	-	335
Friary Retail Park	50	-	-	-	-	50
Next	7,875	7,178	-	-	-	15,053
10 New George Street	1,779	-	-	-	-	1,779
Purchase of St Catherine's House	2,425	-	-	-	-	2,425
Royal Mail	20,303	-	-	-	-	20,303
Disabled Facilities (incl Care & Repair works)	2,142	-	-	-	-	2,142
Schools Condition Works	438	-	-	-	-	438
CaterED	41					41
SEN Access and Safeguarding	35	-	-	-	-	35
Schools Devolved Projects	494	420	225	225	225	1,589
Plans for Libraries	121	-	-	--	-	121
ICT	4,543	998	984	984	-	7,509
Corporate Asset Lifecycle Maintenance	459	344	-	-	-	803
Corporate Heritage Maintenance	166	-	-	-	-	166
Other Corporate Property	1,422	-	-	-	-	1,422
Transformation Accommodation	1,348	-	-	-	-	1,348
Boiler Replacement Programme for Council Properties	-	145	-	-	-	145
Total Transforming Services	46,378	9,085	1,209	1,209	225	58,106
TOTAL CAPITAL PROGRAMME	119,919	57,305	17,033	4,247	2,229	200,733
Forecast future income streams	45,400	66,092	55,466	56,191	46,799	269,948
Priority List	20,784	59,527	79,114	40,916	20,300	220,641
GRAND TOTAL	186,103	182,924	151,613	101,354	69,328	691,322

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Northern, Eastern and Western Devon
Clinical Commissioning Group



Plymouth Integrated Fund Finance Report – Month 06 2017/18

Introduction

This report sets out the outturn financial performance of the Plymouth Integrated Fund for the year to date and the forecast for the financial year 2017/18.

The report is in several sections.

- The first section details the performance of the Integrated Fund, including the section 75 risk share arrangements.
- The second identifies the Better Care Fund, which is a subset of the wider Integrated Fund, but has specific monitoring and outcome expectations.
- The third section details the financial performance of the Western Planning and Delivery Unit (PDU) of the Clinical Commissioning Group (CCG).
- Appendix 1 which shows the Plymouth Integrated Fund performance and risk share.
- Appendix 2 which shows the PDU managed contracts financial performance.
- Appendix 3 which is a glossary of terms used in the report.

In summary, it is too early in the year to predict a move away from delivery of plan at this stage, however there are clear pressures in the system, and recovery measures are required to bring the spend back into line.

SECTION 1 – PLYMOUTH INTEGRATED FUND

Integrated Fund - Month 6 Report 2017/18

At this stage in the year it is too early to predict the impact of the risk share across the Integrated Fund. There remain clear signs of pressure in the system, in particular around Looked after Children in Care, Intermediate Care in both Health and Social Care, and emerging risks for Continuing Healthcare. Recovery programmes are expected to bring these back into line.

The overall fund position is reflected in Appendix 1.

Plymouth City Council Integrated Fund

The integrated fund for Plymouth City Council (PCC) is shown as gross spend and now also includes the Support Service Recharge costs for the People directorate and Public Health department along with the capital spend for Disabled Facilities Grant, which is funded from the Better Care Fund.

Children, Young People and Families

The Children Young People and Families Service are reporting a budget pressure of £1.500m at quarter 2. Although the overall number of looked after children have increased this month, we are reporting no change in pressure in the month and are consuming the increased cost of placements for the additional young people. A region wide lack of placements has meant that some children have been placed in residential rather than the preferred fostering placements at a much higher cost.

The CYPF overspend can be attributed to the increased cost and volume of looked after children's placements.

The overall number of children in care at the end of the month of September stands at 400.

Strategic Co-operative Commissioning

The Strategic Commissioning service is forecasting a year end overspend against budget of £0.437m at month 6, no change from month 5. There is still a large pressure on the Domiciliary Care budget, as per previous months, however there have also been changes for month 6 around the Residential & Nursing and Supported Living care packages but being offset in the main with increases in client contribution income.

Education, Participation and Skills

Education, Participation and Skills are reporting a balanced budget position at Month 6, no change from Month 5.

Community Connections

Community Connections is forecasting a year end budget overspend of £0.258m mainly as a result of increased demand for emergency temporary accommodation. This is the same pressure reported in the previous month.

Average B & B numbers for April to September have been 55 placements per night with nightly costs increasing due to the increased use of Travelodge and increasing accommodation needs for families.

Public Health

Although the 17/18 Public Health ring-fenced grant was cut by a further £0.398m for Plymouth City Council, the Directorate is on track to achieve a balanced budget. However it should be noted that there are pressures with achieving some income targets and there is increasing demand for activity led services.

Plymouth City Council Delivery Plans

Between People Directorate and Public Health, over £10m of savings will need to be delivered during 2017/18, which includes savings of over £2.8m of savings brought forward from 2016/17 which were delivered as one-off savings. At the moment, it is expected that all savings will be achieved - breakdown shown below:

Plymouth City Council	Year To Date			Current Year Forecast		
Month 6 - September 2017	Budget	Actual	Variance	Budget	Actual	Variance
			Adv / (Fav)			Adv / (Fav)
	£000's	£000's	£000's	£000's	£000's	£000's
Children, Young People & Families	945	945	-	1,890	1,890	-
Strategic Cooperative Commissioning	1,942	1,942	-	3,883	3,883	-
Education Participation & Skills	407	407	-	814	814	-
Community Connections	265	265	-	530	530	-
Additional People Savings	1,432	1,432	-	2,864	2,864	-
Public Health	74	74	-	148	148	-
	5,065	5,065	-	10,129	10,129	-

Western Locality of CCG Integrated Fund

The integrated fund for the Western Locality is reflecting a forecast break even position at this stage.

Clear pressures are emerging around the Independent Sector contracts, Intermediate Care and Continuing Healthcare. There are also cost efficiency expectations for Individual Patient Placements and Section 117 packages of care.

Independent Sector:

The Year to Date activity shows a £1,526k, which would result in a straight lined forecast of £4.1m for the Independent Sector contracts managed in the West. This overspend is mainly focussed around Orthopaedics performance in both Care UK and Plymouth Nuffield. An assumption of delivery of planned QIPP schemes driven through the Elective Workstream informs the current forecast to breakeven. However, the risk is highlighted in the corporate risk position, and will be reflected in the Locality position as the QIPP impact is better understood.

Intermediate Care:

The pressure in the cost of the Intermediate Care (Discharge to Assess) beds in the West remains above plan. The forecast assumes a recovery programme bringing the pressure back into financial balance. The level of bed usage in place at this

point, if remaining static for the remainder of the year, would indicate an overspend of £1.8m. Included within the assumption of breakeven is an assumed benefit from the use of the iBCF resources.

This is an area of significant focus on transformation and recovery, and is reported in detail to the Western System Improvement Board on a bi-weekly basis.

Neurosurgery:

The cost of this activity has now been finalised, and is set within the resources transferred for the Information Rules rebase. There is no financial risk to the current year position.

The service at Plymouth Hospitals NHS Trust opened for referral in September.

Continuing Healthcare:

The CCG wide Continuing Healthcare budget for 2017/18 is £69.9m. At month 5, the forecast spend for the year is £71.2m resulting in a forecast overspend of £1.3m. There is significant risk that this position may deteriorate further.

The Continuing Healthcare QIPP savings target for 2017/18 was originally £6.0m but has now been “stretched” to £8.0m. The forecast savings are £6.6m so forecast under delivery against the target of £1.4m is reported at this time. It is recognised that there is also significant risk in this which will require considerable management focus.

The key risk for this cohort of patients is that the numbers receiving Continuing Healthcare has plateaued and this may impact on the delivery of the overall cost reductions.

Ongoing analysis is required to finalise the position at locality level.

IPP and Section 117:

For IPP a risk share continues to be agreed with Livewell Southwest, and performance is good when compared to the same period last year.

For section 117 packages of care a plan is being developed to manage the cost of packages of care as a pooled budget. This will be run in parallel in the current year, and the CCG will continue to work with Livewell Southwest in the delivery of the planned efficiency targets.

Primary Care Prescribing:

The West has the greater opportunity in terms of savings from Primary Care Prescribing, and therefore has the greater share of the cost efficiency target. The PDU is currently on target to achieving this target. It is too early in the year to accurately forecast the prescribing outturn, so this is represented as a corporate risk at month 6. Consequently the risk is not yet reflected in the Locality position, but will

start to impact in the coming months. The level of risk this month has increased as a result of further guidance regarding the withholding of Category M savings centrally, and the impact of NCSO (No Cheaper Stock Obtainable), which is significantly increasing and remains a cost to the CCG.

Efficiency Programmes:

FOR THE PERIOD FROM 01 APRIL 2017 TO 30 SEPTEMBER 2017

Month 06 September	Year To Date			Current Year Forecast		
	Budget	Actual	Variance Adv / (Fav)	Budget	Forecast	Variance Adv / (Fav)
	£000's	£000's	£000's	£000's	£000's	£000's
SAVINGS LEDGER REPORT						
Independent Sector	-1,750	-390	1,360	-3,500	-1,030	2,470
Prescribing	-4,250	-4,250	-	-8,500	-8,500	-
Continuing Healthcare	-2,590	-2,147	443	-8,000	-6,505	1,495
IPP	-760	-760	-	-3,000	-3,000	-
Running Costs	-1,200	-1,050	150	-2,788	-2,788	-
GROSS SAVINGS	-10,550	-8,597	863	-25,788	-21,823	3,965

QIPP Reported to NHSE

Contractualised 16/17 FYE	-5,580	-5,580	-	-11,160	-11,160	-
Social Care	-	-	-	-7,000	-7,000	-
Technical Accounting	-1,000	-1,000	-	-2,000	-2,000	-
TOTAL SAVINGS REPORTED TO NHSE	-17,130	-15,177	863	-45,948	-41,983	3,965

Additional System Savings

Headroom Release	-1,815	-1,815	-	-3,629	-3,629	-
Investment Release	-700	-700	-	-1,400	-1,400	-
TOTAL SYSTEM SAVINGS	-14,065	-12,112	863	-39,817	-35,852	3,965

The above savings report feeds into the system wide savings plan excluding the contractualisation of 16/17 full year effect, although this forms part of the position reported to NHS England.

Overall the CCG is reporting 86% delivery of plan year to date with 90% delivery forecast by yearend. There is a shortfall on independent sector both year to date and forecast as plans have not yet been fully worked up. There is also a shortfall on the forecast for continuing healthcare due to client numbers not falling as expected.

The above report is currently reflecting the CCG wide position. Further analysis is ongoing to localise the reporting of these delivery plans to Planning and Delivery Units.

Integrated Fund Summary

At this stage in the year both parts of the fund are experiencing emerging pressures that require management to bring the position back to balance. On that basis the forecasts include improvements resulting from recovery programmes, and the impact of the risk share has been therefore muted.

SECTION 2 – BETTER CARE FUND (BCF)

Better Care Fund (BCF) and Improved Better Care Fund (iBCF)

The table below shows the total BCF for 2016/17 and 2017/18, along with the distribution between CCG and PCC.

	2016/17	2017/18 Estimated
	£m	£m
PCC Capital (Disabled Facilities Grant)	1.954	2.126
PCC Revenue	9.087	9.246
CCG Revenue	8.310	8.455
Sub Total BCF	19.351	19.827
iBCF (see below)	0.000	0.764
iBCF (see below)	0.000	5.880
Sub Total iBCF	0.000	6.644
Total Funds	19.351	26.471

As part of the resource settlement for 2017/18, PCC were awarded amounts from the Governments iBCF. The first amount was £0.764m which forms part of the PCC revenue settlement. The Government then awarded additional monies, as part of the £2billion to support social care nationally, at the Spring Budget of which PCC will receive:

2017/18	£5.800m
2018/19	£3.660m
2019/20	£1.815m.

These funds are being paid to the Local Authority and come with conditions that they are *“to be spent on adult social care and used for the purposes of meeting adult social care needs, reducing pressures on the NHS - including supporting more people to be discharged from hospital when they are ready - and stabilising the social care provider market.”*

A report was taken to Cabinet in July that showed the 2017/18 additional funding and allocations to specific areas and projects. This report was approved and the schemes are now being worked up with more detail. A summarized expenditure plan is included below:

	2017/18
	£m
Priority One - Meeting Adult Social Care Needs	1.400
Priority Two - Reducing Pressures on the NHS	3.351
Priority Three - Stabilising the Social Care Market	1.000
Sub Total	5.751
Contingency	0.049
Sub Total iBCF	5.800

This is not recurrent money and so overall investments will seek to be a 'bridging' resource to implement the STP new models of care or deliver efficiencies.

SECTION 3 – WESTERN PDU MANAGED CONTRACTS

Context / CCG Wide Financial Performance at Month 6

The CCG plan for 2017/18 has been produced in conjunction with our main acute providers within a wider System Transformation Plan (STP) footprint encompassing South Devon and Torbay CCG (SD&T CCG).

The CCG's planned deficit for 17/18 is £57.1m. This is an improvement from its original plan of £21.4m following proposals developed through the Capped Expenditure Process (CEP). NHS England have confirmed that the plans submitted under the CEP will be used to review the CCG's performance and accordingly the CCG is reporting against this revised plan. In addition to this the CCG has brought forward deficit from 2013/14 to 2016/17 of £120.5m making the planned cumulative deficit £177.7m.

Although the plan has been updated, NHS England have also confirmed they will continue to measure overall performance against the control total of £17.4m deficit. The current forecast would represent an overspend of £39.7m to the control total.

The updated CCG plan sits within an overall plan for the STP which has a deficit of £61.5m with a savings plan of £168.2m. The plan is based on an agreed set of block contracts with the main providers which de-risks this element of the CCG's commissioning budget and delivers savings within those contracts of £11.2m.

As of Month 6 the year to date and forecast outturn positions are in line with the current plan.

Western PDU Finance Position

Introduction

The Locality is forecasting to materially deliver within budget at this stage in the year. However the year to date position is showing a pressure for the Independent Sector provider contracts, and this is explained more fully in the report.

The detailed analysis for the PDU is included at **Appendix 2**.

Acute Care Commissioned Services

Plymouth Hospitals NHS Trust

The contract value for Plymouth Hospitals NHS Trust is agreed at £180.9m, however, the contract remains unsigned whilst the system wide plan is being reviewed by system regulators. The contract performance will still be reported on and scrutinised at the same degree of granularity and as such detail can be provided in this report.

The forecast spend has been set to reflect the allocated budget of £181.075m.

Contract Performance

The month 5 performance information showed a year to date overperformance against the contract plan of £0.8m.

The main reasons for the contractual overperformance are summarised below.

2017/18 M05	Planned Spend	Actual Spend	Variance	Variance	Variance
	£000s	£000s	£000s	Activity	Spend
Elective	15,936	13,745	- 2,191	-9.4%	-13.7%
Non Elective	27,959	28,245	286	3.5%	1.0%
A&E	4,062	4,330	268	3.3%	6.6%
Outpatients	12,650	12,657	7	-0.6%	0.1%
Excluded Services	15,446	14,377	- 1,069		-6.9%
Penalties			-		
CQUIN	1,676	1,711	35		
Contract Adjustments	- 3,434		3,434		
Total	74,295	75,065	770		1.0%

The **Elective** position is £2.19m (13.7%) behind plan from a financial perspective but 9.4% behind plan in overall activity terms. The main contributor to this position is under performances within Orthopaedics, Neurosurgery, Colorectal Surgery and Upper GI Surgery.

Non Elective under performed in month 4 by £187k, giving an overall year to date overperformance of £96k. Month 5 has seen an overperformance, and the year to date position now shows £286k over.

In **Accident and Emergency** the year to date overperformance totals £268k; this is significant at 6.7% over plan. In activity terms the overperformance percentage is lower at 3.3% which indicates that the complexity or volume of care provided has increased.

Outpatients has continued to underperform in month 5 by £186k. This has further reduced the total overperformance to £7k. Outpatient procedures make up the majority of this overperformance, whilst first attendances are behind plan and follow ups on plan. Overall, there have been 747 fewer outpatient attendances than had been planned for.

South Devon Healthcare Foundation Trust

The 2017/18 South Devon Healthcare Foundation Trust contract value for acute services has been set at a total of £6.07m. £5.15m of this accounts for the acute contract which is on a variable PbR basis, with a further £0.92m fixed contract for community services.

At month 5 the acute contract is under performing plan by £33k which is an improvement against the month 4 position of £66k. Within this position elective is behind plan by £59k, outpatients are behind plan by £32k whilst Non Elective and A&E are over performing by £64k and £20k respectively.

Information received since the position was closed down indicates that the contract has moved back into an overall overspend position driven primarily by an increase in non elective spend.

Independent Sector & London Trusts

The volume and quality of data supplied at this early stage of the year by the London Trusts means that it is too unreliable to be used for meaningful forecasts. As such these positions have been set to breakeven.

This will be revised as more data becomes available in the coming months.

Within the Independent Sector at Month 5, a significant overspend is emerging most of which is found within the Care UK contract. There is a significant degree of additional performance within Orthopaedics accounting for the bulk of this over-performance. At Nuffield Plymouth, there is a large overspend within Spinal Surgery but this is being partially offset by underperformances within other specialties. Assumptions have been made in the delivery of QIPP during the latter part of the year to bring this position back to balance.

Livewell Southwest

The Livewell Southwest (LSW) Contract is blocked. LSW produce a monthly performance/finance databook which allows both parties to shadow monitor the block contract and review key performance metrics.

Discharge to Assess beds

Despite the service redesign and additional support to maintain a 6 week timeframe for Intermediate Care, the system is increasingly showing signs of pressure with increasing referrals to intermediate care due to ongoing escalation at Plymouth Hospitals NHS Trust. This pressure is emerging as a cost to the Western Locality in excess of plan, and is the focus of significant scrutiny and redesign through the Western System Improvement Board.

Primary Care Enhanced and Other Services

Whilst the budgets and expenditure are reported in the Western PDU report, this is to ensure that all lines of expenditure for the CCG are reported in a PDU and there is integrity to the reports produced. There is, however, a separate governance structure for Enhanced Services that sits outside and alongside the two PDU structures to ensure there is segregation of decision making in primary care investments. The outturn expenditure is in line with budgets.

Conclusion

In summary, the outturn position for both the Integrated Fund and the Western Planning and Delivery Unit is forecast to deliver to plan at this stage in the year. There are clear signs of pressure in the system, in particular around Looked After Children in Care, Intermediate Care in both Health and Social Care, and emerging risks for Continuing Healthcare. Recovery programmes are expected to bring these back into line.

Ben Chilcott
Chief Finance Officer, Western PDU

David Northey
Head of Integrated Finance, PCC

APPENDIX 1**PLYMOUTH INTEGRATED FUND AND RISK SHARE**

Month 06 September	Year to Date			Forecast		
	Budget	Actual	Variance	Budget	Actual	Variance
	£000's	£000's	£000's	£000's	£000's	£000's
CCG COMMISSIONED SERVICES						
Acute	85,592	86,692	1,100	171,092	171,017	-75
Placements	21,083	20,916	-167	40,947	41,511	564
Community & Non Acute	27,590	27,593	3	55,180	55,196	16
Mental Health Services	13,591	13,591	-	27,182	27,182	-
Other Commissioned Services	5,890	5,805	-86	11,721	11,717	-5
Primary Care	2,829	2,951	122	6,050	6,024	-26
Subtotal	156,575	157,548	973	312,173	312,646	473
Running Costs & Technical/Risk	3,017	2,733	-283	17,739	17,197	-543
CCG Net Operating Expenditure	159,591	160,281	690	329,912	329,842	-69
Risk Share					-	-
CCG Net Operating Expenditure (after Risk Share)	159,591	160,281	690	329,912	329,842	-69
PCC COMMISSIONED SERVICES						
Children, Young People & Families	14,745	18,444	3,699	35,388	36,888	1,500
Strategic Cooperative Commissioning	32,320	39,003	6,683	77,568	78,005	437
Education, Participation & Skills	1,606	2,057	450	3,855	4,113	258
Community Connections	44,381	53,258	8,876	106,515	106,515	-
Director of people	90	108	18	216	216	-
Public Health	6,800	8,161	1,360	16,321	16,321	-0
Subtotal	99,943	121,029	21,086	239,863	242,058	2,195
Support Services costs	6,845	8,214	1,369	16,428	16,428	-
Disabled Facilities Grant (Cap Spend)	886	1,063	177	2,126	2,126	-
Recovery Plans in Development	-	-	-	-	-2,195	-2,195
PCC Net Operating Expenditure	107,674	130,306	22,632	258,417	258,417	0
Risk Share					-	-
PCC Net Operating Expenditure (after Risk Share)	107,674	130,306	22,632	258,417	258,417	0
Combined Integrated Fund	267,265	290,588	23,322	588,329	588,260	-69

APPENDIX 2

WESTERN PDU MANAGED CONTRACTS FINANCIAL PERFORMANCE

Month 06 September	Year To Date			Current Year Forecast		
	Budget	Actual	Variance	Budget	Forecast	Variance
	Adv / (Fav)			Adv / (Fav)		
	£000's	£000's	£000's	£000's	£000's	£000's
ACUTE CARE						
NHS Plymouth Hospitals NHS Trust	90,770	90,771	0	181,075	181,075	-
NHS South Devon Healthcare Foundation Trust	3,253	3,123	-130	6,535	6,285	-250
NHS London Contracts	875	726	-150	1,759	1,709	-50
Non Contracted Activity (NCA's)	4,457	4,457	-0	8,954	8,954	-
Independent Sector	5,431	6,958	1,526	10,924	10,924	-0
Referrals Management	1,333	1,333	0	2,678	2,678	0
Other Acute	12	12	-	24	24	-
Subtotal	106,132	107,380	1,247	211,948	211,648	-300
COMMUNITY & NON ACUTE						
Livewell Southwest	24,705	24,705	-	49,410	49,410	-
GPwSI's (incl Sentinel, Beacon etc)	809	809	-	1,618	1,618	0
Community Equipment	324	324	-	648	648	-0
Peninsula Ultrasound	128	134	6	256	285	29
Reablement	759	759	-	1,517	1,517	-0
Other Community Services	128	128	0	256	256	-
Joint Funding_Plymouth CC	3,355	3,355	-	6,711	6,711	-0
Subtotal	30,208	30,214	6	60,415	60,444	29
MENTAL HEALTH SERVICES						
Livewell MH Services	13,492	13,492	-	26,985	26,985	-
Mental Health Contracts	13	13	-	26	26	-
Other Mental Health	505	505	-0	1,010	1,010	-
Subtotal	14,010	14,010	-0	28,021	28,021	-
OTHER COMMISSIONED SERVICES						
Stroke Association	77	80	3	153	159	6
Hospices	1,340	1,217	-122	2,679	2,679	-
Care Co-ordination Team	3,490	3,490	-0	6,980	6,980	0
Patient Transport Services	1,114	1,114	0	2,228	2,228	0
Wheelchairs Western Locality	900	900	-	1,800	1,800	-
Commissioning Schemes	95	93	-2	191	191	-
All Other	441	455	15	881	865	-16
Recharges	311	311	-0	778	778	-
Subtotal	7,767	7,660	-107	15,690	15,681	-9
PRIMARY CARE						
Prescribing	28,986	28,986	0	57,971	57,971	-
Enhanced Services	3,974	3,974	-0	8,740	8,740	-
GP IT Revenue	1,474	1,474	-0	3,311	3,311	0
Other Primary Care	47	47	-	95	95	-
Subtotal	34,480	34,480	0	70,118	70,118	0
TOTAL COMMISSIONED SERVICES	192,597	193,744	1,147	386,192	385,912	-280

APPENDIX 3
GLOSSARY OF TERMS

PCC - Plymouth City Council

NEW Devon CCG – Northern, Eastern, Western Devon Clinical Commissioning Group

CYPF – Children, Young People & Families

SCC – Strategic Cooperative Commissioning

EPS – Education, Participation & Skills

CC – Community Connections

FNC – Funded Nursing Care

IPP – Individual Patient Placement

CHC – Continuing Health Care

NHSE – National Health Service England

PbR – Payment by Results

QIPP —Quality, Innovation, Productivity & Prevention

CCRT – Care Co-ordination Response Team

RTT – Referral to Treatment

PDU – Planning & Delivery Unit

PHNT – Plymouth Hospitals NHS Trust

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