



Oversight and Governance

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

Please ask for Ross Jago

T 01752 668000

E democraticsupport@plymouth.gov.uk

www.plymouth.gov.uk

Published 06 September 2018

CITY COUNCIL

Monday 17 September 2018

2 pm

Council House, Plymouth

Members:

Councillor Sam Davey, Chair

Councillor Mavin, Vice Chair

Councillors Mrs Aspinall, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Buchan, Carson, Churchill, Coker, Cook, Corvid, Dann, Darcy, Deacon, Derrick, Downie, Drean, Evans OBE, Fletcher, K Foster, Goslin, Haydon, Hendy, James, Mrs Johnson, Jordan, Kelly, Laing, Michael Leaves, Samantha Leaves, Loveridge, Lowry, Dr Mahony, McDonald, Morris, Murphy, Neil, Nicholson, Parker-Delaz-Ajete, Penberthy, Mrs Pengelly, Rennie, Singh, P Smith, R Smith, Stevens, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent, Wheeler, Wiggins and Winter.

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

This meeting will be webcast and available on-line after the meeting. By entering the Council Chamber, councillors are consenting to being filmed during the meeting and to the use of the recording for the webcast.

The Council is a data controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with authority's published policy.

For further information on attending Council meetings and how to engage in the democratic process please follow this link - [Get Involved](#)

Tracey Lee

Chief Executive

City Council

Agenda

1. Apologies

To receive apologies for absence submitted by councillors.

2. Minutes

(Pages 1 - 12)

To approve and sign the minutes of the meeting held on 25 June 2018 as a correct record.

3. Declarations of Interest

(Pages 13 - 14)

Members will be asked to declare interests in respect of items on the agenda.

4. Political Proportionality / Appointments to Committees, Outside Bodies etc

(Pages 15 - 44)

Following changes to the Political Proportionality of the Council the Acting Monitoring Officer will submit a report and a schedule of vacancies on committees, outside bodies etc and of changes notified to us.

5. Announcements

- (a) To receive announcements from the Lord Mayor, Chief Executive, Section 151 Officer or Acting Monitoring Officer;
- (b) To receive announcements from the Leader, Cabinet Members or Committee Chairs.

6. Questions by the Public

To receive questions from and provide answers to the public in relation to matters which are about something the council is responsible for or something that directly affects people in the city, in accordance with Part B, paragraph 11 of the Constitution.

Questions, of no longer than 50 words, can be submitted to the Democratic Support Team, Plymouth City Council, Ballard House, West Hoe Road, Plymouth, PL1 3BJ, or email to democraticsupport@plymouth.gov.uk. Any questions must be received at least five complete working days before the meeting.

7. Capital and Revenue Monitoring Report Quarter 1

(Pages 45 - 70)

The City Council will be asked to note the Capital and Revenue Monitoring Report 2018/19 Quarter One and approve a decrease in the Capital Budget.

8. Appointment of Deputy Electoral Registration Officer (Pages 71 - 74)

The City Council will be asked to approve the appointment of the Deputy Electoral Registration Officer.

9. Scrutiny arrangements for the Local Enterprise Partnership (Pages 75 - 84)

The City Council will be asked to approve the establishment of a Joint Scrutiny Committee for the Heart of the South West Local Enterprise Partnership.

10. Constitutional Amendments (Pages 85 - 96)

The City Council will be asked to approve changes to the process of Delegated Executive Decisions and approve the definition of a Key Decision.

11. Tamar Bridge and Torpoint Ferry - Remedial Works (Pages 97 - 110)

The Council will be asked to note the urgent non-executive decision taken by the Chief Executive in respect of Tamar Bridge remedial works.

12. Motions on notice

To consider motions from councillors in accordance with Part B, paragraph 14 of the Constitution.

13. Questions by Councillors

Questions to the Leader, Cabinet Members and Committee Chairs covering aspects for their areas of responsibility or concern by councillors in accordance with Part B, paragraph 12 of the constitution.

This page is intentionally left blank

City Council

Monday 25 June 2018

PRESENT:

Councillor Sam Davey, in the Chair.

Councillor Mavin, Vice Chair.

Councillors Mrs Aspinall, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Buchan, Churchill, Coker, Cook, Corvid, Dann, Darcy, Deacon, Derrick, Downie, Drear, Evans OBE, Fletcher, K Foster, Goslin, Haydon, Hendy, James, Jordan, Kelly, Michael Leaves, Samantha Leaves, Loveridge, Lowry, McDonald, Morris, Murphy, Nicholson, Parker-Delaz-Ajete, Penberthy, Mrs Pengelly, Rennie, Singh, P Smith, R Smith, Stevens, Jon Taylor, Tuffin, Tuohy, Vincent, Wheeler, Wiggins and Winter.

Apologies for absence: Councillors Carson, Mrs Johnson, Dr Mahony, Neil and Kate Taylor

The meeting started at 2.00 pm and finished at 7.05 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.

9. Minutes

The minutes of the meetings held on the held on 26 March and 18 May 2018 were agreed.

10. Declarations of Interest

The following declarations of interest were made by councillors in accordance with the code of conduct in respect of items under consideration at the meeting -

| Name | Minute Number | Reason | Interest |
|----------------------|---------------|--|--------------------------------|
| Councillor Winter | 20.3 | Employee of Babcock Devonport Dockyard Limited | Disclosable Pecuniary Interest |
| Councillor Wiggins | 16 | Land in the area of West Devon covered by the Plan | Disclosable Pecuniary Interest |
| Councillor Nicholson | 20.3 | Employee of Babcock Devonport Dockyard Limited | Personal Interest |

11. Appointments to Committees, Outside Bodies etc

Council agreed the following appointments notified to the Acting Monitoring Officer -

| Committee | Previous Member | New Member |
|--|--------------------------|---------------------------|
| Education and Children's Social Care Overview and Scrutiny Panel | Philippa Davey | Councillor Gareth Derrick |
| Tamar Estuaries Consultative Forum | Councillor Darren Winter | Councillor Pam Buchan |
| Independent Remuneration Panel | Vacancy | Jane Hopkinson |

12. **Announcements**

a) Lord Mayor

- The late former Councillor Mrs Delia Ford
- The late Ian Knight, former Plymouth City Council Employee
- Queens Birthday Honours
- Visiting colleagues from Northern Arizona University in Flagstaff
- Arts for Hearts Award
- Building Regulations Accreditation
- Nelson Project – Planning Excellence in Housing
- Nelson Project - Planning Excellence in Health and Wellbeing
- The Chartered Institute of Public Finance and Accountancy - Public Finance Leader of the Year – Andrew Hardingham

b) The Leader, Cabinet Members or Chairs of Committees

- The Leader
 - Meeting with Minister for Defence Procurement
 - Meeting with British Land
 - Local Election 2018
- Councillor Sue Dann, Cabinet Member for Environment and Strategic Street Scene
 - Plastic Free Plymouth
 - Street Scene Service Priorities
- Councillor Sue McDonald, Cabinet Member for Children and Young People
 - Together for Childhood
- Councillor Ian Tuffin, Cabinet Member for Health and Adult Social Care
 - Compassionate Plymouth
- Council Chris Penberthy, Cabinet Member for Housing and Co-operative Development

- Primrose Park, Whiteleigh
- Armed Forces Covenant
- Councillor Jon Taylor, Cabinet Member for Education, Skills and Transformation
 - Plymouth Studio School

13. **Questions by the Public**

There was one question from a member of the public –

Question submitted by: Vashti Fletcher

To the Cabinet Member for Environment and Street Scene

Why are there no bins or ashtrays on the Drakes Circus side of Exeter street; why are Kingdom employed by PCC to entrap people with littering PCN's in this area – when on private land, when dropping something biodegradable and where there are no litter or cigarette facilities provided by the council or the land owner?

Response:

Under the previous administration, Kingdom Services were contracted to provide increased environmental enforcement in Plymouth, for a pilot of 12 months. Kingdom Services have a proven track record of delivering improvements in environmental protection issues, and operate within a defined legal framework.

The Environmental Protection Act 1990 applies to any place in the open air where access is permitted without payment, so would still apply even if on private land. The only caveat to this would be if the landowner had given explicit permission that litter could be dropped on their land.

Legally, littering covers anything thrown down, dropped or otherwise deposited. Some things that people may perceive to be biodegradable can take a long time to biodegrade; for example, cigarette butts are estimated to take at least 18 months. This means that they would be visible as litter on the streets for a significant period of time.

It is the responsibility of each of us individually to deal with our own rubbish. Rubbish should be carried to the nearest available bin, or taken home with you if one is not available.

Councillor Dann, Cabinet Member for Environment and Streetscene

14. **Corporate Plan 2018 - 2022**

Councillor Evans OBE (Leader) proposed the Corporate Plan 2018-2022 for Council approval, Councillor Haydon (Cabinet Member for Customer Focus and Community Safety) seconded the proposals.

Following a vote the council agreed to approve the Corporate Plan 2018-2022.

For the motion (27)

Councillors Mrs Aspinall, Haydon, Coker, Dann, Evans OBE, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Winter, Wheeler, Mavin, Buchan, Goslin, Corvid and Derrick.

Against the motion (0)

Abstentions (23)

Lord Mayor, Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drear, Fletcher, Foster, James, Jordan, Kelly, Leaves, Mrs Leaves, Nicholson, Mrs Pengelly, Wigans, Mrs Loveridge, Cook and R Smith.

Absent / Did Not Vote (6)

Councillors Dr Mahony, Mrs Bridgeman, Neil, Carson, K Taylor and Mrs Johnson.

15. **Financial Outturn 2017/18 and Finance Monitoring (incl Capital) Quarter 4**

Councillor Mark Lowry (Cabinet Member for Finance) proposed the Financial Outturn 2017/18 and Finance Monitoring (incl. Capital) Quarter 4 for information, Councillor Dann (Cabinet Member for Environment and Street scene) seconded the proposals.

Following a short debate the council noted the report.

16. **Plymouth and South West Devon Joint Local Plan**

Councillor Coker (Cabinet Member for Strategic Planning and Infrastructure) proposed recommendations in relation to the Plymouth and South West Devon Joint Local Plan for Council approval, Councillor Evans OBE (Leader) seconded the proposals.

Following a vote the council agreed to authorise the Service Director for Strategic Planning and Infrastructure in consultation with the Leader, Portfolio Holder for Strategic Planning and Infrastructure and the Plymouth and South West Devon Joint Local Plan Steering Group, to consider any potential Main Modifications to the Plymouth and South West Devon Joint Local Plan, if suggested by the Inspectors in Interim Findings and if agreed to make a request to the Inspector to make changes to the Joint Local Plan and proceed to public consultation on the Main Modifications in accordance with section 20(7) of the Planning and Compulsory Purchase Act 2004

For the motion (48)

Councillors Mrs Aspinall, Haydon, Coker, Dann, Evans OBE, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Foster, James, Jordan, Kelly, Goslin, Leaves, Mrs Leaves, Nicholson, Mrs Pengelly, Corvid, Buchan, Derrick, Mavin, Winter, Mrs Loveridge, Cook and R Smith.

Against the motion (0)

Abstentions (1)
Lord Mayor

Absent / Did Not Vote (7)
Councillors Dr Mahony, Mrs Bridgeman, Neil, Carson, K Taylor, Wiggins and Mrs Johnson.

(Councillor Wiggins was absent due to interests declared)

17. Independent Remuneration Panel Review Report

Councillor Pete Smith (Deputy Leader) proposed the recommendations of the Independent Remuneration Panel for Council approval, Councillor Evans OBE (Leader) seconded the proposal.

Following a debate and vote the council agreed –

- I. the eight recommendations from the Independent Remuneration Panel on the level of Members' Allowances from 2018/19 onwards as follows:

Recommendation 1: Having reviewed the Bands for the Special Allowances, the Panel recommends a change to the existing Band 5 to be a quarter of the basic allowance. For 2018/19 this will be £2,697.

Recommendation 2: The Panel recommends the four Scrutiny Committee Chairs each receive a Special Responsibility Allowance at Band 3, which is £10,788 for 2018/19.

Recommendation 3: The Panel recommends the four Scrutiny Committee Vice-Chairs are not remunerated and therefore will not attract a Special Responsibility Allowance.

Recommendation 4: The Panel recommends, in recognition of the role of Vice-Chairs of Licensing and Taxi Licensing, which are quasi-judicial committees, that they receive a Special Responsibility Allowance at new Band 5, £2,697.

Recommendation 5: The Panel recommends the role of Chair of the Health and Wellbeing Board should, in principle, be remunerated. On the basis of the evidence the Panel considers the role should be remunerated at Band 4 which is currently £5,394 for 2018/19.

Recommendation 6: The Panel recommends an increase in the Special Responsibility Allowance for the Chair of Audit and Governance Committee from the current Band 4, £5,394 for 2018/19, to Band 3, £10,788.

Recommendation 7: The Panel recommends the proposed new role of Assistant Cabinet Member be remunerated with a Special Responsibility Allowance at the new Band 5 level of £2,697 for 2018/19, on the expectation that:

- the number of roles is restricted to a maximum of four at any one time;
- a rolling programme of development for the Assistant Cabinet Members be introduced, in the context of the broader approach to Member development and succession planning; and
- evidence is provided to the next review of the Panel on the effectiveness of the Assistant Cabinet Member role.

Recommendation 8: The Panel recommends in the interests of parity, the subsistence rates for officers and Members continue to be linked as articulated in the 'Plymouth Book'.

2. to note the next full review of member allowances will take place by 2021; and
3. to delegate to the Monitoring Officer responsibility for undertaking the necessary updates to Appendix One of the Council's Constitution to reflect the agreed member allowances from 2018/19.

For the motion (27)

Councillors Mrs Aspinall, Haydon, Coker, Dann, Evans OBE, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Winter, Wheeler, Mavin, Buchan, Goslin, Corvid and Derrick.

Against the motion (22)

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drear, Fletcher, Foster, James, Jordan, Kelly, Leaves, Mrs Leaves, Nicholson, Mrs Pengelly, Wiggins, Mrs Loveridge, Cook and R Smith.

Abstentions (1)

Lord Mayor

Absent / Did Not Vote (6)

Councillors Dr Mahony, Mrs Bridgeman, Neil, Carson, K Taylor and Mrs Johnson.

18. **Scrutiny Minutes Approval and Minor Amendments to Terms of Reference**

Councillor Mrs Aspinall (Chair – Health and Social Care Overview and Scrutiny Committee) proposed the Scrutiny Committee minutes and minor amendments to Scrutiny Terms of

Reference for approval, Councillor Haydon (Cabinet Member for Customer Focus and Community Safety) seconded the proposals.

For the motion (49)

Councillors Mrs Aspinall, Haydon, Coker, Dann, Evans OBE, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Foster, James, Jordan, Kelly, Goslin, Leaves, Mrs Leaves, Nicholson, Mrs Pengelly, Corvid, Buchan, Derrick, Mavin, Wiggins, Winter, Mrs Loveridge, Cook and R Smith.

Against the motion (0)

Abstentions (1)
Lord Mayor

Absent / Did Not Vote (6)
Councillors Dr Mahony, Mrs Bridgeman, Neil, Carson, K Taylor, and Mrs Johnson.

19. **Annual Report on Treasury Management Activities for 2017/18**

Councillor Stevens (Chair of Planning Committee) in his role as an Audit and Governance Committee Member, proposed approval of the Annual Report of Treasury Management Activities for 2017/18. Councillor Lowry (Cabinet member for Finance) seconded the proposal.

For the motion (49)

Councillors Mrs Aspinall, Haydon, Coker, Dann, Evans OBE, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Foster, James, Jordan, Kelly, Goslin, Leaves, Mrs Leaves, Nicholson, Mrs Pengelly, Corvid, Buchan, Derrick, Mavin, Winter, Wiggins, Mrs Loveridge, Cook and R Smith.

Against the motion (0)

Abstentions (1)
Lord Mayor

Absent / Did Not Vote (6)
Councillors Dr Mahony, Mrs Bridgeman, Neil, Carson, K Taylor, and Mrs Johnson.

20. **Motions on notice**

- (i) Adoption of International Holocaust Remembrance Alliance (IHRA) definition of anti-Semitism

Councillor Morris (Chair of the Brexit, Infrastructure and Legislative Change

Overview and Scrutiny Committee) proposed a motion concerning the Adoption of International Holocaust Remembrance Alliance definition of anti-Semitism, Councillor Corvid seconded the proposals.

Councillor Kelly introduced an amendment which was seconded by Councillor Deacon. Following a short debate and vote the amendment was carried.

For the motion (48)

Councillors Aspinall, Haydon, Coker, Dann, Evans OBE, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Foster, James, Jordan, Kelly, Goslin, Leaves, Mrs Leaves, Nicholson, Mrs Pengelly, Corvid, Buchan, Derrick, Mavin, Winter, Wiggins, Mrs Loveridge, Cook and R Smith.

Against the motion (0)

Abstentions (1)

Lord Mayor

Absent / Did Not Vote (7)

Councillors Dr Mahony, Mrs Bridgeman, Neil, Carson, K Taylor, Wheeler, and Mrs Johnson.

A motion to move to the vote was proposed by Councillor Rennie and seconded by Councillor P Smith. The motion was carried.

For the motion (26)

Councillors Aspinall, Haydon, Coker, Dann, Evans OBE, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Goslin, Mavin, Winter, Corvid, Buchan and Derrick.

Against the motion (22)

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Foster, James, Jordan, Kelly, Leaves, Mrs Leaves, Nicholson, Mrs Pengelly, Wiggins, Mrs Loveridge, Cook and R Smith.

Abstentions (0)

Absent / Did Not Vote (8)

Lord Mayor, Councillors Dr Mahony, Mrs Bridgeman, Neil, Carson, K Taylor, Wheeler, and Mrs Johnson.

Following a short debate and vote Council agreed –

- (1) condemn antisemitism in all its manifestations.
- (2) adopt the above definition of antisemitism as set out by the International Holocaust Remembrance Alliance and pledges to combat this pernicious

form of racism wherever it appears and by whomever is it perpetrated

- (3) The Chief Executive be instructed to write to all national Party Leaders urging them to take the lead from Plymouth when formulating future policy in relation to the issue of anti-Semitism.

For the motion (48)

Lord Mayor, Councillors Aspinall, Haydon, Coker, Dann, Evans OBE, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drear, Fletcher, Foster, James, Jordan, Kelly, Goslin, Leaves, Mrs Leaves, Nicholson, Mrs Pengelly, Corvid, Buchan, Derrick, Mavin, Winter, Wiggins, Cook and R Smith.

Against the motion (0)

Abstentions (0)

Absent / Did Not Vote (8)

Councillors Mrs Loveridge, Dr Mahony, Mrs Bridgeman, Neil, Carson, K Taylor, Wheeler and Mrs Johnson.

- (ii) Cross Country Passenger Rail Franchise Public Consultation
Councillor Evans OBE (Leader), proposed a motion regarding the Cross Country Rail Franchise. Councillor P Smith (Deputy Leader) seconded the motion.

Following a short debate council agreed –

- 1) That in its response to the consultation Council should make clear that the proposals as they stand affect Plymouth and should be rejected.
- 2) To ask for the Peninsula Rail Task Force to campaign against these changes to these Plymouth services.

For the motion (48)

Lord Mayor, Councillors Aspinall, Haydon, Coker, Dann, Evans OBE, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drear, Fletcher, Foster, James, Jordan, Kelly, Goslin, Leaves, Mrs Leaves, Nicholson, Mrs Pengelly, Corvid, Buchan, Derrick, Mavin, Winter, Wiggins, Mrs Loveridge, Cook and R Smith.

Against the motion (0)

Abstentions (0)

Absent / Did Not Vote (8)

Councillors Dr Mahony, Vincent, Wheeler, Mrs Bridgeman, Neil, Carson, K Taylor, and Mrs Johnson.

(iii) **Building the next Fleet Solid Support Ships in the UK and securing work for Plymouth**

Councillor Evans OBE (Leader), proposed a motion regarding Building the next Fleet Solid Support Ships in the UK. Councillor P Smith (Deputy Leader) seconded the motion.

Following a short debate council agreed to support the campaign which is to be launched in Plymouth on the 13th July 2018.

For the motion (46)

Lord Mayor, Councillors Aspinall, Haydon, Coker, Dann, Evans OBE, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Foster, James, Jordan, Kelly, Goslin, Leaves, Mrs Leaves, Mrs Pengelly, Corvid, Buchan, Derrick, Mavin, Wigans, Mrs Loveridge, Cook and R Smith.

Against the motion (0)

Abstentions (1)

Councillor Nicholson

Absent / Did Not Vote (9)

Councillors Dr Mahony, Mrs Bridgeman, Vincent, Wheeler, Winter, Neil, Carson, K Taylor and Mrs Johnson.

21. **Questions by Councillors**

| | From | To | Topic |
|---|---------------|--------------|--|
| 1 | Cllr Stevens | Cllr P Smith | Library services, tier 1 and 2 services in libraries. |
| 2 | Cllr Mrs Beer | Cllr Coker | Traffic management for HGV in Plympton St Maurice and Underwood. |
| 3 | Cllr Buchan | Cllr Dann | Waste collection services. |
| 4 | Cllr Ball | Cllr Coker | Charging points for electric vehicles. |
| 5 | Cllr Kelly | Cllr Dann | Alternative weekly collections. |
| 6 | Cllr Goslin | Cllr Dann | Signage for Dogs on leads in Central Park. |

| | | | |
|----|-----------------|----------------|--|
| | | | |
| 7 | Cllr R Smith | Cllr Evans | Member Development |
| 8 | Cllr Downie | Cllr Penberthy | Unauthorised Encampments. |
| 9 | Cllr Nicholson | Cllr Dann | Dogs in Central Park. |
| 10 | Cllr Mrs Leaves | Cllr Dann | Policy on Trees. |
| 11 | Cllr Jordan | Cllr Penberthy | Charging points for electric vehicles. |
| 12 | Cllr Beer | Cllr Dann | Slurry Sealing on pavements. |
| 13 | Cllr Buchan | Cllr Penberthy | Chaucer Way development construction. |

Please note that questions, answers, supplementary questions and supplementary answers have been summarised.

This page is intentionally left blank

DECLARING INTERESTS – QUESTIONS TO ASK YOURSELF

What matters are being discussed?

**D
P
I**

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)

**P
r
i
v
a
t
e

I
n
t
e
r
e
s
t**

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

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

Yes No You can speak and vote

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

Yes No

Declare the interest and speak and vote

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

**C
a
b
i
n
e
t**

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.

This page is intentionally left blank

PLYMOUTH CITY COUNCIL

| | |
|-------------------------|--|
| Subject: | Political Proportionality and Committee Appointments |
| Committee: | City Council |
| Date: | 17 September 2018 |
| Cabinet Member: | Councillor Peter Smith, Deputy Leader |
| CMT Member: | Linda Torney, Acting Monitoring Officer |
| Author: | Sian Millard, Oversight and Governance Manager / Ross Jago, Senior Governance Advisor. |
| Contact details: | ross.jago@plymouth.gov.uk |
| Ref: | PP01 18/19 |
| Key Decision: | No |
| Part: | I |

Purpose of the report:

Section 15 (5) of the Local Government and Housing Act 1989 imposes a duty on Councils to review the representation of different political groups on bodies to which the Council makes appointments.

The Act requires that the review should be held at the Annual General Meeting or as soon as practicable after that meeting or when the membership of the Council changes. Following discussions with group leaders / whips it was decided this would be best conducted after the by-election to take into account result of that ballot and the new Independent status of a member.

Corporate Plan:

Adherence to legislation ensures open and democratic decision making in line with the values of the corporate plan.

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

There are no anticipated implications.

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

There are no anticipated implications

Equality and Diversity:

Has an Equality Impact Assessment been undertaken? No

Recommendations and Reasons for recommended action:

Council are recommended to –

1. Note the changes to Political Proportionality and allocations as detailed at Annex 1
2. Note the appointments made at Annex 2

Alternative options considered and rejected:

None - The re-calculation is a statutory requirement.

Published work / information:

N/A

Background papers:

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

Sign off:

| | | | | | | | | | | | | | |
|--|--------------------|-----|---------------------------|------------|---------------------------|----|--|--------|--|----|--|---------------|--|
| Fin | pl.8. 19.7 7 | Leg | lt/31 139/ 040 9 | Mon Off | lt/31 139/ 040 9 | HR | | Assets | | IT | | Strat Proc | |
| Originating SMT Member – Linda Torney – Acting Monitoring Officers | | | | | | | | | | | | | |
| Has the Cabinet Member(s) agreed the content of the report? Yes | | | | | | | | | | | | | |

I. LEGISLATIVE REQUIREMENTS OF PROPORTIONALITY

Section 15 (5) of the Local Government and Housing Act 1989 imposes a duty on Councils to review the representation of different political groups on bodies to which the Council makes appointments. The Act requires that the review should be held at the Annual General Meeting or as soon as practicable after that meeting or when the membership of the Council changes. Following discussions with group leaders / whips it was decided this would be best conducted after the by-election to take into account result of that ballot and the new 'Independent' status of a Member.

The Act provides four principles concerning political representation that must be observed when conducting a review. These are:

- (a) that not all the seats on committees are allocated to the same political group;
- (b) that the majority of the seats on each committee are allocated to a particular political group if the number of persons belonging to that group are a majority of the authority's membership;
- (c) subject to (a) and (b), that the number of seats on committees which are allocated to each group bears the same proportion to the total of all the seats on committees of the council as is borne by the number of members of that group to the membership of the authority, and
- (d) Subject to (a) to (c) above, that the number of seats on each committee which are allocated to each political group bears the same proportion to the number of all the seats on that committee as is borne by the number of members of that group to the membership of the authority.

The legislation provides that the Council may make alternative arrangements to the 'proportionality' principles only by a unanimous vote.

The Committees and Panels to which the provisions of Section 15 of the Act apply, and the recommended allocation of seats on each, applying the principles of the Act as closely as is reasonably practicable, are shown in **Annex 1**. The recommended allocation of seats reflects the four proportionality principles as accurately as reasonably practicable.

Group appointments are detailed at **Annex 2**.

2. DEVON AND CORNWALL POLICE AND CRIME PANEL

Police and Crime Panels are required to make arrangements to meet the "balanced appointment objective" Schedule 6, Police Reform and Social Responsibility Act 2011 (as a result of being a multi-authority panel).

In May 2018 in order to meet the objective the two Plymouth seats were allocated to Labour. As a result, Labour agreed not to have the majority on the Chief Officers Appointment Panel. This is reflected in the Annexe below.

Annex I: Proportionality**Number of Seats on Council**

| | Seats on Council |
|---------------|------------------|
| Labour | 30 (52.63%) |
| Conservatives | 26 (45.61%) |
| Independent* | 1 (1.75%) |
| Total | 57 |

* There are 57 members on Plymouth City Council. The Local Government and Housing Act 1989, which sets out how seats should be allocated to members on a Council, describes the distribution of seats between the political Groups into which the Council has divided itself. Therefore strictly speaking there is no seat entitlement to members who are not in a Group. The definition of what constitutes a group on a Council is covered in The Local Government (Committees and Political Groups) Regulations 1990 and can be found in the following link <https://www.legislation.gov.uk/ukSI/1990/1553/part/III/made>

A single representative does not constitute a Group which is defined as a number of persons bound together by common interests. As such, a single Member is not entitled to any Committee seats. This is consistent with practice previously employed by the Council in similar circumstances (e.g. 2013 AGM when there was a single independent member).

Proportionality by Committee

| Political Representation | Lab | Con | Ind | Total |
|---|--------------------|--------------------|--------------------|--------------|
| Council Seats | 30 | 26 | 1 | |
| Percentage Representation | 52.63 | 45.61 | 1.75 | 99.99 |
| | | | | |
| <u>Planning</u> | 7 (6.8) | 6 (5.92) | 0 (0.22) | 13 |
| Taxi Licensing | 4 (3.68) | 3 (3.19) | 0 (0.12) | 7 |
| Licensing | 8 (7.89) | 7 (6.84) | 0 (0.26) | 15 |
| Chief Officer <u>Appointments</u> Panel | 4 (3.68) | 3 (3.19) | 0 (0.12) | 7 |
| Chief Officer Appeals Panel | 4 (3.68) | 3 (3.19) | 0 (0.12) | 7 |
| Chief Officer Disciplinary Panels | 3 (3.68) | 4 (3.19) | 0 (0.12) | 7 |

| Political Representation | Lab | Con | Ind | Total |
|---|-------------|-------------|-------------|------------|
| Audit | 3 (2.63) | 2 (2.28) | 0 (0.08) | 5 |
| Tamar Bridge and Torpoint Ferry | 3 (2.63) | 2 (2.28) | 0 (0.08) | 5 |
| Devon and Cornwall Police and Crime Panel | 2 (1.05) | 0 (0.91) | 0 (0.03) | 2 |
| Brexit, Infrastructure and Legislative Change | 5 (4.7) | 4 (4.10) | 0 (0.15) | 9 |
| Performance, Finance and Customer Focus | 5 (4.7) | 4 (4.10) | 0 (0.15) | 9 |
| Education and Children's Social Care | (4.7) | 4 (4.10) | 0 (0.15) | 9 |
| Health and Adult Social Care | 5 (4.7) | 4 (4.10) | 0 (0.15) | 9 |
| Totals | 58 | 46 | 0 | 104 |

The principles of Section 15 (5) have been applied insofar as possible in the following way:

Principle (a) – The seats will be allocated between the Labour and Conservative Groups

Principle (b) – As the majority group, the Labour group will receive the majority of seats on each committee

Principle (c) – Subject to (a) and (b), the allocation of seats on all committees is based on the groups' percentage of total Council membership

Principle (d) – Subject to (a) to (c), each group has the same proportion of seats on each committee as it holds on the Council as a whole

This page is intentionally left blank

Annex 2

Regulatory Committee

Planning Committee

13 councillors (proportional)

Seven Labour, six Conservative

Councillor Bill Stevens

Chair

Councillor Tina Tuohy

Vice-Chair

Councillor Margaret Corvid

Councillor Gareth Derrick

Councillor Jonny Morris

Councillor Ian Tuffin (replaces Councillor Kevin Neil)

Councillor Darren Winter

Councillor Patrick Nicholson

Councillor Mrs Vivien Pengelly

Councillor Mrs Andrea Johnson

Councillor Mrs Andrea Loveridge

Councillor Rebecca Smith

Councillor Nick Kelly

Any councillor may act as a substitute member provided that they have undergone the Council's prescribed planning training

Regulatory Committee

Taxi Licensing Committee

Seven councillors (proportional)

Four Labour and three Conservative councillors

Councillor Chris Mavin

Chair

Councillor Chaz Singh

Vice Chair

Councillor Margaret Corvid (Replaces Councillor Pam Buchan)

Councillor Eddie Rennie

Councillor Mrs Maddi Bridgeman

Councillor Glenn Jordan

Councillor Mrs Vivien Pengelly

Any councillor may act as a substitute member provided that they have undergone the Council's prescribed licensing training.

Regulatory Committee

Licensing Committee

set up by statute

15 councillors (proportional)

Eight Labour, seven Conservative

Councillor Eddie Rennie

Chair

Councillor Lorraine Parker Delaz Ajete

Vice-Chair

Councillor Margaret Corvid

Councillor Neil Hendy

Councillor Jonny Morris

Councillor **Jemima Lang (Replaces Councillor Kevin Neil)**

Councillor Chaz Singh

Councillor Darren Winter

Councillor Dr John Mahony

Councillor David Fletcher

Councillor Rebecca Smith

Councillor Ken Foster

Councillor Heath Cook

Councillor Mark Deacon

Councillor Dave Downie

Councillors may act provided that they have undergone the Council's prescribed licensing training. No other councillors may substitute

Regulatory Committee

Chief Officer Appointments Panel

Seven councillors (proportional)

Four Labour and three Conservative councillors

Councillor Mrs Aspinall

Chair

Councillor Tudor Evans OBE

Councillor Lowry

Councillor Peter Smith

Councillor Ian Bowyer

Councillor Mrs Terri Beer

Councillor Mrs Vivien Pengelly

The panel will include the relevant Cabinet Member for the appointment.

Cabinet Members must not be in the majority on the panel.

Any councillor may act as a substitute member provided that they have undergone the Council's prescribed personnel training

Chief Officer Disciplinary Panel

Seven councillors (proportional / Conservative Majority to maintain proportionality across committee)

Three Labour and four Conservative councillors

Councillor Patrick Nicholson

Chair

Councillor Mark Lowry

Councillor Sue McDonald

Councillor Peter Smith

Councillor Nigel Churchill

Councillor Sam Leaves

Councillor Richard Ball

The panel will include the relevant Cabinet Member.

Cabinet Members must not be in the majority on the panel.

Any councillor may act as a substitute member provided that they have undergone the Council's prescribed personnel training

Chief Officer Appeals Panel

Seven councillors (proportional)

Four Labour and three Conservative councillors

Councillor Lorraine Parker Delaz Ajete (Replaces Councillor
Philippa Davey) (Chair)

Councillor Chris Mavin

Councillor Pauline Murphy

Councillor Chris Penberthy

Councillor Dr John Mahony

Councillor Mike Leaves

Councillor Dave Downie

The members of the panel that made the original decision cannot sit on the Appeals Panel.

Any councillor may act as a substitute member provided that they have undergone the Council's prescribed personnel training.

Overview and Scrutiny

Performance, Finance and Customer Focus Overview and Scrutiny Committee

Nine councillors (Proportional)

Five Labour, four Conservative

Councillor Richard Ball

Chair

Councillor Darren Winter

Vice Chair

Councillor Gareth Derrick

Councillor Chaz Singh

Councillor Kate Taylor

Councillor Brian Vincent

Councillor Rebecca Smith

Councillor Nick Kelly

Councillor Ian Darcy

With the exception of Cabinet Members, any councillor may act as a substitute member

Overview and Scrutiny

Health and Adult Social Care Overview and Scrutiny Committee

Nine councillors (proportional)

Five Labour, four Conservative councillors

| | |
|--|------------|
| Councillor Mrs Mary Aspinall | Chair |
| Councillor Mrs Lynda Bowyer | Vice Chair |
| Councillor Margaret Corvid | |
| Councillor Neil Hendy | |
| Councillor Jemima Lang (replaces Councillor Kevin Neil) | |
| Councillor Lorraine Parker Delaz Ajete | |
| Councillor David James | |
| Councillor Dr John Mahony | |
| Councillor Mrs Andrea Loveridge | |

With the exception of Cabinet Members, any councillor may act as a substitute member

Overview and Scrutiny

Education and Children's' Social Care Overview and Scrutiny Committee

Nine councillors (proportional)

Five Labour, four Conservative councillors

| | | |
|------------|---|------------|
| Councillor | Mrs Terri Beer | Chair |
| Councillor | Pauline Murphy | Vice Chair |
| Councillor | Pam Buchan (Replaces Councillor Gareth Derrick) | |
| Councillor | Jeremy Goslin | |
| Councillor | Tina Tuohy | |
| Councillor | Darren Winter | |
| Councillor | Rebecca Smith | |
| Councillor | Mrs Andrea Johnson | |
| Councillor | Mrs Sam Leaves | |

With the exception of Cabinet Members, any councillor may act as a substitute member

Overview and Scrutiny

Brexit, Infrastructure and Legislative Change

Nine councillors (proportional)

Five Labour, four Conservative councillors

| | | |
|------------|-----------------|------------|
| Councillor | Jonny Morris | Chair |
| Councillor | David Fletcher | Vice Chair |
| Councillor | Pam Buchan | |
| Councillor | Chris Mavin | |
| Councillor | Bill Stevens | |
| Councillor | George Wheeler | |
| Councillor | Heath Cook | |
| Councillor | Nigel Churchill | |
| Councillor | Tony Carson | |

With the exception of Cabinet Members, any councillor may act as a substitute member

Overview and Scrutiny

Joint Health Scrutiny Committee

Up to three members of the Health and Adult Social Care Overview and Scrutiny Committee

(not required to be proportional) statutory rules apply

Councillor Mrs Aspinall

Councillor Buchan

Councillor Goslin

Council Committee

Health and Wellbeing Board

Statutory Committee of the Council

Three councillors (not required to be proportional)

Councillor Ian Tuffin

Chair

Councillor Sue McDonald

Councillor Mrs Lynda Bowyer

Two Labour and one Conservative councillor

The Leader to appoint the Chair (expectation in guidance that the Leader will Chair the Board)

- Director of Public Health (Statutory)
- Strategic Director for People (Statutory)
- Director of Children's Services (Statutory)
- Healthwatch Representative (Statutory)
- Clinical Commissioning Group Representative (Statutory)

Council Committee

Audit and Governance Committee

set up by statute

Five councillors (proportional) + three independent co-opted members

Three Labour and two Conservative councillors

Councillor Kate Taylor

Chair

Councillor Stevens

Councillor Peter Smith

Councillor Vivien Pengelly

Councillor Dr John Mahony

Mr Ian Stewart

Mr Richard Clark

Independent (Vacancy)

Any councillor may act as a substitute member provided that they have undergone the Council's prescribed training

Council Committee

Independent Remuneration Panel

set up by statute

Four Independent Members

Duncan Currall

Alan Wooderson

Bryony Houlden

Jane Hopkinson

Vacancy

Joint Committee

Tamar Bridge and Torpoint Ferry Joint Committee

Set up by statute

To report to Cabinet or Council as appropriate

Five councillors (proportional)

Three Labour, two Conservative

Councillor George Wheeler

Joint Chair

Councillor Mark Coker

Councillor Pam Buchan

Councillor Patrick Nicholson

Councillor Jonathan Drea

Substitutes

Councillor Morris

Councillor Mrs Andrea Johnson

Joint Committee

Devon and Cornwall Police and Crime Panel

Set up by statute

Two Labour councillors (proportional)

Councillor Gareth Derrick

Councillor Sally Bowie

Any councillor may act as a substitute member

Two Labour Councillors in order to meet the “balanced appointment objective” Schedule 6, Police Reform and Social Responsibility Act 2011 as a result of being a multi-authority panel.

Joint Committee

Heart of the South West Joint Committee

Joint Committee of Councils in the Heart of the South West LEP area

To report to Cabinet or Council as appropriate

One councillor and One Deputy (not proportional)

Councillor Tudor Evans OBE

Councillor Peter Smith (Deputy)

Joint Management Committee of Plymouth City, Devon County and Torbay Councils

Devon Audit Partnership

To report to Cabinet

Two Labour councillors (not proportional)

Councillor Margaret Corvid

Councillor Parker Delaz Ajete

Any Labour councillor may act as a substitute member

Joint Committee of Plymouth City, Devon County and Torbay Cabinets

(to be confirmed by Cabinet at its first meeting of the municipal year)

South West Devon Joint Waste Partnership

**Two Cabinet Members + one observer
(not proportional)**

Councillor Mark Coker

Councillor Sue Dann

Councillor Brian Vincent

Observer

Any Cabinet Member can act as a substitute member

Joint Committee to Cabinet

(to be confirmed by Cabinet at its first meeting of the municipal year)

Mount Edgcumbe Joint Committee

Seven City Councillors (proportional by convention)

Three Conservative and Four Labour councillors

Councillor Brian Vincent

(Joint Chair)

Councillor Margaret Corvid

Councillor Chris Mavin

Councillor Peter Smith

Councillor Mrs Vivien Pengelly

Councillor Dr John Mahony

Councillor Mrs Andrea Johnson

Substitutes

Councillor Eddie Rennie

Councillor Terri Beer

Working Group

To report to Council

Lord Mayor Selection Committee

Six councillors (political equality by convention)

Three Labour and three Conservative councillors

Councillor Mrs Mary Aspinall

Councillor Tudor Evans OBE

Councillor Pauline Murphy

Councillor Richard Ball

Councillor David James

Councillor Mrs Maddi Bridgeman

Any councillor may act as a substitute member

Working Group

Standards Advisory Group

To report to Council

Six councillors (political equality by convention)

Three Labour and three Conservative councillors

Councillor Eddie Rennie

Councillor Lorraine Parker Delaz Ajete

Councillor Neil Hendy

Councillor Vivien Pengelly

Councillor Kevin Wigans

Councillor Dr John Mahony

Any councillor may act as a substitute member

Advisory Group to Cabinet

Corporate Parenting Group

Eight councillors (political equality by convention)

Four Labour and four Conservative councillors

Councillor Jemima Lang (Replaces Councillor Sally Haydon)

Councillor Sue McDonald Chair

Councillor Chaz Singh

Councillor Tina Tuohy

Councillor Mrs Terri Beer Vice Chair

Councillor Rebecca Smith

Councillor Dave Downie

Councillor Tony Carson

Any councillor may act as a substitute member

Advisory Group to Cabinet

Child Poverty Working Group

Six councillors

Three Labour and three Conservative councillors including the Cabinet Member with responsibilities for child poverty

(Political equality by convention)

Councillor Chris Penberthy

Chair

Councillor Sue McDonald

Councillor Sally Bowie

Councillor Mrs Terri Beer

Vice - Chair

Councillor Rebecca Smith

Councillor Dave Downie

Any councillor may act as a substitute member

PLYMOUTH CITY COUNCIL

| | |
|------------------------|--|
| Subject: | Capital & Revenue Monitoring Report 2018/19– Quarter I |
| Committee: | Cabinet |
| Date: | 17 September 2018 |
| Cabinet Member: | Councillor Lowry |
| CMT Member: | Andrew Hardingham – Interim 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 June 2018.

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 £2.882m. The overall forecast net spend equates to £188.438m against a budget of £185.556m, which is a variance of 1.55%. This needs to be read within the context of needing to deliver in excess of £11m of savings in 2018/19 on the back of balancing the 2017/18 revenue budget where £18m 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 I: End of year revenue forecast

| | Budget £m | Forecast Outturn £m | Variance £m |
|----------------------------------|----------------|------------------------|----------------|
| Total General Fund Budget | 185.556 | 188.438 | 2.882 |

The latest capital budget was approved at Full Council on 26 February 2018 was £674.7m. Following the monitoring cycle this was reduced by £9m. This was reported to Cabinet in the Outturn report. Quarter 1 monitoring has shown the budget has reduced again to £581.1m, as detailed below.

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 2018/19. As part of the budget setting process, EIA were undertaken for all areas.

Recommendations and Reasons for recommended action:

Council is recommended to –

1. note the current revenue monitoring position and action plans in place to reduce/mitigate shortfalls;
2. approve that the Capital Budget 2018 -2023 is revised to £581.1m (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:

2018/19 Annual Budget: [2018 Annual Report](#)

Background papers:

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

Sign off:

| | | | | | | | | | | | | | |
|-----|------------------|-----|-------------------|------------|-----------------------|----|--|--------|--|----|--|---------------|--|
| Fin | djn.18.19.8 3 | Leg | lt/31111/ 2808 | Mon Off | lt/311 11/28 08 | 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

JUNE 2018 FINANCE MONITORING

Table 2: Revenue Monitoring Position

| Directorate | Gross Expenditure | Gross Income | 2018/19 Latest Approved Budget | Forecast Outturn | Forecast Year End Variation |
|---|-------------------|------------------|--------------------------------|------------------|-----------------------------|
| | £m | £m | £m | £m | £m |
| Executive Office | 4.509 | (0.166) | 4.343 | 4.442 | 0.099 |
| Corporate Items | 7.136 | (12.269) | (5.133) | (4.688) | 0.445 |
| Transformation and Change | 132.018 | (95.902) | 36.116 | 37.240 | 1.124 |
| People Directorate | 255.445 | (130.820) | 124.625 | 125.839 | 1.214 |
| Office of the Director of Public Health | 19.456 | (19.141) | 0.315 | 0.315 | 0.000 |
| Place Directorate | 79.809 | (54.519) | 25.290 | 25.290 | 0.000 |
| TOTAL | 498.373 | (312.817) | 185.556 | 188.438 | 2.882 |

Table 3: Plymouth Integrated Fund

| Plymouth Integrated Fund | 2018/19 Budget | 2018/19 Forecast | Year End Overspend / (Underspend) |
|-----------------------------------|----------------|------------------|-----------------------------------|
| | £m | £m | £m |
| New Devon CCG – Plymouth locality | 482.615 | 482.615 | 0.000 |
| Plymouth City Council * | 251.664 | 252.878 | 1.214 |
| TOTAL | 734.279 | 735.493 | 1.214 |

The financial position above for the Plymouth Integrated Fund is for the 2018/19 month 3 position, and before any risk share.

*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 | 0.099 | The department has so far identified up to £50k in one-off savings which will be used to off-set the £99k projected overspend. Additional income is being sought to off-set the remainder and confidence level is high that this will be achieved following a review of all income lines. It is recognise that one-off savings cannot be relied upon to meet the budget in the medium to long-term and that a more sustainable position needs to be reached for 2019/20. Therefore a review of the structure will be initiated from the autumn to position us on a stronger footing. |
| CORPORATE ITEMS | 0.445 | <p>This is due to the deficit in the Pension fund. Efforts have been made to reduce it but a pressure still currently remains. We are working on solutions and in contact with colleagues at Devon County Council, the pension fund administrators.</p> <p>The Council is currently managing a number of public liability insurance claims. If all claims are fully paid there are insufficient funds in the reserve to meet all liabilities. Officers continue to work to mitigate these claims; to ensure that losses are minimised. At this stage if nothing else changes and based on past trends a deficit of approx. £200k will have to be covered.</p> |
| TRANSFORMATION and CHANGE – Finance | 0.285 | There are pressures in Facilities Management; £0.095m due to the pay award in line with Living Wage. The provision created to meet the costs of the pay award was allocated but this has left an unfunded element in the FM service due to the make -up of the staff profile. |

| | | |
|--|-------|---|
| | | <p>There is also a pressure of £0.190m from an income target against Schools cleaning which is unlikely to be met due to schools withdrawing as they move to Academies. A revised FM structure is being drawn up to enable the pressure to be eliminated.</p> <p>A review is now underway to deliver the savings required to offset this pressure.</p> <p>Within Treasury Management 14 local authorities are taking legal action against Barclays Bank in connection with their LIBOR 'rigging' and the connection to the rate setting for LOBO loans. The Council will monitor this action to see if there are any opportunities to refinance our LOBOs.</p> <p>The Bank of England has continued to warn that the bank rate will increase in the next few months. The Council has profited from very low interest rates on its short term loans but a 0.25% increase in rates would cost the Council an additional £625,000 per year, so this is also being closely monitored.</p> |
| TRANSFORMATION and CHANGE – Legal | 0.000 | There is currently a nil variance to report. |
| TRANSFORMATION and CHANGE – Customer Services | 0.305 | There is a pressure of £0.305m because of a shortfall in Housing Benefit Subsidy and £0.050m pressure due to an unfunded increase in Bank Charges for the Council. The contract with the bank is being renegotiated to address the charges. |
| TRANSFORMATION and CHANGE – Service Centre | 0.534 | As outlined in the MTFs there is a savings target against the Service Centre that remains a challenge. The project team are seeking solutions to address this with the focus being on apportioning it to the relevant service areas. |

| | | |
|---|-------|---|
| TRANSFORMATION and CHANGE – Human Resources & OD | 0.000 | There is currently a nil variance to report. |
| TRANSFORMATION and CHANGE – All Departments | 0.000 | There is currently a nil variance to report. |
| TRANSFORMATION and CHANGE – ICT Commissioned Service | 0.000 | There is currently a nil variance to report. |
| <p>PEOPLE Children Young People and Families (CYPF)</p> <p>The Children, Young People and Families Service are reporting a budget pressure of £0.580m at month 3. The overspend can be attributed to the increased cost and volume of looked after children’s placements. The national and local context for children’s placements is extremely challenging, with increasing difficulties in securing appropriate, good quality placements. High demand and limited supply of placements, a tightening of Ofsted requirements, as well as initiatives such as the introduction of the National Living Wage, have all led to an increase in the unit costs of placements.</p> <p>As part of the MTFS for 2018/19, CYP&F are expected to make savings of over £1.872m (in order to contribute to the £5.485m Directorate target) as well as £2.783m of savings brought forward from 2017/18 that were realised from one off savings and will need to be realised in this financial year.</p> | 0.580 | <p>The previous reported overspend has reduced by (£1.4m). The quarterly star chamber exercise has resulted in (£0.331m) saving, this, together with a number of assumptions being made going forward, has an outcome of the following actions.</p> <ul style="list-style-type: none"> • Tightening of the front door for LAC - Action only HOS Children’s Social work and Permanence can give consent for anyone to be accommodated and in her absence Service Director will cover. • Fortnightly placement review to ensure step down of high cost placements • Focused deep dives into 16-18 years olds and care leavers placement costs with view to reduce cost • Review of staying put arrangements and financial remuneration • Reviewing all Section 20 arrangement (voluntary care) • Maximise contribution from partners - Health and Education Action Complete required Health tool for all Residential placements. Review elements of contracts to ensure |

The savings plans are currently red and amber. There are risks that continue to require close monitoring and management:

- Increased cost and volume of young people's placements since budget setting autumn 2018.
- 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 in both the residential and IFA sectors.
- There are currently 38 Residential Placements with budget for only 36
- There are 25 Supported Living Placements with budget for 15.
- A region wide lack of placements due to an increase in demand for placements, both national and regionally continues to impact negatively on sufficiency
- There has been a 10.64 increase in looked after children since June 2017, which compares to a 11.3% increase in the South West Region March 2017- March 2018.

The overall number of children in care at the end of June stands at 432.

The In-House Foster Care placements have 179 including connected carer's placements against a target budget of 200 placements. There are no In House Parent & Child Assessment Placement, 3 court ordered Independent foster

Education element is recharged correctly

- Service Director persistently raising matter of budgetary pressures at all staff meetings to ensure only essential expenditure and actions taken in a timely manner.
- Director & Finance Review all Financial Assumptions

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.

Commissioners are looking at a proposal for Young Devon to increase the number of supported lodgings beds (both standard and enhanced), with a small investment from CYPF to pump prime this work. This will achieve 15 new supported lodgings beds and 10 new Plan B (enhanced supported lodgings; useful for step-down from residential beds). This would substantially increase the available beds – currently 20 on the block contract. Supported lodgings offers good value for money for our young people at approximately £250 a week, with a focus on progress to independence.

Extensive work is underway to review all placements in order to reduce the pressure on cost and volume where appropriate.

Commissioners continue to work with colleagues in the peninsula to increase the sufficiency and quality of placements available. Since 2012 when there were 2 residential placements available in the city we now have 14 placements, and we expect this to continue to increase with two new solo homes due to be registered in spring 2018.

| <p>care placements and no high cost Residential placements. We currently have 25 Supported Living Placements with budget for 15. However, 40% of the placements are at a substantially high cost due to the complex nature of the placement.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|-----------|---|-------------------------|-------------------------|----------|--------|------|------|------------------|--------|-----|-----|-------------|--------|----|----|---------------|--------|-----|------|---|----------|--|--|-------|---|
| <p>PEOPLE – Strategic Commissioning</p> <p>The Strategic Commissioning service is forecasting an adverse variation to year end of £0.530m, a favourable change in month of (£0.420m). The major pressures going into 2018/19 are still around increases in high cost packages and increases in client numbers, especially in the following areas:</p> <table border="1" data-bbox="129 754 943 1129"> <thead> <tr> <th></th> <th>Variation</th> <th>Budgeted Client Nos</th> <th>Actual Client Nos Mth 3</th> </tr> </thead> <tbody> <tr> <td>Dom Care</td> <td>£0.647</td> <td>1192</td> <td>1264</td> </tr> <tr> <td>Supported Living</td> <td>£0.499</td> <td>551</td> <td>582</td> </tr> <tr> <td>Short Stays</td> <td>£0.509</td> <td>60</td> <td>79</td> </tr> <tr> <td>Res & Nursing</td> <td>£0.482</td> <td>983</td> <td>1004</td> </tr> <tr> <td>Additional Income relating to Care Packages</td> <td>(£0.886)</td> <td></td> <td></td> </tr> </tbody> </table> | | Variation | Budgeted Client Nos | Actual Client Nos Mth 3 | Dom Care | £0.647 | 1192 | 1264 | Supported Living | £0.499 | 551 | 582 | Short Stays | £0.509 | 60 | 79 | Res & Nursing | £0.482 | 983 | 1004 | Additional Income relating to Care Packages | (£0.886) | | | 0.530 | <p>There are management actions currently being put in place to try to reduce the variation in year, with a number of “deep dives” taking place into the areas currently overheating, for example:</p> <ul style="list-style-type: none"> • Residential & Nursing – review of very high cost clients and transitions, review of admissions and discharges, • Supported Living – focus on Trusted Provider scheme, review of single handed project, • Dom Care – review of single handed project, review of reablement contract, • Short Stays – review of any short stay clients that have been in placements for over 1 month. <p>As part of the MTFs for 2018/19, Strategic Commissioning have assumed that savings of £2.546m (in order to contribute to the £2.914m People directorate target) will be achieved, as well as £2.248m of savings brought forward from 2017/18 that were realised from one off savings and need to be achieved in this financial year. Please note that part of the savings that have been assumed as achieved are around care packages.</p> |
| | Variation | Budgeted Client Nos | Actual Client Nos Mth 3 | | | | | | | | | | | | | | | | | | | | | | | |
| Dom Care | £0.647 | 1192 | 1264 | | | | | | | | | | | | | | | | | | | | | | | |
| Supported Living | £0.499 | 551 | 582 | | | | | | | | | | | | | | | | | | | | | | | |
| Short Stays | £0.509 | 60 | 79 | | | | | | | | | | | | | | | | | | | | | | | |
| Res & Nursing | £0.482 | 983 | 1004 | | | | | | | | | | | | | | | | | | | | | | | |
| Additional Income relating to Care Packages | (£0.886) | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>PEOPLE – Education Participation and Skills</p> <p>Education, Participation and Skills budget is forecast to balance to budget at year end.</p> | 0.000 | <p>A plan is being developed 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>As part of the MTFS for 2018/19, Education Participation and Skills is expected to make savings of over £0.699m (in order to contribute to the £5.485m Directorate target) as well as £0.687m of savings brought forward from 2017/18 that were realised from one off savings and will need to be realised in this financial year. In addition the Adult Community Meals pressure of £0.130m still remains within Education Participation and Skills.</p> | | |
| <p>PEOPLE – Community Connections</p> <p>Community Connections is reporting a pressure of £0.104m at Month 3. Average B & B numbers for April to June have been 56 placements per night with a reduction in Housing Benefit income due to the change to the claiming through the universal credit system.</p> <p>Cost pressure for further reducing average placements by 16 from the current 56 to 40 per night is £0.104m, which the service is targeting to reduce with use of alternative properties provided through existing contracts as well as use of additional contracted staff to target single occupancy stays. The service is also dedicating more resource to encourage clients to complete universal credit claims to increase the Housing Benefit received.</p> <p>As part of the MTFS for 2018/19, Community Connections is expected to make savings of over £0.368m (in order to contribute to the £5.485m Directorate target) as well as £0.291m of savings brought forward from 2017/18 that were</p> | <p>0.104</p> | <p>Action is ongoing to limit the overall cost pressure through</p> <ul style="list-style-type: none"> • Robust work to reduce placements and ensure minimal stays. • Weekly star chamber meeting for management team to problem solve and resolve difficult cases. • Implementation of the Multi Agency Rough Sleeper (MARS) team to proactively deal with Rough Sleepers. • Work with partners to increase provision across the board in alternative forms of lower cost temporary accommodation. <p>As part of the MTFS for 2018/19, Community Connections is expected to make savings of over £0.368m (in order to contribute to the £5.485m Directorate target) as well as £0.291m of savings brought forward from 2017/18 that were realised from one off savings and will need to be realised in this financial year.</p> |

| | | |
|---|--------------|--|
| <p>realised from one off savings and will need to be realised in this financial year.</p> | | |
| <p>People Management & Support</p> <p>The People Management & Support budget is forecast to balance to budget at year end, as per the reporting in previous months.</p> | <p>0.000</p> | |
| <p>Office of the Director of Public Health</p> <p>The budget for the Office of the Director of Public Health (ODPH) is expected to come in on budget for 2018/19. The budget is made up of the grant funded Public Health, Public Protection Service and Bereavement Services, of which the grant funded section of Public Health forms part of the Integrated Fund.</p> <p>There has been a reduction in the Public Health grant received in 2018/19 of £0.405m from 2017/18, which will be contained by a variety of management actions, mainly around the contracts that are held within the department, as well as using approximately £0.500m of grant that was carried forward from previous years.</p> <p>The Public Protection service, funded from RSG and other income streams, are showing a break even position at this point in the year.</p> | <p>0.000</p> | |

| | | |
|--|-------|--|
| <p>PLACE - Strategic Planning and Infrastructure</p> <p>The Service Management Team continue to actively monitor the overall departmental budget proactively as well as the agreed 2018/2019 Budget Review actions. Although the department continues to carry pressures, no specific actions are required at this early stage of monitoring.</p> | 0.000 | Efforts will continue to be taken to maximise income and contain costs |
| <p>PLACE - Management Support (Director's budget)</p> <p>Overall Place monitoring on-going will need to contain Management efficiencies by reducing costs and potential income opportunities.</p> | 0.000 | Budget contains two efficiency targets – GAME staffing and additional efficiencies which total £0.288m. We will be reviewing existing budgets and exploring all options for increased income and reduced costs in order to achieve these targets |
| <p>PLACE - Economic Development</p> <p>Forecast income generation from Asset Investment Fund acquisitions have enabled a number of expected spend pressures within Economic Development to be met. This includes earmarking resources to meet a potential net overspend linked to events and issues such as increased security costs.</p> | 0.000 | Efforts will continue to be taken to maximise income and reasonably contain costs |
| <p>PLACE – GAME</p> <p>The New Homes Bonus target has already been achieved for 17/18</p> | 0.000 | |

| | | |
|--|--------------|---|
| PLACE - Street Services | | |
| Street Scene & Waste services: Street Scene & Waste are currently reporting to budget. | 0.000 | As part of the Street Services Improvement plan; we will examine and bring forward options to maximise income and reasonably contain costs whilst recognising the need to deliver high quality services |
| Fleet and Garage: Fleet & Garage is currently reporting to budget. | 0.000 | |
| Highways and Car Parking: Highways are currently reporting to budget. | 0.000 | |
| TOTAL | 2.882 | |

Summary

There has been no change to the forecast overspend projected for Corporate Items and within the Transformation and Change Directorate, although work is underway to reorganise FM services to achieve sustainable savings going forward. New pressures have been identified with the Executive Office but these have been offset by a £1.715m reduction within the People Directorate. Place are reporting a balanced position.

This has resulted in a £2.882m forecast overspend for the council. The comparable figure last year was £4.259m which was reported to Cabinet. Despite this improved position, the ongoing financial challenges the council faces continue and a concerted effort is required to deliver all savings plans and where appropriate develop new plans.

The volatility within a number of services cannot be underestimated. This is highlighted by the improved position within Children's arising from the Star Chamber exercise. However, challenges lie ahead within the service and the forecast position is predicated on a number of assumptions and the requirement to deliver a number of actions as set out within the report.

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 April 2018.

Capital Budget - 2018-2023

The latest approved capital budget was reported to Council on 26 February 2018, as £674.6m. This covered the five year period 2017-22.

Since this approval the 2017-18 outturn has been reported and 2022-23 has been added. After taking into account the removal of £99.0m capital investment in 2017-18, this has resulted in a reduction in the overall budget for the period 2018-2023 to £581.1m.

This is set out in Table 6 below.

Table 6: Movement in Capital Budget

| Description | £m |
|--|--------------|
| Latest Approved Budget 2017-22 | 674.6 |
| Addition of 2022-23 | 18.8 |
| Less 2017-18 Outturn | (99.0) |
| Other changes | (13.3) |
| Total Revised Capital Budget for Approval (2018-2023) | 581.1 |

Table 7: Current Capital Resources

The Capital budget consists of the following elements:

| Description | £m |
|--|--------------|
| Capital Programme | 199.1 |
| Priority List (outstanding allocations) | 169.4 |
| Income Assumptions * | 212.6 |
| Total Revised Capital Budget for Approval (2018-2023) | 581.1 |

* 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 3 below shows the revised capital programme for the period 2018-2023, as at the end of June 2018. Appendix I shows a detailed breakdown of the Capital Programme.

Table 8: Revised Capital Programme

Capital Programme by Delivery Outcome

| Primary Outcome of Projects | £m |
|--|----------------|
| Securing Growth in the City Centre/Waterfront | 15.624 |
| Securing Growth in Derriford and the Northern Corridor | 27.750 |
| Securing Growth in the Eastern Corridor | 6.987 |
| Delivering More/Better Housing | 5.043 |
| Ensuring Essential City Infrastructure | 21.920 |
| Improving Neighbourhoods and Community Infrastructure | 10.060 |
| Ensuring Good Quality School Places | 4.020 |
| Growing the Economy | 2.609 |
| Delivering Oceansgate | 18.264 |
| Connecting the City | 0.800 |
| Celebrating Mayflower | 5.277 |
| Delivering The Box | 22.385 |
| Transforming Services | 58.360 |
| Total | 199.099 |

Capital Programme by Directorate

| Directorate | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | Total |
|-------------------------|----------------|---------------|--------------|--------------|--------------|----------------|
| | £m | £m | £m | £m | £m | £m |
| Transformation & change | 8.413 | 1.112 | 0.984 | - | - | 10.510 |
| People | 5.820 | 1.130 | 0.177 | 0.177 | - | 7.305 |
| Place | 115.199 | 56.356 | 5.729 | 2.000 | 2.000 | 181.284 |
| Total | 129.433 | 58.599 | 6.890 | 2.177 | 2.000 | 199.099 |

Recommendation

Council approve that the Capital Budget 2018-2023 is revised to £581.1m (as shown in Table 6).

Appendix I: 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 | 804 | 281 | - | - | - | 1,085 |
| Mayflower 400 – Public Realm Enabling | 1,431 | 1,485 | - | - | - | 2,916 |
| Mayflower 400 – Historic Houses | 326 | 842 | 48 | - | - | 1,216 |
| Mayflower 400 - Monument | 50 | - | - | - | - | 50 |
| Mayflower 400 - Waterfront Event Infrastructure | 10 | - | - | - | - | 10 |
| Total Celebrating Mayflower | 2,621 | 2,608 | 48 | - | - | 5,277 |
| Connecting the City | | | | | | |
| Mayflower Coach Station | 20 | - | - | - | - | 20 |
| Cot Hill Bridge | 435 | 320 | 25 | - | - | 780 |
| Total Connecting the City | 455 | 320 | 25 | - | - | 800 |
| Delivering More/Better Housing | | | | | | |
| Self Build Housing Sites | 74 | 115 | - | - | - | 189 |
| Former Whitleigh Community Centre | 154 | - | - | - | - | 154 |
| North Prospect Phase 5 | 500 | 450 | - | - | - | 950 |
| Bath Street | 297 | 1,762 | - | - | - | 2,059 |
| Plan for Homes | 612 | 120 | - | - | - | 732 |
| Demolitions for Housing | 471 | - | - | - | - | 471 |
| Extra Care Housing Support Millbay | - | 450 | - | - | - | 450 |
| How Street Specialist Housing Programme | - | 38 | - | - | - | 38 |
| Total Delivering More/Better Housing | 2,108 | 2,935 | - | - | - | 5,043 |
| Delivering Oceansgate | | | | | | |
| Oceansgate Remediation/separation works | 2,037 | - | - | - | - | 2,037 |
| Oceansgate Phase 1 Direct Development | 643 | - | - | - | - | 643 |
| Oceansgate Phase 2 Direct Development | 2,070 | 11,315 | 961 | - | - | 14,346 |
| Oceansgate Phase 2 Infrastructure | 1,238 | - | - | - | - | 1,238 |
| Total Delivering Oceansgate | 5,988 | 11,315 | 961 | - | - | 18,264 |
| Delivering The Box | | | | | | |
| The Box | 11,974 | 9,303 | 1,108 | - | - | 22,385 |
| Total Delivering The Box | 11,974 | 9,303 | 1,108 | - | - | 22,385 |

| | | | | | | |
|--|---------------|--------------|--------------|--------------|--------------|---------------|
| Ensuring Essential City Infrastructure | | | | | | |
| King George V Pedestrian and Walking Cycle Route | 290 | - | - | - | - | 290 |
| Mount Wise – Charge Point & Ticket Machine | 16 | - | - | - | - | 16 |
| Bus Punctuality improvement plan (BPIP) | 14 | - | - | - | - | 14 |
| S106 Transport Projects | 850 | - | - | - | - | 850 |
| Derriford Community Park | 91 | 81 | - | - | - | 172 |
| European Marine Sites - Recreational Behaviour Changing Measures | 50 | 55 | - | - | - | 105 |
| Home Energy | 36 | - | - | - | - | 36 |
| Development Funding | 474 | - | - | - | - | 474 |
| Capitalised Maintenance Schemes | 7,987 | 5,042 | 2,000 | 2,000 | 2,000 | 19,029 |
| Flood defence Works | 39 | - | - | - | - | 39 |
| West Hoe Pier | 83 | - | - | - | - | 83 |
| Mount Edgcombe Projects | 812 | - | - | - | - | 812 |
| Total Ensuring Essential City Infrastructure | 10,742 | 5,178 | 2,000 | 2,000 | 2,000 | 21,920 |
| Ensuring Good Quality School Places | | | | | | |
| Pennycross Basic Need | 42 | - | - | - | - | 42 |
| Pomphlett Basic Need | 1,957 | 400 | - | - | - | 2,357 |
| Oreston Academy Basic Need | 10 | - | - | - | - | 10 |
| Yealmpstone Farm Primary School Basic Need | 1,485 | 67 | - | - | - | 1,552 |
| Woodford Primary School - Decking | 59 | - | - | - | - | 59 |
| Total Ensuring Good Quality School Places | 3,553 | 467 | - | - | - | 4,020 |
| Growing the Economy | | | | | | |
| Social Enterprise Fund | 577 | - | - | - | - | 577 |
| Langage Development Phase 2 | 1,983 | - | - | - | - | 1,983 |
| 39 Tavistock Place | 8 | 8 | 33 | - | - | 49 |
| Total Growing the Economy | 2,568 | 8 | 33 | - | - | 2,609 |
| Improving neighbourhoods and delivering community infrastructure / facilities | | | | | | |
| Barne Barton general amenity improvements | 164 | - | - | - | - | 164 |
| Active Neighbourhoods | 63 | 25 | - | - | - | 88 |
| Infrastructure Works at Honicknowle | 26 | - | - | - | - | 26 |
| Derriford Community Park | 578 | 15 | - | - | - | 593 |
| Bond Street Playing fields (Southway Community Football Facility) | 270 | 240 | - | - | - | 510 |
| Staddiscombe Sports Improvements | 58 | - | - | - | - | 58 |

| | | | | | | |
|--|---------------|---------------|----------|----------|----------|---------------|
| Higher Efford Play Pitch Enhancements | 245 | 234 | - | - | - | 479 |
| Central Park Sports Plateau | 357 | 52 | - | - | - | 409 |
| Central Park Improvements | 4,160 | 689 | - | - | - | 4,849 |
| Improving Outdoor Play | 664 | 400 | - | - | - | 1,064 |
| Dunstone Woods | 13 | - | - | - | - | 13 |
| Blockhouse Park Playground Refurbishment | 2 | - | - | - | - | 2 |
| Manadon Play Pitches | 1,555 | - | - | - | - | 1,555 |
| Children Centres | 250 | - | - | - | - | 250 |
| Total Improving neighbourhoods and delivering community infrastructure / facilities | 8,405 | 1,655 | - | - | - | 10,060 |
| Securing Growth in Derriford and Northern Corridor | | | | | | |
| Forder Valley Link Road- Development Costs | 5,317 | - | - | - | - | 5,317 |
| Forder Valley Interchange | 2,378 | 6,430 | - | - | - | 8,808 |
| Derriford Transport scheme - Derriford Roundabout / William Prance Road | 1,777 | - | - | - | - | 1,777 |
| Sendalls Way Junction Improvements | 300 | - | - | - | - | 300 |
| Charlton Road | 793 | - | - | - | - | 793 |
| Northern Corridor Junction Improvements | 1,385 | - | - | - | - | 1,385 |
| Purchase of 444 Tavistock Road | 31 | - | - | - | - | 31 |
| Purchase of 422 Tavistock Road | 84 | - | - | - | - | 84 |
| Purchase of Properties in the North of Plymouth | 1,900 | - | - | - | - | 1,900 |
| Morlaix Drive Access Improvements | 824 | 3,901 | - | - | - | 4,725 |
| Northern Corridor Strategic Cycle Network | 632 | 1,748 | - | - | - | 2,380 |
| Woolwell to the George | 250 | - | - | - | - | 250 |
| Total Securing Growth in Derriford and Northern Corridor | 15,671 | 12,079 | - | - | - | 27,750 |
| Securing Growth in the City Centre and Waterfront | | | | | | |
| Devonport Market High Tech 'Play Market' | 1,975 | - | - | - | - | 1,975 |
| Charles Cross | 427 | - | - | - | - | 427 |
| City Centre Public Realm | 2,109 | 9,015 | - | - | - | 11,124 |
| Market Way Public Realm | 186 | - | - | - | - | 186 |
| Sutton Harbour Public Realm Improvements | 32 | - | - | - | - | 32 |
| Cobourg House | 248 | - | - | - | - | 248 |
| Quality Hotel | 318 | - | - | - | - | 318 |
| Colin Campbell Court Phase 1 | - | 739 | - | - | - | 739 |
| Colin Campbell Court Phase 2 | 228 | - | - | - | - | 228 |
| Plymouth City Market Major Refurbishment | 32 | - | - | - | - | 32 |
| City Centre Shop Fronts Grant Scheme | 241 | - | - | - | - | 241 |

| | | | | | | |
|--|----------------|----------------|----------------|---------------|---------------|----------------|
| West End Public Realm | 74 | - | - | - | - | 74 |
| Total Securing Growth in the City Centre and Waterfront | 5,870 | 9,754 | - | - | - | 15,624 |
| Securing Growth in the Eastern Corridor | | | | | | |
| Eastern Corridor Junction Improvements | 3,259 | - | - | - | - | 3,259 |
| Eastern Corridor Strategic Cycle Network | 1,024 | 760 | 1,434 | - | - | 3,218 |
| A379 Pomphlett to The Ride | 150 | 240 | 120 | - | - | 510 |
| Total Securing Growth in the Eastern Corridor | 4,433 | 1,000 | 1,554 | - | - | 6,987 |
| Transforming Services | | | | | | |
| Street lighting bulb replacement | 86 | - | - | - | - | 86 |
| Street Services Information Management System | 405 | - | - | - | - | 405 |
| Fleet Replacement Programme | 926 | - | - | - | - | 926 |
| Chelson Meadow Closure & Leachate Plant Upgrade | 259 | - | - | - | - | 259 |
| Asset Investment Fund | 41,408 | - | - | - | - | 41,408 |
| Strategic Property Acquisition | 2,253 | 690 | - | - | - | 2,943 |
| Highway Works at the Former Seaton Barrack site | 661 | - | - | - | - | 661 |
| Barbican Footbridge | 169 | - | - | - | - | 169 |
| Bayview Electrical Works | 44 | - | - | - | - | 44 |
| Schools Condition Works | 8 | - | - | - | - | 8 |
| SEN Access and Safeguarding | 12 | - | - | - | - | 12 |
| Schools Devolved Formula & Projects | 400 | 175 | 177 | 177 | - | 929 |
| St Budeaux Library | 545 | - | - | - | - | 545 |
| ICT | 4,601 | 984 | 984 | - | - | 6,569 |
| Corporate Asset Lifecycle Maintenance | 572 | 128 | - | - | - | 700 |
| Corporate Heritage Maintenance | 44 | - | - | - | - | 44 |
| Other Corporate Property | 1,893 | - | - | - | - | 1,893 |
| Transformation Accommodation | 614 | - | - | - | - | 614 |
| Boiler Replacement Programme for Council Properties | 145 | - | - | - | - | 145 |
| Total Transforming Services | 55,045 | 1,977 | 1,161 | 177 | - | 58,360 |
| TOTAL CAPITAL PROGRAMME | | | | | | |
| TOTAL CAPITAL PROGRAMME | 129,433 | 58,599 | 6,890 | 2,177 | 2,000 | 199,099 |
| Forecast future income streams | 50,162 | 46,835 | 56,292 | 42,573 | 16,767 | 212,629 |
| Priority List | 42,376 | 65,600 | 40,724 | 20,700 | - | 169,400 |
| GRAND TOTAL | 221,971 | 171,034 | 103,906 | 65,450 | 18,767 | 581,127 |

Table 9: Capital Budget

| 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 | 674 | 160 | 281 | - | - | 1,115 |
| Total Celebrating Mayflower | 674 | 160 | 281 | - | - | 1,115 |
| 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 | 3,036 | 1,353 | - | - | - | 4,389 |
| 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 | 5,156 | 2,053 | 650 | 300 | 0 | 8,159 |
| 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 History Centre | | | | | | |
| The History Centre | 11,158 | 12,120 | 6,455 | - | - | 29,733 |
| Total Delivering The History Centre | 11,158 | 12,120 | 6,455 | - | - | 29,733 |
| Ensuring Essential City Infrastructure | | | | | | |
| Clean Vehicle Technology Improvements | 81 | - | - | - | - | 81 |
| Electric Car Charge Points | 5 | - | - | - | - | 5 |
| Bus Punctuality improvement plan (BPIP) | 253 | - | - | - | - | 253 |

| | | | | | | |
|--|---------------|--------------|--------------|--------------|--------------|---------------|
| Access Road to Housing Site in Estover | 112 | - | - | - | - | 112 |
| S106 Transport Projects | 123 | 162 | - | - | - | 285 |
| Millbay School Creative Arts highway work | 49 | - | - | - | - | 49 |
| Billacombe Footbridge | 692 | - | - | - | - | 692 |
| Derriford Community Park | 322 | 299 | 22 | 4 | 4 | 651 |
| European Marine Sites - Recreational Behaviour Changing Measures | 28 | 28 | 55 | - | - | 111 |
| Home Energy | 80 | - | - | - | - | 80 |
| Development Funding | 460 | - | - | - | - | 460 |
| Capitalised Maintenance Schemes | 9,250 | 6,000 | 5,042 | 2,000 | 2,000 | 24,292 |
| Flood defence Works | 44 | - | - | - | - | 44 |
| 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 | 13,025 | 6,573 | 5,119 | 2,004 | 2,004 | 28,725 |
| Ensuring Good Quality School Places | | | | | | |
| 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 | 4,724 | 2,604 | - | - | - | 7,328 |
| 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 |
| The Big Greenspace Challenge | 4 | - | - | - | - | 4 |
| 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 | 400 | 66 | - | - | 516 |
| Central Park Sports Plateau | 40 | 340 | 89 | - | - | 469 |

| | | | | | | |
|--|---------------|--------------|------------|------------|----------|---------------|
| Central Park Improvements | 2,000 | - | - | - | - | 2,000 |
| Improving Outdoor Play | 593 | 264 | - | - | - | 857 |
| Central Park Wooded Valley | 35 | - | - | - | - | 35 |
| Dunstone Woods | 13 | - | - | - | - | 13 |
| Blockhouse Park Playground Refurbishment | 2 | - | - | - | - | 2 |
| Manadon Play Pitches | 648 | - | - | - | - | 648 |
| St Budeaux Tennis Courts | 3 | - | - | - | - | 3 |
| MAP Early Years Capital Fund | 300 | - | - | - | - | 300 |
| Total Improving neighbourhoods and delivering community infrastructure / facilities | 4,082 | 1,503 | 155 | - | - | 5,740 |
| 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 | 1,200 | - | - | - | 1,396 |
| Purchase of 444 Tavistock Road | 32 | - | - | - | - | 32 |
| Northern Corridor Strategic Cycle Network | 550 | 1,750 | 840 | - | - | 3,140 |
| Marjons Link Road | 6 | - | - | - | - | 6 |
| Total Securing Growth in Derriford and Northern Corridor | 15,432 | 3,000 | 840 | - | - | 19,272 |
| Securing Growth in the City Centre and Waterfront | | | | | | |
| Devonport Market High Tech 'Play Market' | 657 | 1,374 | - | - | - | 2,031 |
| Sutton Harbour Public Realm Improvements | 32 | - | - | - | - | 32 |
| Visitor signage | 86 | - | - | - | - | 86 |
| Cobourg House | 3,573 | - | - | - | - | 3,573 |
| Quality Hotel | 336 | - | - | - | - | 336 |
| Colin Campbell Court | 965 | - | - | - | - | 965 |
| Plymouth City Market Major Refurbishment | 1,289 | - | - | - | - | 1,289 |
| City Centre Shop Fronts Grant Scheme | 173 | 116 | - | - | - | 289 |
| West End Public Realm | 74 | - | - | - | - | 74 |
| Total Securing Growth in the City Centre and Waterfront | 7,185 | 1,490 | - | - | - | 8,675 |
| Securing Growth in the Eastern Corridor | | | | | | |
| Eastern Corridor Junction Improvements | 1,500 | 1,500 | 340 | - | - | 3,340 |
| Eastern Corridor Strategic Cycle Network | 1,657 | 1,489 | 380 | 380 | - | 3,906 |
| Woolwell to The George | 420 | - | - | - | - | 420 |
| Total Securing Growth in the Eastern Corridor | 3,577 | 2,989 | 720 | 380 | - | 7,666 |

| | | | | | | |
|---|----------------|----------------|----------------|---------------|---------------|----------------|
| Transforming Services | | | | | | |
| Street lighting bulb replacement | 119 | - | - | - | - | 119 |
| Highways Information Management System | 342 | - | - | - | - | 342 |
| Fleet Replacement Programme | 1,478 | - | - | - | - | 1,478 |
| Bell Park Industrial Estate | 335 | - | - | - | - | 335 |
| Friary Retail Park | 50 | - | - | - | - | 50 |
| Next | 8,701 | 6,353 | - | - | - | 15,054 |
| 10 New George Street | 1,780 | - | - | - | - | 1,780 |
| Purchase of St Catherine's House | 2,372 | - | - | - | - | 2,372 |
| Royal Mail | 20,377 | - | - | - | - | 20,377 |
| Mayflower 400 | 6 | - | - | - | - | 6 |
| Disabled Facilities (incl Care & Repair works) | 16 | - | - | - | - | 16 |
| Schools Condition Works | 366 | - | - | - | - | 366 |
| SEN Access and Safeguarding | 60 | - | - | - | - | 60 |
| Schools Devolved Projects | 447 | 415 | 225 | 225 | 225 | 1,537 |
| ICT | 2,021 | - | - | - | - | 2,021 |
| Corporate Asset Lifecycle Maintenance | 802 | - | - | - | - | 802 |
| Corporate Heritage Maintenance | 166 | - | - | - | - | 166 |
| Other Corporate Property | 1,303 | - | - | - | - | 1,303 |
| Transformation Accommodation | 1,173 | - | - | - | - | 1,173 |
| Boiler Replacement Programme for Council Properties | 145 | - | - | - | - | 145 |
| Total Transforming Services | 42,059 | 6,768 | 225 | 225 | 225 | 49,502 |
| TOTAL CAPITAL PROGRAMME | 118,842 | 47,903 | 14,445 | 2,942 | 2,229 | 186,361 |
| Forecast future income streams | 75,522 | 98,038 | 43,003 | 28,227 | 22,372 | 267,162 |
| Priority List | 37,736 | 116,721 | 128,285 | 65,100 | 34,301 | 382,143 |
| TOTAL CAPITAL BUDGET | 232,100 | 262,662 | 185,733 | 96,269 | 58,902 | 835,666 |

CABINET MINUTE 26

Capital and Revenue Monitoring Report Quarter One



14 August 2018

For the reasons set out in the report Cabinet agreed –

1. to note the current revenue monitoring position and action plans in place to reduce/mitigate shortfalls;
2. to approve the non-delegated virements which have occurred since 1st April 2018;
3. to recommend to Council that the Capital Budget 2018 -2023 is revised to £581.1m (as shown in Table 6).

This page is intentionally left blank

PLYMOUTH CITY COUNCIL

Subject: Appointment of Deputy Electoral Registration Officer
Committee: City Council
Date: 17 September 2018
Cabinet Member: Councillor Peter Smith
CMT Member: Tracey Lee (Chief Executive)
Author: Glenda Favor-Ankersen (Head of Electoral Services)
Contact details Tel: 01752 398073
email: glenda.favor-ankersen@plymouth.gov.uk
Ref: DERO/REG 2018
Key Decision: No
Part: 1

Purpose of the report:

This report proposes that the Council appoint the Head of Electoral Services as Deputy Electoral Registration Officer (DERO) to carry out the Electoral Registration Officer's (ERO) functions in case the ERO is unable to act personally.

Corporate Plan

This report complies with statutory obligations and requirements and supports the Corporate value of being democratic.

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

There are no financial implications to this appointment.

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

The appointment of the Deputy Electoral Registration Officer will mitigate risks in the event that the Electoral Registration Officer is unavailable as her deputy will be able to make legal judgments regarding the Electoral Register on her behalf.

Equality and Diversity

Has an Equality Impact Assessment been undertaken?

No

In preparing this report and the recommendations, due regard has been given to public sector equality.

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Recommendation and Reasons for recommended action:

That the Head of Electoral Services be appointed as the DERO, with full powers of the ERO in her absence.

Reason for recommended actions:

The Council is required, by law, to appoint an Officer to the position of ERO. This post is responsible for maintaining the Electoral Register.

If there were a legal challenge to any act of including, or refusing to include, any person within the register of electors, it is the ERO that would convene and conduct the hearing required by statute.

Council can appoint a DERO who could carry out the duties of the Electoral Registration Officer in her absence.

Alternative options considered and rejected:

None

Published work / information:

The Representation of the People Act 1983, Sections 8 and 52
www.legislation.gov.uk/ukpga/1983/2

Background papers:

Only published material has been used in the preparation of this report.

Sign off:

| | | | | | | | | | | | | | |
|--|-------------------|------------|------------------------------|-----|----------------------|--|--|--|--|--|--|--|--|
| Leg | lt/3088 4/0409 | Mon Off | lt/308 84/M O/04 09 | Fin | akh. 18.1 9.79 | | | | | | | | |
| Originating SMT Member: Giles Perritt | | | | | | | | | | | | | |
| Has the Cabinet Member(s) agreed the contents of the report? Yes | | | | | | | | | | | | | |

1.0 Electoral Registration Officer

1.1 Under Section 8(2) of the Representation of the People Act 1983, Full Council must appoint an Officer to the position of Electoral Registration Officer. This position is responsible for maintaining the Electoral Register for the area. The Chief Executive – Tracey Lee is the appointed Electoral Registration Officer in Plymouth City.

1.2 The Electoral Registration Officer is the person with statutory responsibility for the creation, maintenance, security and distribution of the register of electors and the absent voters list. The register of electors is based on an annual canvass and monthly rolling registration of all properties where electors reside.

1.3 The Electoral Registration Officer takes responsibility for publishing a revised electoral register and issuing monthly alterations notices.

1.4 At an election the Electoral Registration Officer has a statutory obligation to provide registers and absent voters lists for each polling station as well as to candidates at the election and to the Returning Officer.

2.0 Deputy Electoral Registration Officer

2.1 Under Section 52(2) of the Representation of the People Act 1983, the Council may appoint a Deputy Electoral Registration Officer who is able to perform and exercise any of the duties and powers of the Electoral Registration Officer.

2.2 The Head of Electoral Services is willing to undertake this role and it is recommended that she be appointed as Deputy Electoral Registration Officer. The Head of Electoral Services has considerable experience of the statutory duties on electoral registration and elections, having been previously appointed to these roles.

PLYMOUTH CITY COUNCIL

| | |
|-------------------------|---|
| Subject: | Scrutiny Arrangements for the Local Enterprise Partnership |
| Committee: | City Council |
| Date: | 17 September 2018 |
| Scrutiny Chair: | Councillor Jonny Morris, Chair of the Brexit, Infrastructure and Legislative Change Overview and Scrutiny Committee |
| CMT Member: | Giles Perritt, Assistant Chief Executive |
| Author: | Ross Jago, Senior Governance Advisor |
| Contact details: | ross.jago@plymouth.gov.uk |
| Ref: | N/A |
| Key Decision: | No |
| Part: | I |

Purpose of the report:

Currently there is no collective local authority scrutiny arrangement in place for the Heart of the South West Local Enterprise Partnership (HotSW LEP) and therefore their activity falls to individual councils to scrutinise through their local scrutiny arrangements. This is often a 'piecemeal' approach and there is also currently no legislative requirement on local authorities to scrutinise Local Enterprise partnerships.

The "Annual Conversation" process for the HotSW LEP with Government identified them as not being compliant in relation to Scrutiny. Of particular note was future funding from Government dependent on having compliant local arrangements in place in conjunction with local authorities and Scrutiny was identified as a key area for improvement. This led to the HotSW LEP's governance arrangements as 'Requiring Improvement' and is therefore a key 'driver' in the absence of any specific legal requirement for this proposed Joint Scrutiny Committee.

HotSW LEP approached Somerset County Council as the administrative authority, with a formal request that the local authorities within the HotSW area urgently address the lack of compliant scrutiny arrangements to ensure the continuation of LEP funding. Officers started work on receipt of this request and Somerset County Council gave assurance under the Annual Assurance process that adequate scrutiny arrangements would be established by Autumn 2018.

Corporate Plan:

Effective scrutiny impacts upon all aspects of the Corporate Plan by providing a process for challenge to decision making and the development of policy.

A Joint Scrutiny function will provide a review function to enable Members to assess the strategic impact of the Local Enterprise partnership whilst ensuring that local issues, for example, reviewing progress of local schemes (funded by LEP) will remain with local scrutiny committees, so there is no 'removal' of local scrutiny 'rights'.

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

The current proposals are light touch and appropriate in the absence of any such guidance and therefore it is anticipated that any costs for meeting attendance will be met through existing resources. If proposals are revisited due to additional guidance additional funding sources would be sought.

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

At this stage no adverse impact has been identified.

Equality and Diversity:

Has an Equality Impact Assessment been undertaken? No

At this stage no adverse impact has been identified to any protected groups in making a change in governance arrangements.

Recommendations and Reasons for recommended action:

That Council agrees to –

1. approve the implementation of a Joint Scrutiny function (Committee) for the South West Local Enterprise Partnership (LEP) and the Terms of Reference and Operating Procedures, as outlined in appendix I
 2. delegate any consequential amendments to the Constitution to the Monitoring Officer, reflecting the new joint arrangements and the strategic Scrutiny of the LEP functions (as outlined in the roles, duties and responsibilities of appendix I);
-

Alternative options considered and rejected:

Options considered and rejected are detailed in section 3 of the report.

Published work / information:**[Review of Local Enterprise Partnership Governance & Transparency](#)**

Mary Ney - Published 26 October 2017

Background papers:

Nil

Sign off:

| | | | | | | | | | | | | | |
|---|---------------------|-----|-----------------------------|------------|-----------------------------|----|--|--------|--|----|--|---------------|--|
| Fin | pl.1 8.19 .73 | Leg | lt/31 141/ 040 9/2 | Mon Off | lt/31 141/ 040 9/2 | HR | | Assets | | IT | | Strat Proc | |
| Originating SMT Member – Giles Perritt | | | | | | | | | | | | | |
| Has the Cabinet Member(s) agreed the content of the report? N/A | | | | | | | | | | | | | |

1. Background

- 1.1. The Mary Ney report, [Review of Local Enterprise Partnership Governance & Transparency](#), provided advice that Scrutiny arrangements should be in place to monitor decision-making and achievements of the Local Enterprise Partnership (LEP).
- 1.2. In the recent policy review “[Strengthened Local Enterprise Partnerships](#)” the Government stated support for Local Enterprise Partnerships to set out how they will ensure external scrutiny, including participating in relevant local authority scrutiny panel enquiries to ensure effective and appropriate democratic scrutiny of their investment decisions.

2. Local Context

- 2.1. Currently there is no collective local authority scrutiny arrangement in place for the Heart of the South West Local Enterprise Partnership (HotSW LEP) and therefore their activity falls to individual councils to scrutinise through their local scrutiny arrangements.
- 2.2. The “Annual Conversation” process for the HotSW LEP with Government identified them as not being compliant in relation to Scrutiny. Future LEP funding from Government depended on the LEP having compliant local arrangements in place in conjunction with local authorities and Scrutiny was identified as a key area for improvement. This led to the HotSW LEP’s governance arrangements as ‘Requiring Improvement’ and is therefore a key ‘driver’ in the absence of any specific legal requirement for joint scrutiny.
- 2.3. The Government has said that the HotSW LEP could be considered compliant if the local authorities have a plan agreed for the implementation of joint scrutiny arrangements, even if the mechanism is not operational.
- 2.4. HotSW LEP approached Somerset County Council as the accountable authority, with a formal request that the local authorities within the HotSW area urgently address the lack of compliant scrutiny arrangements to ensure the continuation of LEP funding under the LEPs annual conversation process. Officers started work on receipt of this request and Somerset County Council gave assurance under the Annual Assurance process that adequate scrutiny arrangements would be established by autumn 2018.

3. Options Considered

- 3.1. The first option considered would have been to ensure LEP attendance at relevant existing Scrutiny Committees, but this is not considered sufficient by the Government under the Annual Assurance process.
- 3.2. The possibility of using the HotSW Joint Committee to scrutinise the LEP has been reviewed but such a mechanism will not meet the Government’s requirements for LEP scrutiny. LEP and the Joint Committee are working on similar agendas to improve productivity and hold each other to account for delivery of their responsibilities; both are decision making bodies with the local authority membership focused on Council Leaders and Cabinet members. This model of ‘holding to account’ therefore falls outside of local authority scrutiny arrangements.

- 3.3. Other potential models of Joint Scrutiny were considered, but the recommended approach is intended to be a pragmatic solution recognising that the key focus will be on strategic scrutiny and therefore the Unitary and County authorities within the HotSW area.
- 3.4. The membership of the Joint Scrutiny Committee and delegation of functions to it is focused on the authorities with strategic responsibilities. However, the interests of the district councils as key local partners are recognised in the proposal through an appropriate level of representation within the membership.

4. Proposal

- 4.1. The proposal for a formal Joint LEP Scrutiny arrangement with Elected Members involved in the Scrutiny function, but independent of existing Scrutiny Committees.
- 4.2. This means a joint scrutiny arrangement with a focus on Strategic Scrutiny of the LEP and its strategies, therefore adding value.
- 4.3. It is also clear that local issues, for example reviewing progress of local schemes funded by LEP, must remain with local scrutiny committees, so there is no 'removal' of local scrutiny 'rights'.

5. Work to Date

- 5.1. Officers from Devon County Council, Somerset County Council, Plymouth City Council and Torbay Council met in April 2018 and proposed some potential terms of reference for how a joint Scrutiny Committee might work.
- 5.2. On 30th May 2018, Officers and Members from Devon County Council, Somerset County Council, Plymouth City Council, Torbay Council and West Somerset District Council held a meeting / review session at Devon County Council to consider and discuss the proposed terms of reference.
- 5.3. Following a number of small changes, the revised and proposed terms of reference and operating procedures as supported by the Members present at the review session are attached at Appendix I.

6. Conclusion

- 6.1. There is an urgent requirement to have arrangements in place to support local authority Elected Member Scrutiny of the Heart of the South West Local Enterprise Partnership.
- 6.2. The current proposals are light touch and appropriate in the absence of any such guidance, but of course may need to be revisited in light of additional guidance.
- 6.3. Similar recommendations are being made to the other strategic authorities with direct representation on the proposed Joint Scrutiny Committee. If the recommendations are agreed by the four councils, invitations will then be sent to the District Councils in both County areas to invite the appointment of district representatives in accordance with Appendix I.

Appendix I**HEART OF THE SOUTH WEST LOCAL ENTERPRISE PARTNERSHIP JOINT SCRUTINY COMMITTEE - TERMS OF REFERENCE****1. Purpose**

1.1. The Joint Scrutiny Committee will provide strategic overview and Scrutiny of the activities of the Heart of the South West (HotSW) Local Enterprise Partnership (LEP) to complement the existing Council's Scrutiny arrangements.

2. Roles, Duties and Responsibilities

2.1. In meeting its purpose, the Joint Scrutiny Committee will be specifically charged with:

- The review of strategic decisions made by the LEP Board;
- The review of progress of programmes under the management of the LEP to identify barriers to progress, good practice and possible improvements to the LEP's programme management function, notwithstanding the ability of Local Authorities to scrutinise individual programmes of delivery which impact on their communities;
- Scrutiny of the delivery of the Strategic Economic Plan and the Productivity Strategy; and
- To review LEP performance and consider any comparative data the Joint Committee deems necessary.

3. Scrutiny Function

3.1. The Joint Scrutiny Committee will provide a new joint Scrutiny function and the Joint Committees constituent authorities will be asked to delegate the strategic overview of the LEP functions to the Joint Scrutiny Committee (this will not remove the right of local authorities to scrutinise matters relating to programme delivery that impact on the people within those communities).

4. Membership / Substitute Members

4.1. The membership of the Joint Scrutiny Committee will be:

- | | |
|---------------------------|-------------|
| • Devon County Council | (4 Members) |
| • Plymouth City Council | (2 Members) |
| • Torbay Council | (2 Members) |
| • Somerset County Council | (4 Members) |
| • Devon Districts | (3 Members) |
| • Somerset Districts | (2 Members) |

4.2. In line with the requirements of the Local Government and Housing Act 1979, political proportionality has been considered and is not considered appropriate to apply to the collective membership of the Joint Scrutiny Committee. However, where a Council is appointing three or more Members, political proportionality will apply to those appointments in line with the legislation. For less than three, each constituent authority will be free to consider their own political proportionality in making their appointments to the Joint Committee on an annual basis.

- 4.3. The level of representation proposed for the County authorities is considered appropriate because of their administrative authority duties in respect of the LEP.
- 4.4. Members of the Executive / Cabinet from constituent authorities are precluded from sitting as members of the Joint Scrutiny Committee.
- 4.5. District Council representatives should be appointed from authorities not already represented on the HotSW Local Enterprise Partnership Board and also should not be County Councillors.
- 4.6. Constituent authorities may make substitutions in accordance with their own procedures where one of their Members is unable to attend any meeting of the Joint Scrutiny Committee. Substitutes do not need to be named, but as a courtesy the administering secretariat should be advised of the name of the substitute at least 24 hours in advance of the meeting.
- 4.7. Reflecting the approach to engage with stakeholders across the LEP Area, the Scrutiny Committee will be able to invite to meetings witnesses which it considers will contribute to the delivery of an effective Scrutiny function.

5. Work Programme

- 5.1. The Joint Scrutiny Committee will maintain a work programme of activities.
- 5.2. Constituent Authority Scrutiny Committees may ask the Joint Scrutiny Committee to consider matters for inclusion in the work programme. The final decision is a matter for the Joint Scrutiny Committee.
- 5.3. District Council Scrutiny Committees not directly represented on the Joint Scrutiny Committee should do this through the District Councils Members appointed to the Committee.

6. Reporting Arrangements

- 6.1. The work and recommendations of the Joint Scrutiny Committee will be regularly reported to the Heart of the South West LEP Board.
- 6.2. Members may make reports to their “home” constituent authority in accordance with their own governance procedures.

7. Agendas, reports and minutes

- 7.1. The agenda and supporting papers will be published and circulated at least five clear working days in advance of meetings.
- 7.2. The minutes of any meetings will be published on the administering secretariat’s website and circulated to partner organisations as soon as practicable.

7.3. The Committee will operate under the Standing Orders of the administering authority. The HotSW LEP will provide a link to the agendas and minutes of the Joint Scrutiny Committee on its website.

8. Frequency of meetings

8.1. The date, time and venue of meetings will be fixed in advance by the Joint Scrutiny Committee and an annual schedule of meetings agreed.

8.2. The Joint Scrutiny Committee will meet three times per year (March, July and November). Dates will be published on the website of the administering authority. Additional meetings may be convened at the request of the Chair.

9. Election of Chair

9.1. The Chair will be elected on an annual basis by Members of the Joint Scrutiny Committee.

10. Quorum

10.1. The quorum of the Committee shall be one quarter of Members, equating to a quorum of 5.

11. Declarations of interest

11.1. Declarations of Interest will be made in accordance with the Government Guidance. Joint Scrutiny Committee Members are subject to the Code of Conduct for Elected Members adopted by the Constituent Authority that nominated them including the requirement to declare relevant interests at formal meetings of the Joint Scrutiny Committee.

12. Voting

12.1. In principle recommendations will be reached by consensus, but if a vote is required it will be by a simple majority of all members present.

12.2. Where there are equal votes the Chair of the meeting will have the casting vote.

13. Duty to attend, cooperate and respond

13.1. The Joint Scrutiny Committee may require by invitation the Chair of the LEP Board and the Chief Executive of the LEP to appear before it to explain (in relation to all aspects of the Committee's work) the performance of the LEP and / or any particular decision or series of decisions. The Chair and Chief Executive have agreed to attend if so required, unless they have a legitimate reason for not doing so.

13.2. Following each meeting of the Joint Scrutiny Committee, the Committee's recommendations will be submitted to the LEP Board for consideration. The LEP Board will be required to consider those recommendations at its next meeting, and respond to the Joint Scrutiny Committee indicating what (if any) action the LEP Board proposes to take. The response should be made within 28 days of the LEP Board meeting and will be published.

14. Code of conduct

- 14.1. Members of the Joint Scrutiny Committee are expected to observe the “Seven Principles of Public Life” (the ‘Nolan’ principles) and shall be bound by their own authority’s Code of Conduct in their work on the Joint Scrutiny Committee.
- 14.2. Members are expected to act in the interests of the Joint Scrutiny Committee, except where this would result in a breach of a statutory or other duty to their Constituent Authority or would be in breach of their Constituent Authority’s Code of Conduct.

15. Access to information

- 15.1. Joint Scrutiny Committee meetings are regarded as a Council Committee for the purposes of Access to Information Act.
- 15.2. Meetings will be open to the press and public and the Freedom of Information Act provisions shall apply to all business.

This page is intentionally left blank

PLYMOUTH CITY COUNCIL

| | |
|-------------------------|---|
| Subject: | Constitutional Amendments |
| Committee: | City Council |
| Date: | 17 September 2018 |
| Committee Chair: | Councillor Kate Taylor, Chair of Audit and Governance Committee |
| CMT Member: | Giles Perritt, Assistant Chief Executive |
| Author: | Ross Jago, Senior Governance Advisor |
| Contact details: | Ross.jago@plymouth.gov.uk |
| Ref: | |
| Key Decision: | No |
| Part: | I |

Purpose of the report:

The purpose of this report is to amend the day on which Executive Decisions are normally published from Mondays to Wednesdays and propose changes to the definition of a key decision.

Approval will provide additional responsibility and accountability to individual Cabinet Members for decisions in their portfolio area, improve the efficiency of the decision making process, and maintain open and transparent decision making which remains subject to scrutiny and call in.

The report also outlines the role and process of the Forward Plan and the Call-in process for executive decisions.

Corporate Plan:

The Executive Decision making process is a central element of the democratic process of the Council which supports the Democratic value of the Corporate Plan.

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

As this is a change to internal business process there are no anticipated financial implications.

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

As this is a change to internal business process there are no anticipated implications.

Equality and Diversity:

OFFICIAL

Has an Equality Impact Assessment been undertaken? No

Recommendations and Reasons for recommended action:

Council are recommended to -

1. Agree that the constitution is amended to reflect that the day on which executive decisions are usually published is Wednesday. (Part C of the Constitution Para 4.4)

Reason: The change would lead to efficiencies in the decision making process.

2. Agree that the new definition of a Key Decision as outlined at appendix one is adopted;

Reason: Approval will provide additional responsibility and accountability to individual Cabinet Members for decisions in their portfolio area, improving the efficiency of the decision making process.

3. note the Forward Plan and Call-in processes;

Reason: Established Forward Plan and Call-in processes are consistent with the Law and processes conducted by other local authorities.

4. subject to (1&2) above, delegate to the Monitoring Officer any required consequential amendments to the constitution.

Reason: To ensure consistency across the constitution.

Alternative options considered and rejected:

Not accepting the change would not lead to efficiencies in the decision making process.

Published work / information:

[The Openness of Local Government Bodies Regulations 2014](#)
[The Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#)

Background papers:

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

Sign off:

OFFICIAL

| | | | | | | | | | | | | | |
|--|---------------------|-----|-----------------------------|------------|-----------------------------|----|--|--------|--|----|--|---------------|--|
| Fin | pl.1 8.19 .76 | Leg | lt/30 867/ 0409 /2 | Mon Off | lt/30 867/ 0409 /2 | HR | | Assets | | IT | | Strat Proc | |
| Originating SMT Member – Giles Perritt | | | | | | | | | | | | | |
| Has the Committee Chair / Cabinet Member agreed the content of the report? Yes | | | | | | | | | | | | | |

1.0 Key Decision Definition and Thresholds

- 1.1 Key decisions are significant decisions to be made either by the Cabinet, or by Cabinet members or officers when acting under delegated authority from the Cabinet.
- 1.2 In order to assist potential decision-makers within a local authority to reach consistent and objective judgements and to ensure the public are clear about what is regarded as significant locally, the local authority should agree and publish limits above which items are deemed significant.
- 1.3 The last review of the key decision threshold was in 2014 when the threshold for savings treated as key decisions was raised. Since that time costs have increased, there has been sustained growth in construction price and consumer prices indices and the national living wage has driven the cost of service delivery. In addition to rising costs, Cabinet members and officers continue to look for significant savings that are required across the organisation in order to deal with decreasing central government funding.
- 1.4 As a result of these changes an increasing number of decisions are likely to become high value and to enable continuing efficiency whilst maintaining transparency and accountability in the decision making process, consideration should be given to the raising of Key Decision financial thresholds.
- 1.5 The proposed key decision definition and threshold outlined at appendix I will allow Cabinet members to make decisions quickly, responding to needs in their communities and portfolio areas and clarify for officers decision which should be treated as significant and published as a Key Decision.
- 1.6 All decisions made by Councillors would still be subject of scrutiny and call-in when necessary as will Officer Key Decisions.

2.0 Executive Decision Publication

- 2.1 Under the current process decisions taken at Cabinet are not published until the following Monday and are then subject to a further call-in period of a week.
- 2.2 Changing the day on which all decisions are published will bring Cabinet decisions into line with the standard call-in timescales.

3.0 Forward Plan

- 3.1 Regulations made under the Local Government Act 2000 and Localism Act 2011 obliges local authorities to publish advance notice of “key decisions” they are planning to take. At least 28 days’ notice needs to be given of intention to make a key decision and the regulations specify the content of the notice.
- 3.2 The process behind the Forward Plan was delegated in 2012 to the monitoring officer. Following discussion with Cabinet Members in portfolio holder briefings, council officers provide notices of decisions for the forward plan to the Democratic Support Team who publishes the plan online.
- 3.3 The Forward Plan is updated monthly and is a rolling three month list of decisions. Many of the decisions on the forward plan are enabling decisions for ongoing programmes of work.

- 3.4 When including a key decision on the forward plan is impracticable, the decision may only be taken when the chair of the relevant overview and scrutiny committee has been informed. This is by notice in writing at least five clear days in advance of the decision being taken. The notice must also be published on the Councils website. When made the decision would still be subject to the call in period.
- 3.5 Where a decision is deemed urgent a notice must be published on the website providing the reason for the urgent decision, the decision must receive agreement by the relevant chair of scrutiny. An urgent decision may be implemented immediately and there is no right for call-in by councillors.
- 3.6 The process for the Forward Plan and its publication adheres to the regulations as set out in the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and the method of publication is broadly similar to those authorities administering the Moden.Gov committee software.

4.0 Call-in Process

- 4.1 Call-in provides a mechanism for councillors to intervene when they feel that a decision being made by the executive needs to be revisited (or possibly changed). It provides a key check and balance in the leader/cabinet system of governance. It should, however, be regarded as a measure that is only needed in exceptional circumstances, rather than day-to-day.
- 4.2 The law relating to call-in in England can be found in the Local Government Act 2000. The Act establishes that scrutiny has a power to review or scrutinise decisions made but not implemented by the executive, which includes a power to recommend that the decision be reconsidered by the person who made it. The power in the Act also includes the power for an overview and scrutiny committee to refer the issue to Full Council for them to consider it substantively.
- 4.3 Plymouth City Council has an existing call in procedure, which is in line with neighbouring local authority's and Government guidance, and is published in the constitution. A copy of the process is provided at appendix two.

Proposed Key Decision Definition and Threshold

Key decisions must be taken by cabinet, unless the leader chooses to take the decision.

A key decision is an executive decision likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function to which the decision relates. In determining the meaning of "significant" regard must be had to any guidance issued by the secretary of state from time to time in accordance with section 9q of the Local Government Act 2000.

A decision will be a "key decision" if it is an executive decision -

- AND is likely to result in the local authority incurring expenditure which is, or the making of savings which are, significant:
 - in the case of capital projects¹ and contract awards, when the decision involves a new commitment to spend and/or save in excess of £3million in total; or
 - in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million.
- OR is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority. ("Significant Impact" in this respect is determined by the Monitoring Officer)

Other decisions which must be published

- Executive Decisions by Cabinet Members – all executive decisions between the Chief Officer limit of £200k and £1million (revenue) or £3million (capital/contracts) (subject to call in)
- Decisions delegated by Cabinet to Cabinet Members (subject to call in)
- Decisions delegated by Cabinet and Cabinet Members to Officers (subject to call in)
- Emergency Decisions

Effect on communities

- A decision may affect a great number of people, or a number of wards, but not significantly and these decisions shall not normally be regarded as key;
- Where a decision is only likely to have a significant impact on a very small number of people in one ward it will not normally be key. But the people affected should be informed of the forthcoming decision in sufficient time for them to exercise their rights to see the relevant papers and make an input into the decision making process;
- Consideration should be given to the level of public interest in the decision. The higher the level of interest the more appropriate it is that the decision should be considered to be key.

¹ **Nb** An allocation in the Capital Programme is not a commitment to spend as allocations are subject to change. Decisions for the commitment of spend which follow capital allocations are subject to the executive decision making process and may be considered Key Decisions. The approval process for Capital Projects is set out in Part H of the constitution.

CALL-IN PROCEDURE RULES (Constitution Part C)

1. What decisions can be called-in?

1.1 Call-in is a process where an Overview and Scrutiny Committee can recommend that an executive decision which has not yet been carried out, is reconsidered by the decision maker

1.2 The following executive decisions can be called-in:

- decisions of the Leader;
- Cabinet decisions;
- Cabinet member decisions;
- executive decisions under joint arrangements
- Officer key decisions

2. Publishing decisions that can be called-in

On the Monday (normally) after a decision that could be called-in is taken, Democratic Support will email information about the decision to all Councillors.

The information will be marked with the date it was published, will say what the decision was and how it can be called-in.

The information will say that the decision will come into force if it is not called in by 4.30pm on the fifth working day after the publication date.

3. Who can call in decisions and when do they have to be called in by?

Any three Councillors can call in a decision by 4.30pm on the fifth working day after the decision was published.

Co-opted and independent members cannot call-in decisions.

4. How are decisions called in?

Decisions are called-in by sending a call in form to the Monitoring Officer or emailing it to democratic.support@plymouth.gov.uk

Reasons for the call-in must be given. If an executive decision is being called-in because it is believed to be outside the policy framework and budget, the call-in must say so.

There are four other reasons to call-in a decision:

- the process was deficient in some way (e.g. the decision maker did not consult people who should have been consulted)
- the decision maker did not consider alternative courses of action
- the decision taker did not take into account relevant factors
- the decision was wrong in law or fact. The caller in must state why it was wrong in law or fact

When a decision is called in, the Monitoring Officer will tell the relevant officer, the chair of the body which took the decision and the Cabinet member.

5. Where are decisions called-in to?

The relevant Overview and Scrutiny Committee will consider decisions which are called-in.

6. What happens when a decision is called-in?

The relevant Overview and Scrutiny Committee can decide to:

- confirm that the decision should be implemented, the decision can then be acted on immediately; or
- recommend that the decision maker should reconsider the decision in light of the comments expressed by the Committee; or
- refer the decision to Council to consider the call in; or
- send comments to Council on any decision that recommends changing the policy framework and budget.

7. Sending the decision back with its comments to the decision maker

The decision maker will reconsider the decision, taking the Committee's views into account. The decision maker may then:

- (a) implement the decision (which cannot be called-in again); or
- (b) not implement the decision; or
- (c) alter the decision (which can be called-in).

The decision maker will report the outcome of the above to the next relevant Overview and Scrutiny Committee meeting.

8. Referring the decision to Council to consider the call-in

The decision will be considered at the next ordinary Council meeting or, if two Cabinet members require action earlier, at an extraordinary Council meeting. Council can decide to:

- support the decision, which can then be acted on immediately; or
- send the decision back with its comments to the decision maker who will then take a final decision (see below).

If the decision is sent back to the decision maker they will reconsider the decision and the procedure outlined in 7 (a) to (c) above will be followed, taking the Council's views into account.

9. Exceptions to the call-in procedure

Call-in will not apply to the following decisions:

- non-executive decisions;
- executive decisions made by appeals panels;
- decisions already called-in once (a decision modified becomes a new decision and may be subject to call-in);

- non-key decisions made by officers with delegated authority;
- urgent decisions.

10 Decisions believed to be outside the budget or policy framework

- (a) The Monitoring Officer or Responsible Finance Officer will say whether the decision is outside the policy framework and budget.
- (b) If the decision is not outside the policy framework and budget, the relevant Overview and Scrutiny Committee can decide to:
 - support the decision, which can then be acted on immediately, or
 - send the decision back with its comments to the Cabinet or Cabinet member, who will then take a final decision.
- (c) If the decision is outside the policy framework and budget, it will go as a recommendation to the next ordinary meeting of Council, along with any comments from the relevant Overview and Scrutiny Committee (if two Cabinet members want earlier action, an extraordinary meeting of the Council can be held, see Council Procedure Rule 6 One of the church representatives will be nominated by the Diocesan Board of Education for the Church of England diocese and the other will be nominated by the Bishop of the Roman Catholic diocese within the area.).
- (d) Council is able to:
 - ask the Cabinet to reconsider, or
 - change the policy framework and budget so that the decision is within it – the decision can then be acted on immediately.

11. Urgent decisions outside the budget and policy framework

A decision cannot be called-in if the Chair of the relevant Overview and Scrutiny Committee agrees that:

- the decision is reasonable and
- the delay would not be in the interests of the Council or the public.

If the Chair of the relevant Overview and Scrutiny Committee is not available, the Lord Mayor (or in his or her absence the Deputy Lord Mayor) must agree that the decision is urgent and reasonable.

Urgent decisions must be identified on the published information.

Urgent decisions must be reported to the next ordinary full Council meeting with the reason why they were urgent.

This page is intentionally left blank

Audit and Governance Committee

Delegated Decision Publication Dates / Key
Decision Threshold and Forward Plan



30 July 2018

Minute No. 21

The Audit & Governance Committee agreed to recommend to Council that the constitution is amended to reflect that the day on which executive decisions are usually published is Wednesday. (Part C of the Constitution Para 4.4)

Minute No. 22

The Audit & Governance Committee agreed:

1. to recommend to Council that the new definition of a Key Decision as outlined at appendix one is adopted;
2. to note the Forward Plan and Call-in processes;
3. subject to (1) above, delegate to the Monitoring Officer any required consequential amendments to the constitution for Council approval in September.

This page is intentionally left blank

PLYMOUTH CITY COUNCIL

Subject: Tamar Bridge Suspension System Remedial Work –
Proposed Budget Increase – Decision by the Chief Executive

Committee: City Council

Date: 17 September 2018

CMT Member: Tracey Lee, Chief Executive

Author: David List, General Manager Tamar Bridge and Torpoint Ferry /
Ross Jago, Senior Governance Advisor

Contact details Tel: 01752 812233
email: david.list@tamarcrossings.org.uk

Ref:

Key Decision: No

Part: I

Purpose of the report:

Tamar Bridge and Torpoint Ferry Joint Committee (TBTFJC) Terms of Reference require that any proposed increases to approved TBTFJC budgets must be recommended by the Cabinets of the Joint Authorities to their respective Full Councils

Cabinet received, at the July 2018 meeting, a report which detailed the unexpected discovery of asbestos containing material (ACM) during the ongoing suspension system remedial works at the Tamar Bridge, and its impact on the project.

In order for work to continue on the Bridge an emergency increase in the capital budget was required. Waiting for Council approval would have led to additional costs and as such Cabinet recommended that the Chief Executive approved an urgent non-executive decision under emergency provisions (Constitution Article 10.2 (D) / Finance Standing Orders Sec. 12). This decision was made following consultation with the Leader, Opposition Leader, Section 151 Officer and Acting Monitoring Officer in order to maintain the safe operation of the Bridge and avoid significant costs.

Corporate Plan

The Tamar Bridge & Torpoint Ferry links are key gateways to the City and provide opportunities for investment, jobs and growth particularly in the wider context of Plymouth as the regional economic centre.

Providing a safe well-maintained road network contributes to the economic well-being of the City, supporting the Council's Growth priority.

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

Finance - BTFJC is borrowing over a 25-year period to fund this capital project. TBTFJC's borrowing requirements are provided through Cornwall Council. The proposed budget increase, if fully utilised, would result in additional expenditure of £128,700 in the first year, and subsequently reducing as capital is repaid. Funding this additional borrowing is incorporated in TBTFJC's financial model and forecasting and will not affect Plymouth City Council budgets.

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

Risk Management – The works needed to be completed to eliminate an unacceptable risk to the bridge structure, and consequently service delivery

Health and Safety – The works needed to be completed in a safe manner recognizing the hazard presented by asbestos containing material.

Equality and Diversity

Has an Equality Impact Assessment been undertaken? Not applicable.

Recommendations and Reasons for recommended action:

That Council notes the decision made by the Chief Executive.

Alternative options considered and rejected:

Do nothing was not an option as the works were critical to the integrity of the structure and safe service delivery.

The continuation of the works using proven methods acceptable to the Health and Safety Executive is the only viable option.

Published work / information:

None

Background papers:

TBTFJC Report - Suspension System Remedial Works 15 June 2018

<https://democracy.cornwall.gov.uk/documents/g8310/Public%20reports%20pack%2015th-Jun-2018%2010.00%20Tamar%20Bridge%20and%20Torpoint%20Ferry%20Joint%20Committee.pdf?T=10>

Sign off:

| | | | | | | | | | | | | | |
|--|----------------|-----|---------------------------|------------|-----------------------------------|----|--|--------|--|----|--|---------------|--|
| Fin | pl18.1 9.37 | Leg | lt/ 3114 0/04 09 | Mon Off | lt/ 31 14 0/0 40 9 | HR | | Assets | | IT | | Strat Proc | |
| Originating SMT Member | | | | | | | | | | | | | |
| Has the Cabinet Member(s) agreed the contents of the report? Yes | | | | | | | | | | | | | |

This page is intentionally left blank

CABINET MINUTE 15

Tamar Bridge Suspension System Remedial Work- Proposed Budget Increase



For the reasons as set out in the report and urgent requirement for decision the Cabinet agreed to -

1. note the approval at the Tamar Bridge / Torpoint Ferry Joint Committee for the increase in Capital for remedial works;
2. note that works need to be completed to eliminate an unacceptable risk to the bridge structure and as a consequence service delivery;
3. recommend that the Chief Executive approves an urgent non-executive decision under emergency provisions in consultation with the Leader, Opposition Leader and Section 151 Officer to avoid significant additional costs which would result from a standstill period until the next Council Meeting in September.

This page is intentionally left blank

COUNCIL DECISION MADE BY A COUNCIL OFFICER




REPORT OF ACTION TAKEN BY AN INDIVIDUAL COUNCIL OFFICER

Decision Reference Number – CEX1 18/19

| Decision | |
|----------|--|
| 1 | <p>Title of decision: Approval of budget increase for Tamar Bridge Suspension System Remedial Works</p> |
| 2 | <p>Decision maker (Council officer name and job title): Tracey Lee, Chief Executive</p> |
| 3 | <p>Report author and contact details: David List, General Manager – Tamar Bridge and Torpoint Ferry david.list@tamarcrossings.org.uk</p> |
| 4 | <p>Decision to be taken: Approval of increase in budget for Tamar Bridge Suspension System Remedial Works from £6m to £7.5m</p> |
| 5 | <p>Reasons for decision: To allow essential urgent works to be completed following unexpected discovery of asbestos containing material which has adversely affected costs and progress.</p> |
| 6 | <p>Alternative options considered and rejected: Do nothing is not an option as the works are critical to the integrity of the structure and safe service delivery. The continuation of the works using proven methods acceptable to the Health and Safety Executive is the only viable option.</p> |
| 7 | <p>Financial implications: The Tamar Bridge and Torpoint Ferry Joint Committee (TBTFJC) is borrowing over a 25-year period to fund this capital project. TBTFJC's borrowing requirements are provided through Cornwall Council. The proposed budget increase, if fully utilised, would result in additional expenditure of £128,700 in the first year, and subsequently reducing as capital is repaid. Funding this additional borrowing is incorporated in TBTFJC's financial model and forecasting and will not affect Council budgets.</p> |

| | | | | |
|--------------------------|--|--|--|--|
| 8 | Please specify how this decision is linked to the Council's corporate plan and/or the policy framework and/or the revenue/capital budget: | The continuity of service delivery providing safe reliable efficient crossings of the Tamar supports the Council's corporate plan, specifically 'A growing City' An efficient transport network. This decision has no impact on the Council's budgets. | | |
| Consultation | | | | |
| 9 | Have you briefed the Cabinet member? | Yes | | |
| 9a | Please confirm which Cabinet member you have briefed. | Leader, Cllr Tudor Evans Cllr Mark Coker | | |
| 10 | Are any other Cabinet Members affected by the decision? | | | All Cabinet Members present endorsed this decision at Cabinet meeting 10 July 2017 |
| 11 | Which other Cabinet Member is affected? | N/A | | |
| 12 | Please confirm that this Cabinet Member been consulted. | | | |
| 13 | Please confirm which Corporate Management Team member(s) has been consulted. | | Anthony Payne Andrew Hardingham | |
| 14 | Please include the sign off codes from the relevant departments consulted: | Finance | | pl18.19.37 |
| | | Legal | | LS/30851/JP/July 18. |
| | | Human Resources | | |
| | | Corporate Property | | |
| | | IT | | |
| | | Procurement | | |
| Other Information | | | | |
| 15 | Is the decision in accordance with an Equalities Impact Assessment? | NA | | <i>(Attach the EIA to the decision)</i> |
| Briefing report | | | | |
| 16 | Is the briefing report attached? | ✓ | | <i>(No is not an option)</i> |
| | List (and include a hyper link) to published work/information used to prepare the report. | <p>TBTFJC Report 15 June 2018 https://democracy.cornwall.gov.uk/documents/g8310/Public%20reports%20pack%2015th-Jun-2018%2010.00%20Tamar%20Bridge%20and%20Torpoint%20Ferry%20Joint%20Committee.pdf?T=10</p> <p>TBTFJC Minutes 15 June 2018 https://democracy.cornwall.gov.uk/documents/g8310/Printed%20minutes%2015%20June%202018.pdf</p> | | |

| | | | |
|----------------------------------|--|---|----------|
| | | <p>0minutes%2015th-Jun-2018%2010.00%20Tamar%20Bridge%20and%20Torpoint%20Ferry%20Joint%20Committee.pdf?T=1</p> <p>PCC Cabinet Report 10 July 2018 Agenda Item 8</p> <p>http://democracy.plymouth.gov.uk/documents/g8085/Public%20reports%20pack%20Tuesday%2010-Jul-2018%2014.00%20Cabinet.pdf?T=10</p> | |
| Council officer signature | | | |
| 17 | I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. | | |
| Signature |  | Date of decision | 16/07/18 |
| Print Name | Tracey Lee | | |

This page is intentionally left blank

PLYMOUTH CITY COUNCIL

Subject: Tamar Bridge Suspension System Remedial Work –
Proposed Budget Increase

Committee: Cabinet

Date: 10 July 2018

Cabinet Member: Councillor Mark Coker

CMT Member: Anthony Payne (Strategic Director for Place)

Author: David List, General Manager Tamar Bridge and Torpoint Ferry

Contact details Tel: 01752 812233
email: david.list@tamarcrossings.org.uk

Ref:

Key Decision: No

Part: I

Purpose of the report:

Tamar Bridge and Torpoint Ferry Joint Committee (TBTFJC) Terms of Reference require that any proposed increases to approved TBTFJC budgets must be recommended by the Cabinets of the Joint Authorities to their respective Full Councils, and this report covers such an increase to the budget for an ongoing capital programme item.

This report covers the unexpected discovery of asbestos containing material (ACM) during the ongoing suspension system remedial works at the Tamar Bridge, and its impact on the project.

It is recommended that Cabinet recommends to Full Council that the capital budget for Tamar Bridge suspension system remedial works is increased from £6m to £7.5m to cover the estimated additional cost of the associated variations.

Corporate Plan

The Tamar Bridge & Torpoint Ferry links are key gateways to the City and provide opportunities for investment, jobs and growth particularly in the wider context of Plymouth as the regional economic centre.

Providing a safe well-maintained road network contributes to the economic well-being of the City, supporting the Council's Growth priority.

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

Finance - BTFJC is borrowing over a 25-year period to fund this capital project. TBTFJC's borrowing requirements are provided through Cornwall Council. The proposed budget increase, if fully utilised, would result in additional expenditure of £128,700 in the first year, and subsequently reducing as capital is repaid. Funding this additional borrowing is incorporated in TBTFJC's financial model and forecasting and will not affect Plymouth City Council budgets.

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

Risk Management – The works need to be completed to eliminate an unacceptable risk to the bridge structure, and consequently service delivery

Health and Safety – The works need to be completed in a safe manner recognizing the hazard presented by asbestos containing material.

There are no child poverty or community safety implications.

Equality and Diversity

Has an Equality Impact Assessment been undertaken? Not applicable.

Recommendations and Reasons for recommended action:

It is recommended that Cabinet recommends to Full Council that the capital budget for Tamar Bridge suspension system remedial works is increased from £6m to £7.5m to cover the estimated additional cost of the associated variations.

This increase is necessary for completion of essential works.

Alternative options considered and rejected:

Do nothing is not an option as the works are critical to the integrity of the structure and safe service delivery.

The continuation of the works using proven methods acceptable to the Health and Safety Executive is the only viable option.

Published work / information:

None

Background papers:

TBTFJC Report - Suspension System Remedial Works 15 June 2018

<https://democracy.cornwall.gov.uk/documents/g8310/Public%20reports%20pack%2015th-Jun-2018%2010.00%20Tamar%20Bridge%20and%20Torpoint%20Ferry%20Joint%20Committee.pdf?T=10>

Sign off:

| | | | | | | | | | | | | | |
|-----|------------|-----|----------|---------|--|----|--|--------|--|----|--|------------|--|
| Fin | pl18.19.37 | Leg | MS/30768 | Mon Off | | HR | | Assets | | IT | | Strat Proc | |
|-----|------------|-----|----------|---------|--|----|--|--------|--|----|--|------------|--|

Originating SMT Member

Has the Cabinet Member(s) agreed the contents of the report? Yes

Introduction

- I.1 The Tamar Bridge and Torpoint Ferry (TBTF) are operated, maintained and improved jointly by Cornwall Council and Plymouth City Council on a 'user pays' principle, being funded by toll income using powers derived from the Tamar Bridge Act. The finances of the joint undertaking are effectively ring-fenced by the Act, and it is operated as a self-financing business. The Tamar Bridge and Torpoint Ferry Joint Committee (TBTFJC) Terms of Reference require the Cabinets of the Joint Authorities to recommend the annual TBTF budget to their respective Full Councils. Any proposed increases to approved budgets also need to be recommended by the Cabinets of the Joint Authorities to their respective Full Councils, and this report covers such an increase.

Background

- I.2 The proposed budget increase has resulted from the discovery of asbestos containing material (ACM) during the ongoing suspension system remedial works at the Tamar Bridge, and its impact on the project. Details of the issue are provided within the TBTFJC Report at <https://democracy.cornwall.gov.uk/documents/g8310/Public%20reports%20pack%2015th-Jun-2018%2010.00%20Tamar%20Bridge%20and%20Torpoint%20Ferry%20Joint%20Committee.pdf?T=10>
- I.3 At its meeting on 15 June 2018 TBTFJC agreed to request the Joint Authorities' Cabinets to recommend the increase to their respective Full Councils.
- I.4 The report seeks Cabinet's recommendation to Full Council of an increase in the budget for a capital project in progress at the Tamar Bridge.

This page is intentionally left blank