



**Oversight and Governance**

Chief Executive's Department

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## Delegated Decisions

### Delegated Executive/Officer Decisions

Delegated Executive and Officer decisions are published every Wednesday and are available at the following link - <https://tinyurl.com/ms6umor>

Cabinet decisions subject to call-in are published at the following link - <http://tinyurl.com/yddrql6>

Notice of call-in for non-urgent decisions must be given to the Democratic Support Unit by 4.30pm on Wednesday 28 October 2020. Please note – urgent decisions and non-key Council Officer decisions cannot be called in. Copies of the decisions together with background reports are available for viewing as follows:

- on the Council's Intranet Site at <https://modgov/mgDelegatedDecisions.aspx>
- on the Council's website at <https://tinyurl.com/jhnax4e>

The decisions detailed below may be implemented on Thursday 29 October 2020 if they are not called-in.

## **Delegated Decisions**

**1. Councillor Evans OBE - Leader:**

1a. Green Homes Grants

**(Pages 1 - 12)**

**2. Councillor Mark Coker - Cabinet Member for Strategic Planning and Infrastructure:**

2a. Concessionary Fares - Operator Payments

**(Pages 13 - 28)**

2b. The City of Plymouth (Traffic Regulation Orders) (Amendment Order No. 2020.2137244 Pennycross Close) Order

**(Pages 29 - 40)**

# EXECUTIVE DECISION

made by a Cabinet Member



## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – L19 20/21


Decision	
1	<b>Title of decision:</b> Green Homes Grants
2	<b>Decision maker (Cabinet member name and portfolio title):</b> Councillor Tudor Evans OBE – leader of the Council
3	<b>Report author and contact details:</b> <a href="mailto:Paul.Elliott@plymouth.gov.uk">Paul.Elliott@plymouth.gov.uk</a> 307574
4	<ul style="list-style-type: none"> <li>• <b>Decision to be taken:</b></li> <li>• To accept the £3.347m Green Homes Grant – Local Authority Delivery from the department of Business, Energy, and Industrial Strategy.</li> <li>• Allocates £3,347,000 from the Green Homes Grant for the project into the Capital Programme.</li> <li>• Approves the Business Cases</li> <li>• Delegate authority to the Service Director for Strategic Planning &amp; Infrastructure to spend the Green Homes Grant and enter into further agreements in relation to it.</li> </ul>
5	<p><b>Reasons for decision:</b></p> <ul style="list-style-type: none"> <li>• To allow for the delivery of the Green Homes Grant Scheme following successful award of £3.347m external funds from the department of Business, Energy, and Industrial Strategy.</li> </ul>
6	<p><b>Alternative options considered and rejected:</b></p> <p><b>Do Nothing option:</b></p> <p>This would be ignoring an opportunity to help vulnerable households and capitalise on external funds. The project has the capacity to improve the living conditions and health of some of the most vulnerable households in the city. The Council successfully bid for these funds and as such should use them. The funds can only be used for the purposes outlined above.</p>
7	<p><b>Financial implications:</b></p> <p>There are no negative financial implications in undertaking this decision.</p>

8	Is the decision a Key Decision? (please contact <a href="#">Democratic Support</a> for further advice)	Yes	No	Per the Constitution, a key decision is one which:
			X	in the case of <b>capital</b> projects and contract awards, results in a new commitment to spend and/or save in excess of <b>£3million</b> in total
			X	in the case of <b>revenue</b> projects when the decision involves entering into new commitments and/or making new savings in excess of <b>£1million</b>
			X	is <b>significant</b> in terms of its effect on communities living or working in an area comprising <b>two or more</b> wards in the area of the local authority.
If yes, date of publication of the notice in the <a href="#">Forward Plan of Key Decisions</a>				
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	The project is an excellent fit with the strategic objectives of The Council. Social inequalities will be reduced by the provision of efficient heating to cold homes. This not only provides a much healthier, warmer, and comfortable environment for the householder, it also reduces the annual energy bill ensuring vulnerable households income is maximised. The retrofitted energy efficiency measures will help to reduce the carbon emissions of the city, contributing to the delivery of the Joint Local Plan.		
10	Please specify any direct environmental implications of the decision (carbon impact)	The project will save 19,490t of carbon over the lifetime of the measures installed.		

### Urgent decisions

11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		No	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			

	<b>Print Name:</b>		
<b>Consultation</b>			
<b>I3a</b>	<b>Are any other Cabinet members' portfolios affected by the decision?</b>	<b>Yes</b> <input checked="" type="checkbox"/>	
		<b>No</b> <input type="checkbox"/> <b>(If no go to section I4)</b>	
<b>I3b</b>	<b>Which other Cabinet member's portfolio is affected by the decision?</b>	Councillor Sue Dann (Cabinet Member for Environment and Street scene)	
<b>I3c</b>	<b>Date Cabinet member consulted</b>	15.10.2020	
<b>I4</b>	<b>Has any Cabinet member declared a conflict of interest in relation to the decision?</b>	<b>Yes</b> <input type="checkbox"/> If yes, please discuss with the Monitoring Officer	
		<b>No</b> <input checked="" type="checkbox"/>	
<b>I5</b>	<b>Which Corporate Management Team member has been consulted?</b>	<b>Name</b> Anthony Payne	
		<b>Job title</b> <b>Strategic Director for Place</b>	
		<b>Date consulted</b> <b>15.10.20</b>	
<b>Sign-off</b>			
<b>I6</b>	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>	DS5I 20/21
		<b>Finance (mandatory)</b>	pl.20.21.119
		<b>Legal (mandatory)</b>	MS/35426
		<b>Human Resources (if applicable)</b>	
		<b>Corporate property (if applicable)</b>	
		<b>Procurement (if applicable)</b>	
<b>Appendices</b>			
<b>I7</b>	<b>Ref.</b>	<b>Title of appendix</b>	
	A	Briefing report for publication	
	B	Green Homes Grant Business Case	
<b>Confidential/exempt information</b>			

<b>18a</b>	<b>Do you need to include any confidential/exempt information?</b>	<b>Yes</b>		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in <b>18b</b> below.  (Keep as much information as possible in the briefing report that will be in the public domain)				
		<b>No</b>	x					
		<b>Exemption Paragraph Number</b>						
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>18b</b>	<b>Confidential/exempt briefing report title:</b>							
<b>Background Papers</b>								
<b>19</b>	Please list all unpublished, background papers relevant to the decision in the table below.  Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
<b>Title of background paper(s)</b>		<b>Exemption Paragraph Number</b>						
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>Cabinet Member Signature</b>								
<b>20</b>	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.							
<b>Signature</b>			<b>Date of decision</b>	21 October 2020				
<b>Print Name</b>	Councillor Tudor Evans OBE (Leader of the Council)							

# EXECUTIVE DECISION BRIEFING NOTE

Warm Homes Fund



This briefing note provides context for the accompanying executive decision regarding the Green Home Grants - Local Authority Delivery Scheme.

## Scheme Summary

PCC has been awarded £3,347,000 of funding as part of The Government's Green Homes Grants – Local Authority Delivery Scheme (GHG LAD) The scheme will help to tackle the prevalence of fuel poverty across the 13,500 households in the city who are currently suffering this. In August 2020 the Government announced that funding was available for local authorities to deliver a local retrofit programme to fuel poor households. The project will improve the energy efficiency of 300 owner occupier, fuel poor households currently rated E, F, or G on the EPC.

## 1.0 BUDGET SUMMARY/ FUNDING PROPOSALS

The £3.347m is 100% external funding from the department of Business, Energy, and Industrial Strategy – no match funding is required from PCC. To maximise the delivery window the project will effectively 'bolt on' to schemes that PCC are already delivering in this space. As such PCC's GHG LAD project will take the form of a grant programme to fuel poor households, whereby the household enters into a contract with their chosen installer after securing a grant from PCC.

## 3.0 REVENUE IMPLICATIONS

The required revenue spend associated with this project (staff time) will come from the awarded funds.

## 4.0 RISKS

The risk element in receiving the grant is low:

- It is 100% externally funded and as such there is no impact on existing PCC budgets.
- The demand for the service is high, with a considerable pipeline of households requiring assistance already building up.

## 5.0 RECOMMENDATION

It is recommended that the Leader of the Council:

- Approves the Business Case
- Allocates £3,347,000 for the project into the Capital Programme funded by Green Homes Grant
- To accept the £3.347m Green Homes Grant – Local Authority Delivery from the department of Business, Energy, and Industrial Strategy.
- Delegate authority to the Service Director for Strategic Planning & Infrastructure to spend the Green Homes Grant and enter into further agreements in relation to it.

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**CAPITAL INVESTMENT BUSINESS CASE****Green Homes Grant – Local Authority Delivery****EXECUTIVE SUMMARY**

*The Executive Summary is a short summary of the Business Case and should be the last section you complete, this will enable you to extract or only the key facts from relevant sections i.e. 'project on a page'.*

*The summary is a 'snapshot' of the business case which will need to tell the story and sell the proposal.*

The scheme will help to tackle the prevalence of fuel poverty across the 13,500 households in the city who are currently suffering this. In August 2020 the Government announced that funding was available for local authorities to deliver a local retrofit programme to fuel poor households. The project will improve the energy efficiency of 300 owner occupier, fuel poor households currently rated E, F, or G on the EPC. Delivery will be completed by utilising an existing partnership between Plymouth City Council (PCC) and Plymouth Energy Community (PEC).

The project will save 19,490 ton of carbon over the lifetime of the measures. It will provide £3.347m of additional turnover for local installers.

The project is low risk as it is 100% externally funded.

The project will utilise £3.347m external funding from the government.

**SECTION I: PROJECT DETAIL**

<b>Project Value (indicate capital or revenue)</b>	£3,309,364	<b>Contingency (show as £ and % of project value)</b>	n/a
<b>Programme</b>	Low Carbon	<b>Directorate</b>	Place
<b>Portfolio Holder</b>	Cllr Sue Dann, Environment and Street Scene	<b>Service Director</b>	Paul Barnard (Strategic Planning & Infrastructure)
<b>Senior Responsible Officer (client)</b>	Alistair Macpherson	<b>Project Manager</b>	Paul Elliott
<b>Address and Post Code</b>	Various	<b>Ward</b>	Citywide

**Current Situation:** *(Provide a brief, concise paragraph outlining the current situation and explain the current business need, problem, opportunity or change of circumstances that needs to be resolved)*

The scheme will help to tackle the prevalence of fuel poverty across the 13,500 households in the city who are currently suffering this.

In August 2020 the Government announced that funding was available for local authorities to deliver a local retrofit programme to fuel poor households. LA's had a very limited time to prepare and submit a bid (3 weeks) with submission on 1<sup>st</sup> September. The Low Carbon Team completed this submission to time, and expect to hear on 28<sup>th</sup> September if application is successful. We have prepared this business case in lieu of a successful award because of the very tight delivery timescales that are attached to the scheme. (full spend by Apr 2021)

**Proposal:** *(Provide a brief, concise paragraph outlining your scheme and explain how the business proposal will address the current situation above or take advantage of the business opportunity) and (What would happen if we didn't proceed with this scheme?)*

The project will improve the energy efficiency of 300 owner occupier, fuel poor households currently rated E, F, or G on the EPC. Delivery will be completed by utilising an existing partnership between PCC and PEC.

To maximise the delivery window the project will effectively 'bolt on' to schemes that PCC are already delivering in this space. As such PCC's Green Homes Grant – Local Authority Delivery project will take the form of a grant programme to fuel poor households, whereby the household enters into a contract with their chosen installer after securing a grant from PCC.

PEC will provide quality and unbiased advice to householders on the most appropriate measures to be installed. This advice will also cover what to expect before, during, and after installation – effectively hand holding the householder as necessary to ensure a successful installation for all concerned.

### Strategic Case:

<b>Which Corporate Plan priorities does this project deliver?</b>	a green sustainable city that cares about the environment
	reduced health inequalities
	Select a priority
<b>Explain how the project delivers or supports delivery of Joint Local Plan/Plymouth Plan Policies (include policy references)</b>	HEA 8 – Meeting local housing needs
	The above policy directly references fuel poverty:  'Tackling fuel poverty through supporting supplier switching, fuel debt relief, and community-led energy supply services, and promoting domestic and non-domestic energy efficiency.'

<b>Who are the key customers and Stakeholders</b>	Fuel Poor Households Installers	<b>Which Partners are you working with</b>	Plymouth Energy Community LiveWell Southwest Local Installers
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## SECTION 2: PROJECT RISK, OUTCOMES AND BENEFITS

**Risk Register:** *The Risk Register/Risk Log is a master document created during the early stages of a project. It includes information about each identified risk, level of risk, who owns it and what measures are in place to mitigate the risks (cut and paste more boxes if required).*

<b>Potential Risks Identified</b>		<b>Likelihood</b>	<b>Impact</b>	<b>Overall Rating</b>
<b>Risk</b>	Completing full spend by March 2021 is not achieved	Low	Low	Low
<b>Mitigation</b>	We have completed a realistic delivery profile with level of forecast level of install. We have engaged with installers in order to be ready for funding award. There is no PCC funding required for this so lack of delivery will have no financial impacts	Low	Low	Low
<b>Calculated risk value in £ (Extent of financial risk)</b>	£0	<b>Risk Owner</b>	Paul Elliott	

### Outcomes and Benefits

<b>Financial outcomes and benefits:</b>	<b>Non-financial outcomes and benefits:</b>
The funding will create an additional £3.309m of turnover for local businesses. Fuel poor households will save in excess of £4.5m over the lifetime of the measures.	Improved Health & Wellbeing outcomes for those fuel poor households.

### Low Carbon

<b>What is the anticipated impact of the proposal on carbon emissions</b>	612t CO2 saved annually, 19,490t CO2 saved over the lifetime of measures
<b>How does it contribute to the Council becoming Carbon neutral by 2030</b>	As above

<b>Which Members have you engaged with and how have they been consulted</b> (including the Leader, Portfolio Holders and Ward Members)	Councillor Sue Dann
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<b>Equalities Impact Assessment completed</b> (This is a working document which should inform the project throughout its development. The final version will need to be submitted with your Executive Decision)	Yes
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#### SECTION 4: FINANCIAL ASSESSMENT

**FINANCIAL ASSESSMENT** : In this section the robustness of the proposals should be set out in financial terms. The Project Manager will need to work closely with the capital and revenue finance teams to ensure that these sections demonstrate the affordability of the proposals to the Council as a whole.

#### CAPITAL COSTS AND FINANCING

Breakdown of project costs including fees surveys and contingency	Prev. Yr. £	20/21 £	21/22 £	22/23 £	23/24 £	24/25 £	Future Yrs. £	Total £
Capital grants to householders		2,973,600						2,973,600
Project Management		69,898						69,898
Householder Support		51,066						51,066
Retrofit Fees		142,500						142,500
Enabling Works		72,300						72,300
<b>Total capital spend</b>		<b>3,309,364</b>						<b>3,309,364</b>

#### Provide details of proposed funding: Funding to match with Project Value

Breakdown of proposed funding	Prev. Yr. £	20/21 £	21/22 £	22/23 £	23/24 £	24/25 £	Future Yrs. £	Total £
BEIS - Green Homes Grant		3,309,364						3,309,364
<b>Total funding</b>		<b>3,309,364</b>						<b>3,309,364</b>

<b>Which alternative external funding sources been explored</b> (Provide evidence)	This is 100% funded by the department for Business, Energy, and Industrial Strategy. There are no alternative funding sources for this scale of project.
<b>Are there any bidding constraints and/or any restrictions or conditions</b>	The funding will have terms and conditions attached to it. These will be reviewed when received and pending successful funding award. However, as there is no requirement for PCC to use its own funding the conditions will not impact on PCC's finance.

<b>attached to your funding</b>			
<b>Tax and VAT implications</b>	n/a		
<b>Tax and VAT reviewed by</b>			
Schemes in excess of £0.5m should be supported by a Cost Benefit Analysis. Calculations undertaken should be attached as an appendix to support financial implications shown below. Please contact your revenue accountant for assistance with this section.			
<b>Is the capital ask greater than £0.5m</b>	No – external funding	<b>If the answer is yes, have you attached the Cost Benefit Analysis</b>	Y/N

### REVENUE COSTS AND IMPLICATIONS

#### *Cost of Developing the Capital Project (To be incurred at risk to Service area)*

<b>Total Cost of developing the project</b>	£0 ( no risk to service area)
<b>Revenue cost code for the development costs</b>	5657
<b>Revenue costs incurred for developing the project are to be included in the capital total, some of the expenditure could be capitalised if it meets the criteria</b>	Y/N
<b>Budget Managers Name</b>	Paul Elliott

#### *Ongoing Revenue Implications for Service Area*

	Prev. Yr.	19/20 £	20/21 £	21/22 £	22/23 £	23/24 £	Future Yrs.
<b>Service area revenue cost</b>							
<b>Loan repayment</b> ( <i>terms agreed with Treasury Management</i> )							
<b>Other</b> ( <i>eg: maintenance, utilities, etc</i> )							
<b>Total Revenue Cost (A)</b>							
<b>Service area revenue benefits/savings</b>							
<b>Annual revenue income</b> ( <i>eg: rents, etc</i> )							
<b>Total Revenue Income (B)</b>							
<b>Service area net (benefit) cost (B-A)</b>							
<b>Has the revenue cost been budgeted for or would this make a revenue pressure</b>	Yes – included in the funding award						
<b>Which cost centre would the revenue pressure be shown</b>	5657	<b>Has this been reviewed by the budget manager</b>				Y	
<b>Name of budget manager</b>	Paul Elliott						

Loan value	£	Interest Rate	%	Term Years	Annual Repayment	£
Revenue code for annual repayments			n/a			
Service area or corporate borrowing			n/a			
Revenue implications reviewed by						

**Version Control:** (The version control table must be updated and signed off each time a change is made to the document to provide an audit trail for the revision and update of draft and final versions)

Author of Business Case	Date	Document Version	Reviewed By	Date
Paul Elliott	00/00/2020	v 1.0	Michelle Endacott	23/09/2020
	00/00/2020	v 2.0	Ruth Didymus	24/09/2020

## SECTION 6: RECOMMENDATION AND ENDORSEMENT

### Recommended Decision

It is recommended that the Leader of the Council:

- Approves the Business Case
- Allocates £3,309,364 for the project into the Capital Programme funded by Green Homes Grant

<b>Sue Dann</b>		<b>Paul Barnard ( verbal confirmation)</b>	
<b>Either email dated:</b>	14.08.20	<b>Either email dated:</b>	14.08.20
<b>Or signed:</b>		<b>Signed:</b>	
<b>Date:</b>		<b>Date:</b>	
		<b>Service Director</b>	
		[Name, department]	
<b>Either email dated:</b>		<b>Either email dated:</b>	date
		<b>Signed:</b>	
		<b>Date:</b>	

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# EXECUTIVE DECISION

made by a Cabinet Member



## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – SPII2 20/21

Decision	
1	<b>Title of decision:</b> Concessionary Fares – Operator Payments
2	<b>Decision maker (Cabinet member name and portfolio title):</b> Councillor Mark Coker – Cabinet Member for Strategic Planning & Infrastructure
3	<b>Report author and contact details:</b> Debbie Newcombe, Sustainable Transport Programmes Co-ordinator Email: <a href="mailto:debbie.newcombe@plymouth.gov.uk">debbie.newcombe@plymouth.gov.uk</a> Tel: 01752 307868
4	<b>Decision to be taken:</b> It is recommended that the Council continues to make concessionary fares reimbursement payments to all Plymouth bus operators at pre-pandemic levels in accordance with Government advice until the end of March 2021, with a review at any time to be built in prior to this date should concessionary patronage levels reach 80% of pre-pandemic levels, or Government advice changes.
5	<b>Reasons for decision:</b> To comply with the advice issued by Central Government, to help ensure the viability of our commercial bus operators to be able to provide socially necessary bus services once the pandemic is over.
6	<b>Alternative options considered and rejected:</b> <b>Options Considered</b> Reimburse bus operators based on the number of concessionary trips actually undertaken by eligible passengers. <b>Rejected:</b> Given the significant reduction in both commercial and concessionary patronage levels since the start of lockdown and the requirement from the Department for Transport for operators to return to providing 100% of service levels to aid social distancing, bus operators have suffered considerable financial losses. Continuing to reimburse bus operators purely on the number of actual trips undertaken would have a catastrophic effect on their business, leading to reductions

	in service frequencies or full service withdrawals.			
<b>7</b>	<p><b>Financial implications:</b></p> <p>Given that these emergency measures are based on pre-pandemic concessionary patronage trends, and as such, payments to operators are lower than in previous years, the cost of continuing payments throughout this financial year can be met from within our existing budgets.</p> <p>Strategic Planning &amp; Infrastructure has a Concessionary Fares budget to fund operator reimbursement, and this budget will not be under pressure as a result of the current, and proposed, payment method for the remainder of the 2020-21 financial year.</p>			
<b>8</b>	<p><b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)</p>	<b>Yes</b>	<b>No</b>	<b>Per the Constitution, a key decision is one which:</b>
			x	in the case of <b>capital</b> projects and contract awards, results in a new commitment to spend and/or save in excess of <b>£3million</b> in total
		x		in the case of <b>revenue</b> projects when the decision involves entering into new commitments and/or making new savings in excess of <b>£1million</b>
		x		is <b>significant</b> in terms of its effect on communities living or working in an area comprising <b>two or more</b> wards in the area of the local authority.
	<b>If yes, date of publication of the notice in the <a href="#">Forward Plan of Key Decisions</a></b>	5 October 2020		
<b>9</b>	<p><b>Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:</b></p> <p>The provision of a concessionary travel scheme supports the sustainable growth in Plymouth by providing residents with sustainable transport options to access employment, education, healthcare, leisure and retail opportunities.</p> <p><b>Links to the Corporate Plan:-</b></p> <p><b>Growing Plymouth:-</b> The concessionary travel scheme encourages use of the City's bus network by both residents and visitors, thereby supporting the long term financial viability of the network.</p> <p><b>Caring Plymouth:-</b> The concessionary travel scheme provides valuable links to shops, healthcare, employment, education and leisure for those citizens who do not have access to a car or who may be on low incomes. Without this scheme some residents</p>			




		<p>would face an increased risk of isolation, due to the full cost of bus travel, thereby constraining their independence and impacting on their wellbeing</p> <p><b>Links to the Plymouth Plan:-</b></p> <p>Through the provision of the concessionary travel scheme the Council supports the use of sustainable transport modes as set out in the Plymouth Plan specifically policies SPT9 (5)5, where it states that the local Planning and Highway Authorities with key stakeholders will deliver: “realistic sustainable transport choices and increasing the integration of transport modes so that people have genuine alternative ways to travel.,” SPT9 (6), which seeks to get the most out of our existing network and encourage behavioural change, SPT9(9) (delivering transport projects which provide a safe and effective transport system) and SPT (10) of the Plymouth and South West Devon Joint Local Plan and policies HEA6 (Delivering a safe, accessible, sustainable and health enabling transport system), GRO4 (Using transport investment to drive growth) and GRO7(Reducing carbon emissions and adapting to climate change) of the Plymouth Plan.</p>
10	<p><b>Please specify any direct environmental implications of the decision (carbon impact)</b></p>	<p>On 8 March 2019 the Council declared a Climate Emergency and produced a number of key actions to achieve net zero carbon by 2030.</p> <p>The concessionary travel scheme supports the Councils efforts to reduce carbon emissions by providing an alternative sustainable transport option to the private car, and hence enabling behavioural change.</p> <p>Given that the scheme is free to the service user, this greatly encourages residents to leave their cars at home and use the bus. The income that this scheme generates for the bus operators goes some way towards contributing to the upgrading of their fleets to improve carbon emission rates.</p>

### Urgent decisions

11	<p><b>Is the decision urgent and to be implemented immediately in the interests of the Council or the public?</b></p>	Yes		<p>(If yes, please contact Democratic Support (<a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a>) for advice)</p>
		No	x	<p><b>(If no, go to section 13a)</b></p>

<b>I2a</b>	<b>Reason for urgency:</b>		
<b>I2b</b>	<b>Scrutiny Chair Signature:</b>		<b>Date</b>
	<b>Scrutiny Committee name:</b>		
	<b>Print Name:</b>		
<b>Consultation</b>			
<b>I3a</b>	<b>Are any other Cabinet members' portfolios affected by the decision?</b>	<b>Yes</b>	<input checked="" type="checkbox"/>
		<b>No</b>	<input type="checkbox"/> <b>(If no go to section I4)</b>
<b>I3b</b>	<b>Which other Cabinet member's portfolio is affected by the decision?</b>	Councillor Mark Lowry – Cabinet Member for Finance	
<b>I3c</b>	<b>Date Cabinet member consulted</b>	28 September 2020	
<b>I4</b>	<b>Has any Cabinet member declared a conflict of interest in relation to the decision?</b>	<b>Yes</b>	<input type="checkbox"/> If yes, please discuss with the Monitoring Officer
		<b>No</b>	<input checked="" type="checkbox"/>
<b>I5</b>	<b>Which Corporate Management Team member has been consulted?</b>	<b>Name</b>	Anthony Payne
		<b>Job title</b>	Strategic Director for Place
		<b>Date consulted</b>	<b>29 September 2020</b>
<b>Sign-off</b>			
<b>I6</b>	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>	DS53 20/21
		<b>Finance (mandatory)</b>	pl.20.21.116
		<b>Legal (mandatory)</b>	lt/35484/151020
		<b>Human Resources (if applicable)</b>	N/A
		<b>Corporate property (if applicable)</b>	N/A

		<b>Procurement (if applicable)</b>	N/A						
<b>Appendices</b>									
<b>17</b>	<b>Ref.</b>	<b>Title of appendix</b>							
	A	Concessionary Fares – Operator Payments							
	B	Concessionary Fares Equalities Impact Assessment							
<b>Confidential/exempt information</b>									
<b>18a</b>	<b>Do you need to include any confidential/exempt information?</b>		<b>Yes</b>		If yes, prepare a second, confidential (“Part II”) briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in <b>18b</b> below.  (Keep as much information as possible in the briefing report that will be in the public domain)				
		<b>No</b>	<input checked="" type="checkbox"/>						
			<b>Exemption Paragraph Number</b>						
			<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>18b</b>	<b>Confidential/exempt briefing report title:</b>								
<b>Background Papers</b>									
<b>19</b>	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.								
<b>Title of background paper(s)</b>			<b>Exemption Paragraph Number</b>						
			<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
N/A									
<b>Cabinet Member Signature</b>									

<b>20</b>	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.		
<b>Signature</b>		<b>Date of decision</b>	19/10/2020
<b>Print Name</b>	Councillor Mark Coker – Cabinet Member for Strategic Planning & Infrastructure		

# CONCESSIONARY FARES – OPERATOR PAYMENTS

**CONFIDENTIAL**



## 1.0 INTRODUCTION

The impact of Covid-19 on the bus industry has been severe, with bus operators seeing significant reductions in their patronage, as much as 90% reduction during some weeks, since lockdown began back in March 2020. In order to support the continuation of vital local bus services the Council approved continuation of concessionary fares reimbursement payments at pre-Covid levels to the end of September 2020. This report seeks approval to continue this reimbursement method for the remainder of the 2020-21 financial year, in accordance with Government advice.

## 2.0 BACKGROUND

The English National Concessionary Travel Scheme is a mandatory scheme introduced by the Government on 1 April 2008 under the Concessionary Bus Travel Act 2007.

Residents who have reached the age of 66, and eligible disabled persons, are entitled to free travel on all registered local bus services within England, within the timings set out in the legislation. Whilst the mandatory scheme sets out that passholders must be permitted free travel on all registered local bus services between 9.30am and 11pm on weekdays and at any time on Saturdays, Sundays and Public Holidays, it does state that local authorities can offer additional entitlement if they wish to do so. Plymouth City Council therefore offers free travel before 9.30am on weekdays to those aged 80 years and over, and those registered blind, for any journey undertaken wholly within the city boundary. The reason for offering this additional entitlement results from these groups already being entitled to free bus travel within the city boundary all day every day prior to the introduction of the national scheme. There has been no desire to change this, given that the passholders are likely to make the same journeys after 9.30am, and as such it is anticipated that there would be very little financial benefit to the Council if it were withdrawn.

Each Local Authority is responsible for issuing passes to their residents eligible to participate in the scheme, and to reimburse bus operators for each journey recorded within their boundary, irrespective of which Local Authority has issued the pass. Plymouth City Council currently has 49,559 resident pass-holders (44,427 issued on the grounds of age and 5,132 issued on the grounds of disability).

Each year, on 1 December, the Council is required to publish its draft scheme setting out the rules and the proposed operator reimbursement mechanism for the following financial year. The final scheme document must be published no later than 3 March for commencement from 1 April. Any operator running registered local bus services is required to participate in the scheme.

Given that this is a mandatory scheme, there is no formal contract in place with individual operators.

## 3.0 PRE COVID-19

Over recent years, Plymouth has seen concessionary patronage levels decline, in line with the national trend.

Whilst there has been a decline in concessionary trips, there has also been a reduction in the number of Plymouth passholders since the national scheme was introduced in 2008, with numbers reducing

from 55,000 down to just over 49,500. In part, this has been achieved through work undertaken by the Sustainable Transport Team to ensure that only eligible residents benefit from the scheme:

- Tightening up on disabled pass entitlement and introducing independent medical assessments for those without satisfactory evidence, thereby making it much more difficult for those without qualifying disabilities to obtain evidence.
- Working with the Council's Fraud team and local bus operators to combat fraudulent use of bus passes resulting in 51 investigations. Whilst some of these have been delayed due to Covid-19 and some have resulted in no further action, other than education of the passholder, since 2016 we have had 10 successful prosecutions, 18 formal cautions and 4 warning letters issued. In addition, we participate in the National Fraud Investigation matching exercise, instigated by the Audit Commission, to further reduce the risk of fraud occurring.
- Introducing an online application system for new applicants with transport staff verifying evidence

In addition, the team have also been pro-active in ensuring value for money from the scheme through:

- Generating income through charging customers for replacement passes where they have not notified us of a change of address, resulting in them not receiving an automatically generated new pass
- Generating income through charging customers for replacement passes where they have been lost, stolen or damaged
- Seeking income generation opportunities through allowing appropriate businesses to place advertisements, relevant to the audience, in the carrier letters accompanying bus passes when they are dispatched from our printers. Work on this has needed to be paused due to Covid-19 but will be progressed in the coming months.

## **4.0 COVID-19**

### **4.1 IMPACT ON CONCESSIONARY TRAVEL**

Following the Government announcement of a full lockdown in March 2020, the bus industry suffered massively as passenger numbers dropped immediately to between 7 and 10% of levels for the same period in 2019, with the long term viability of the commercial bus network within Plymouth (and nationwide) being considered at risk. This concern is validated by the actions subsequently taken by the Government to support the bus industry through Covid-Bus Service Support Grants (CBSSG), which have been paid throughout the pandemic and will continue to be paid until at least January 2021.

### **4.2 PLYMOUTH CITY COUNCIL RESPONSE**

On 26 March 2020, a Change Request was approved, allowing concessionary fares reimbursements to operators to be paid at pre-Covid levels, in accordance with advice received from Central Government.

The payment amounts have been calculated by taking the concessionary patronage for each operator from April 2019 to January 2020 inclusive, and comparing this to the same period in 2018-19 to identify the decline in concessionary trips year on year (it is a decline for all operators). We then took the patronage data for the equivalent month in 2019 (April to September to date) and applied this percentage decline to calculate the number of trips we think would have been undertaken in the absence of Covid. The approach to pay on a results basis,

using an average from previous months, is consistent with the methodology set out in Policy Procurement note 02/20, which states:

#### Issue

1. This Procurement Policy Note (PPN) sets out information and guidance for public bodies on payment of their suppliers to ensure service continuity during and after the current coronavirus, COVID-19, outbreak. Contracting authorities must act now to ensure suppliers at risk are in a position to resume normal contract delivery once the outbreak is over.

#### Action

2. All contracting authorities should:
- Urgently review their contract portfolio and inform suppliers who they believe are at risk that they will continue to be paid as normal (even if service delivery is disrupted or temporarily suspended) until at least the end of June.
  - Put in place the most appropriate payment measures to support supplier cash flow; this might include a range of approaches such as forward ordering, payment in advance/pre-payment, interim payments and payment on order (not receipt).
  - If the contract involves payment by results then payment should be on the basis of previous invoices, for example the average monthly payment over the previous three months.

Had we continued to pay operators based on the number of trips undertaken this would have had a catastrophic effect on their income and cash flow, and gone against the advice issued by Central Government.

### 4.2.1 RESPONSE RATIONALE

The decision to continue to make concessionary fares payments to operators at pre-Covid levels follows the advice issued by Central Government. A number of letters have been received from the Department for Transport, which clearly set out the need to continue to reimburse bus operators at pre-pandemic patronage levels, this being a condition of local authorities to continue receiving LTA CBSSG payments. The timeline of letters received is set out below:

25 March 2020 – DfT letter to Local Authority Transport Officers - Stephen Fidler, Director of Local Transport

04 April 2020 – DfT letter to Local Authority Transport Officers – Stephen Fidler

20 May 2020 – DfT letter to Bus Operators (extract only as below received by PCC) - Stephen Fidler stating:

*“The further funding is designed to provide additional funding on top of continued payments from the public sector to bus operators (such as BSOG, concessionary travel reimbursement, home to school transport and tendered service contract payments) at pre-pandemic levels, as requested by Ministers.”*

27 May 2020 – DfT letter to Local Authority Transport Officers – Emma Ward, Director General, Roads, Places and Environment

07 August 2020 – DfT letter to Local Authority Transport Officers – Stephen Fidler

14 August 2020 – DfT letter to Local Authority Transport Officer – Stephen Fidler

14 September 2020 – DfT Letter to Local Authority Transport Officers – Matthew Crane, Deputy Director, Local Transport COVID-19 Response Division

In addition to the letters received from the DfT, consultants Integrated Transport Planning Ltd, who have assisted the Sustainable Transport Team with the calculation of concessionary fares reimbursement in the past, have also advised us that they have received correspondence from the DfT dated 22 July 2020 stating:

“Since March, the DfT has been urging LTAs to maintain concessionary reimbursement payments at pre-COVID levels for the duration of the outbreak. DfT continues to encourage LTAs to do so.

There are no current plans to release guidance related to maintaining concessionary reimbursement payments. As I said before, we are urging LTAs to do this”.

Plymouth’s commercial bus network continues to be considered to be ‘at risk’ due to the ongoing impact of Covid-19 on bus patronage. The nature of the service means that Plymouth City Council does not contract the concessionary fares scheme. It is a statutory service. However, payment is ‘by results’ (i.e. the number of eligible concessionary trips undertaken within a given period) and hence the Council’s approach has been to make payments based on previous costs, in accordance with PPN02/20.

To set the concessionary fares payments into context, bus operators have received additional financial support, both from the Council and more significantly from Central Government through the Operator CBSSG and the furlough schemes – again in the case of the payments by PCC at the direct requirement of the DfT in order to support the viability of vital local bus services. This demonstrates the continuing severity of the situation and the commitment to keep public transport operations viable.

Plymouth is a bus-based city, with comparatively few journeys made within its boundary by other public transport modes such as rail and it is therefore, imperative we support the industry during the current crisis in order for it to be able to provide vital services once the pandemic has passed and support a sustainable economic recovery through Resurgam that is not car dependant.

#### **5.0 RESURGAM The role of the bus.**

The local bus network is the primary mode of public transport across the city and has to be at the centre of delivering sustainable travel. Bus operators in Plymouth have made a determined effort to return services as soon as they could to 100% of pre-COVID levels and on some services in excess of pre-COVID levels to aid the need for social distancing. However, passenger numbers have not recovered and are little more than about 50% of normal. The implication of this for the economics of the commercial bus network will be obvious and sustained public funding is needed to avoid cuts in service and cuts in frequency and avoid a car based economic recovery.

Bus travel is an enabler delivering inclusive growth by reducing car dependency and increase access to jobs, apprenticeships, reskilling and education, especially for the young who may be unemployed and more likely to be on low incomes. Citybus is also a significant employer within the city, with 490 employed in providing bus services in Plymouth and also a significant supporter of the transport sector’s local supply chain.

Buses are a significant enabler to decarbonising the transport sector in the city to reduce total vehicle miles, reduce traffic congestion, reduce emissions and improve air quality, in itself shown to be an important mechanism for improving the resilience of the local population to future pandemic outbreaks. Buses are an enabler of a greener economic recovery but only if it can afford to invest in cleaner fuels and green infrastructure. Buses can be the catalyst for accelerating the number of miles travelled on zero emission vehicles across the city with investment in hydrogen and battery electric power.

#### **6.0 IMPLICATIONS IF CHANGES TO REIMBURSEMENT METHOD INTRODUCED**

Any change to the current payment method will have negative impacts elsewhere, the most significant of these being the potential reduction in frequency or total withdrawal of commercial services.

Bus operators have indicated that there are a number of commercial services that are already marginal.



A reduction or withdrawal of these services will have the following consequences:-

### ***Environmental***

- An increase in car use amongst those residents with access to a car leading to:-
  - A reduction in air quality; both as a direct result of increased car use and an anticipated increase in congestion as traffic levels increase
  - An increase in carbon emissions due to an increase in private car use and also a reduction in bus patronage, making buses themselves less efficient, impacting on the Council's ability to meet our pledge to make Plymouth carbon neutral by 2030

### ***Social***

- A reduction in the accessibility of key services including education, healthcare and employment opportunities
- An increase in social isolation for residents who do not have an alternative mode of travel; with the impact most likely to be felt by elderly and disabled residents
- Public health implications for those unable to travel by other means resulting in a disproportionate detrimental impact on those with greater need

### ***Economic***

- A reduction in the city's productivity due to increased congestion on the highway network
- A reduction in available labour force due to reduced opportunities to travel, particularly anticipated in the evenings and at weekends.
- An increase in demand on the Council's non-commercial services budget as unviable commercial services are deregistered by bus operators.

## **6.0 FINANCE**

Given that these emergency measures are based on pre-pandemic concessionary patronage trends, and as such, payments to operators are lower than in previous years, the cost of continuing payments throughout this financial year can be met from within our existing budgets.

Strategic Planning & Infrastructure has a Concessionary Fares budget to fund operator reimbursement, and all other costs associated with the scheme such as pass production and all back office costs. This budget will not be under pressure as a result of the current, and proposed, payment method for the remainder of the 2020-21 financial year.

## **7.0 RECOMMENDATION**

It is recommended that we continue to make concessionary fares reimbursement payments to all Plymouth bus operators at pre-pandemic levels in accordance with Government advice until the end of March 2021, with a review at any time to be built in prior to this date should concessionary patronage levels reach 80% of pre-pandemic levels, or Government advice changes.

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# EQUALITY IMPACT ASSESSMENT

Strategic Planning and Infrastructure – Concessionary Fares Operator Payments



## STAGE 1: WHAT IS BEING ASSESSED AND BY WHOM?

<b>What is being assessed - including a brief description of aims and objectives?</b>	<p>This assessment relates to the continuation of concessionary fares reimbursement payments to bus operators at pre-pandemic levels.</p> <p>The English National Concessionary Travel Scheme provides a vital lifeline for many of the City's residents who are older or have disabilities making them more reliant on public transport to access services.</p> <p>A good public transport network is key to ensuring access to healthcare, employment, education, leisure and retail facilities, and to support this it is essential that bus operators continue to be reimbursed at pre-pandemic levels to ensure the long-term viability of their networks.</p> <p>Failure to continue to make payments at pre-pandemic levels will lead to reductions in service frequencies, and potential service withdrawals. In turn this would result in many concessionary customers feeling isolated and unable to access the services they need, particularly where they are in receipt of low incomes.</p> <p>A lack of access to public transport also leads to an increase in the number of vehicles on the city's road network adding to congestion in the city, and detrimentally impacting on air quality, as well as the city's efforts to become carbon neutral by 2030.</p>
<b>Author</b>	Debbie Newcombe, Sustainable Transport Programmes Co-ordinator
<b>Department and service</b>	Strategic Planning and Infrastructure, Sustainable Transport
<b>Date of assessment</b>	02 October 2020

## STAGE 2: EVIDENCE AND IMPACT

Protected characteristics (Equality Act)	Evidence and information (eg data and feedback)	Any adverse impact <small>See <a href="#">guidance</a> on how to make judgement</small>	Actions	Timescale and who is responsible
<b>Age</b>	<p><b>Background community data:</b></p> <ul style="list-style-type: none"> <li>Plymouth has a population of 262,100</li> </ul>	Adverse impact if services are reduced in frequency or withdrawn as a result of operator payments being reduced to reflect	Seek to continue to provide	October 2020: SP&I Sustainable

	<ul style="list-style-type: none"> <li>The number of residents currently eligible for a concessionary bus pass on the grounds of age is 45,919 and this is expected to grow by 15,400 by 2034.</li> <li>Approximately 25,500 of residents in this age group have disabilities limited their ability to undertake day to day activities</li> </ul> <p><b>Public transport data:</b></p> <ul style="list-style-type: none"> <li>In 2019/2020 18,027,681 bus trips were made from the city, of which 5,098,348 (28%) were concessionary trips, made both by residents and visitors.</li> <li>There are currently 44,427 people living within Plymouth that hold a concessionary bus pass on the grounds of age.</li> </ul> <p>The result of the increasing longevity of people’s lives is that there will be more people who are likely to be affected by mobility and other age related issues rendering them unfit to drive which could prevent them from accessing the services they need, if services were withdrawn as a result of reduced payments to operators.</p>	<p>actual trips undertaken. This may mean that those entitled to a bus pass on the grounds of age may no longer be able to access services they need.</p>	<p>concessionary reimbursement to bus operators at pre-pandemic levels</p>	<p>Transport Team</p>
<p><b>Disability</b></p>	<p><b>Background community data:</b></p> <ul style="list-style-type: none"> <li>Ten per cent of Plymouth’s population declared that they have their day to day activities limited to a greater degree by a long-term health problem or disability.</li> <li>A total of 31,164 people declared themselves as having a long-term health problem or disability. This was from 28.5% of households which is slightly higher than the national figure of 25.7% of households.</li> <li>In 2013/14 1,297 adults registered with a GP in the city have some form of learning disability</li> <li>There are 25,500 residents of state pension age and 3,142 children who have a disability of some form.</li> </ul>	<p>Adverse impact if services are reduced in frequency or withdrawn as a result of operator payments being reduced to reflect actual trips undertaken. This may mean that those entitled to a bus pass on the grounds of age may no longer be able to access services they need.</p>	<p>Seek to continue to provide concessionary reimbursement to bus operators at pre-pandemic levels</p>	<p>October 2020: SP&amp;I Sustainable Transport Team</p>

	<p><b>Public transport data:</b></p> <ul style="list-style-type: none"> <li>In 2019/2020 18,027,681 bus trips were made from the city, of which 5,098,348 (28%) were concessionary trips, made both by residents and visitors.</li> <li>There are currently 5,132 people living within Plymouth that hold a concessionary bus pass on the grounds of disability.</li> </ul>			
<b>Faith/religion or belief</b>	Concessionary travel is available to all those eligible to participate in the scheme regardless of their faith, religion or belief.	No potential impact has been identified	None	N/A
<b>Gender - including marriage, pregnancy and maternity</b>	Concessionary travel is equally accessible to men and women meeting the eligibility criteria	No potential impact has been identified	None	N/A
<b>Gender reassignment</b>	Concessionary travel is equally accessible to all meeting the eligibility criteria irrespective of gender re-assignment	No potential impact has been identified	None	N/A
<b>Race</b>	Concessionary travel is equally accessible to all meeting the eligibility criteria regardless of race.	No potential impact has been identified	None	N/A
<b>Sexual orientation - including civil partnership</b>	Concessionary travel is equally accessible to all meeting the eligibility criteria regardless of their sexual orientation.	No potential impact has been identified	None	N/A

**STAGE 3: ARE THERE ANY IMPLICATIONS FOR THE FOLLOWING? IF SO, PLEASE RECORD ACTIONS TO BE TAKEN**

Local priorities	Implications	Timescale and who is responsible
Reduce the gap in average hourly pay between men and women by 2020.	None	N/A

<b>Increase the number of hate crime incidents reported and maintain good satisfaction rates in dealing with racist, disablist, homophobic, transphobic and faith, religion and belief incidents by 2020.</b>	None	N/A
<b>Good relations between different communities (community cohesion)</b>	The provision of the English National Concessionary Travel Scheme will promote good relations between all eligible residents, regardless of gender, ethnic background, sexual orientation, faith or disability, by helping everyone access key services on an equal basis.	N/A
<b>Human rights</b> Please refer to <a href="#">guidance</a>	The decision is consistent with the Human Rights Act.	N/A

**STAGE 4: PUBLICATION**

Responsible Officer Paul Barnard



Date 19.10.20

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 Director, Assistant Director or Head of Service

# EXECUTIVE DECISION

made by a Cabinet Member



## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER


Executive Decision Reference Number – SPII I 20/21

Decision	
1	<p><b>Title of decision:</b>  <b>THE CITY OF PLYMOUTH (TRAFFIC REGULATION ORDERS) (AMENDMENT ORDER NO. 2020.2137244 PENNYCROSS CLOSE) ORDER</b></p>
2	<p><b>Decision maker (Cabinet member name and portfolio title):</b> Councillor Mark Coker, Cabinet Member for Strategic Planning and Infrastructure</p>
3	<p><b>Report author and contact details:</b> Amy Neale, Senior Traffic Management Technician, email: <a href="mailto:amy.neale@plymouth.gov.uk">amy.neale@plymouth.gov.uk</a> &amp; Abbi Perry, Transport Planning Officer, email: <a href="mailto:abbi.perry@plymouth.gov.uk">abbi.perry@plymouth.gov.uk</a></p>
4	<p><b>Decision to be taken:</b>            To implement amendments to The City of Plymouth (Traffic Regulation and Street Parking Places) (Consolidation) Order 2004 (as amended).  <b>The effect of the order shall be to Add/Amend:</b>  <b>No Waiting At Any Time on lengths of the following roads:</b>            Pennycross Close, Bethany Gardens &amp; Polperro Place  <b>As set out in the briefing report.</b></p>
5	<p><b>Reasons for decision:</b></p> <ul style="list-style-type: none"> <li>• Following the construction of the housing development at Pennycross Close, double yellow lines will be implemented around the bellmouth of the following junctions to ensure visibility sight lines are maintained for vehicles exiting the new residential streets/development and in addition, will allow safe crossing points for pedestrians free of any obstruction by vehicles:               <ul style="list-style-type: none"> <li>- Junction with Pennycross Close and Ham Drive</li> <li>- Junction with Pennycross Close and Bethany Gardens (x2)</li> <li>- Junction with Pennycross Close and Polperro Place</li> <li>- Northern side of the junction with Pennycross Close and Pennycross Sports Hub</li> </ul> </li> <li>• Further parking restrictions in the form of double yellow lines will be implemented opposite each junction off Pennycross Close</li> </ul>
6	<p><b>Alternative options considered and rejected:</b></p>

	Not adding these restriction will cause visibility and obstruction issues and therefore no other options were considered.			
<b>7</b>	<b>Financial implications:</b> The Traffic Regulation Order (TRO) and associated works is being funded via Planning (through 278 agreement as a result of a planning application).			
<b>8</b>	<b>Is the decision a Key Decision?</b> (please contact <b>Democratic Support</b> for further advice)	<b>Yes</b>	<b>No</b>	<b>Per the Constitution, a key decision is one which:</b>
			x	in the case of <b>capital</b> projects and contract awards, results in a new commitment to spend and/or save in excess of <b>£3million</b> in total
			x	in the case of <b>revenue</b> projects when the decision involves entering into new commitments and/or making new savings in excess of <b>£1 million</b>
			x	is <b>significant</b> in terms of its effect on communities living or working in an area comprising <b>two or more</b> wards in the area of the local authority.
	If yes, date of publication of the notice in the <b>Forward Plan of Key Decisions</b>			
<b>9</b>	<b>Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:</b> The Local Transport Plan (LTP) details the transport strategies and policies that the City Council has adopted and will be key in helping the city meet its Corporate Plan priorities, and growth agenda.			
<b>10</b>	<b>Please specify any direct environmental implications of the decision (carbon impact)</b> n/a			
<b>Urgent decisions</b>				
<b>11</b>	<b>Is the decision urgent and to be implemented immediately in the interests of the Council or the public?</b>	<b>Yes</b>		(If yes, please contact Democratic Support ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		<b>No</b>	x	<b>(If no, go to section 13a)</b>
<b>12a</b>	<b>Reason for urgency:</b>			
<b>12b</b>	<b>Scrutiny Chair Signature:</b>		<b>Date</b>	



	<b>Scrutiny Committee name:</b>		
	<b>Print Name:</b>		
<b>Consultation</b>			
I3a	<b>Are any other Cabinet members' portfolios affected by the decision?</b>	<b>Yes</b>	
		<b>No</b>	x (If no go to section I4)
I3b	<b>Which other Cabinet member's portfolio is affected by the decision?</b>		
I3c	<b>Date Cabinet member consulted</b>	07/07/2020	
I4	<b>Has any Cabinet member declared a conflict of interest in relation to the decision?</b>	<b>Yes</b>	If yes, please discuss with the Monitoring Officer
		<b>No</b>	
I5	<b>Which Corporate Management Team member has been consulted?</b>	<b>Name</b>	Anthony Payne
		<b>Job title</b>	Strategic Director for Place
		<b>Date consulted</b>	08/10/2020
<b>Sign-off</b>			
I6	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>	DS50 20/21
		<b>Finance (mandatory)</b>	pl.20.21.114
		<b>Legal (mandatory)</b>	LS/35452/JP/151020
		<b>Human Resources (if applicable)</b>	
		<b>Corporate property (if applicable)</b>	
		<b>Procurement (if applicable)</b>	
<b>Appendices</b>			
I7	<b>Ref.</b>	<b>Title of appendix</b>	
	A	Briefing report	
	B	Equalities Impact Assessment	

Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below.  (Keep as much information as possible in the briefing report that will be in the public domain)				
		No	x					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.							
Signature			Date of decision	21 <sup>st</sup> October 2020				
Print Name	Councillor Mark Coker							



## PENNYCROSS CLOSE

### I. INTRODUCTION

This report seeks delegated authority to implement amendments to The City of Plymouth (Traffic Regulation and Street Parking Places) (Consolidation) Order 2004 (as amended) in association with the double yellow lines on Pennycross Close, Bethany Gardens & Polperro Place.

### TRAFFIC REGULATION ORDERS REQUIRED

2.1 The elements that need a Traffic Regulation Order are as follows:

#### To Add;

#### No Waiting at Any Time

- i. Pennycross Close - west side, from its junction with Ham Drive for a distance of 12 metres in a northerly direction.
- ii. Pennycross Close - east side, from its junction with Ham Drive for a distance of 31 metres in a northerly direction.
- iii. Pennycross Close - east side, from a point 39 metres north from the junction with Ham Drive for a distance of for 8.5 metres in a northerly direction.
- iv. Pennycross Close - east side, from a point 75 metres north from the junction with Ham Drive for a distance of 17 metres in a northerly direction.
- v. Pennycross Close - east side, from a point 16 metres north from the junction with Polperro Place for a distance of 16 metres in a northerly direction.
- vi. Pennycross Close – west side, from a point 37 metres north from the junction with Bethany Gardens (south) for a distance of 17 metres in a northerly direction.
- vii. Pennycross Close – west side, from its junction with Bethany Gardens (south) for a distance of 6 metres in a southerly direction and 6 metres in a northerly direction.
- viii. Pennycross Close – east side, from its junction with Polperro Place for a distance of a 6 metres in a southerly direction and 6 metres in a northerly direction.
- ix. Pennycross Close – west side from its junction with Bethany Gardens (north) for a distance of 5 metres in a southerly direction and 6 metres in a northerly direction.
- x. Bethany Gardens (south) – both sides from its junction with Pennycross Close for a distance of 6 metres in a westerly direction.
- xi. Bethany Gardens (north) – both sides from its junction with Pennycross Close for a distance of 6 metres in a westerly direction
- xii. Polperro Place – both sides, from its junction with Pennycross Close for a distance of 6 metres in an easterly direction

#### Revocations

#### No Waiting At Any Time

- (i) Pennycross Close, the east side, from the junction with Ham Drive for a distance of 10 metres
- (ii) Pennycross Close, the west side, for the entire length

## 2. STATUTORY CONSULTATION

**Proposals**

The proposals for Pennycross Close were advertised on street, in the Herald and on the Plymouth City Council website on 22<sup>nd</sup> July 2020. Details were sent to the Councillors representing the affected ward and statutory consultees on 15<sup>th</sup> July 2020.

**There have been three representations received relating to the Traffic Regulation Order proposals.**

Representations	Comments
<p>I'm making a complaint about this proposed order.</p> <p>Firstly the parking in this estate is diabolical, they thought that a few visitors slots is enough - these only work if people don't park over them like idiots (which is all the time). My partner &amp; I have only 1 allocated parking space, we both work full time and need our cars for transport. We park our other car across the road directly in front of our house, not bothering anyone - this doesn't disrupt anyone trying to get in &amp; out of there space. The entrance road on Pennycross close is extremely wide - much wider than a normal street, I park the majority of my car on the road and a little on the pavement (I leave room for a wheelchair/pushchair) to pass - much like all the other cars do. I think you should be focusing more on the speed that people drive down this road than where people have parked there STATIONARY vehicle. The amount of times people drive 50mph up and down this road... it's so dangerous.</p> <p>If this order goes ahead, I will have no choice but to park my car in an awkward place or a visitor space.</p>	<p>The level of parking provision provided at the development site was assessed and approved under application 13/00048/FUL, and is in accordance with the relevant planning policy in place at the time of the application.</p>
<p>As a resident of the cherry tree gardens estate I understand that currently there is very restricted on street parking for additional vehicles or visiting Friends and family, as many residents only have 1 allocated parking space . With this proposed plan to paint yellow lines over every possible on Street parking area within Pennycross Close has there been any consideration to where residents will be able to park their vehicles?</p>	<p>The level of parking provision provided at the development site was assessed and approved under planning application 13/00048/FUL, and is in accordance with the relevant planning policy in place at the time of the application.</p>
<p>We were glad to read your signage re proposed yellow lines to Pennycross Close. As a business on this site for 45 years</p>	<p>Noted.</p>

<p>it has been trying since the new housing has been built. Delivery lorries and waste collection have had problems accessing the club car park also a member has also had an accident due to poor visibility on exiting the club as many cars are parking either side of the entrance.</p>	
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#### **4. RECOMMENDATION**

It is recommended to proceed with original proposals as advertised and make the Traffic Regulation Order.

#### **5. LEGAL CONSIDERATIONS**

The lawful implications and consequences of the proposal have been considered and taken into account in the preparation of this report.

When considering whether to make a traffic order it is the Council's responsibility to ensure that all relevant legislation is complied with. This includes Section 122 of the Road Traffic Regulation Act 1984 (as amended) that sets out that it is the duty of a local authority, so far as practicable subject to certain matters, to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. It is considered that the proposals comply with Section 122 of the Act as they practically secure the safe and expeditious movement of traffic in and around Plymouth and provide for suitable and adequate associated parking facilities.

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# EQUALITY IMPACT ASSESSMENT

Pennycross Close



## STAGE 1: WHAT IS BEING ASSESSED AND BY WHOM?

<b>What is being assessed - including a brief description of aims and objectives?</b>	To implement amendments to The City of Plymouth (Traffic Regulation and Street Parking Places) (Consolidation) Order 2004 (as amended). <b>The effect of the order shall be to Add/Amend: No Waiting At Any Time on lengths of the following roads: Pennycross Close, Bethany Gardens &amp; Polperro Place</b>  As set out in the briefing report.
<b>Author</b>	Abbie Perry
<b>Department and service</b>	Transport Planning, Transport Planning Officer
<b>Date of assessment</b>	06/10/202

## STAGE 2: EVIDENCE AND IMPACT

Protected characteristics (Equality Act)	Evidence and information (eg data and feedback)	Any adverse impact See <a href="#">guidance</a> on how to make judgement	Actions	Timescale and who is responsible
<b>Age</b>	No issues raised in consultation	No adverse impact anticipated		
<b>Disability</b>	No issues raised in consultation	No adverse impact anticipated		
<b>Faith/religion or belief</b>	No issues raised in consultation	No adverse impact anticipated		

<b>Gender - including marriage, pregnancy and maternity</b>	No issues raised in consultation	No adverse impact anticipated		
<b>Gender reassignment</b>	No issues raised in consultation	No adverse impact anticipated		
<b>Race</b>	No issues raised in consultation	No adverse impact anticipated		
<b>Sexual orientation - including civil partnership</b>	No issues raised in consultation	No adverse impact anticipated		

**STAGE 3: ARE THERE ANY IMPLICATIONS FOR THE FOLLOWING? IF SO, PLEASE RECORD ACTIONS TO BE TAKEN**

<b>Local priorities</b>	<b>Implications</b>	<b>Timescale and who is responsible</b>
<b>Reduce the gap in average hourly pay between men and women by 2020.</b>	No adverse impact has been identified	
<b>Increase the number of hate crime incidents reported and maintain good satisfaction rates in dealing with racist, disablist, homophobic, transphobic and faith, religion and belief incidents by 2020.</b>	No adverse impact has been identified	
<b>Good relations between different communities (community cohesion)</b>	No adverse impact has been identified	



<b>Human rights</b> Please refer to <a href="#">guidance</a>	No adverse impact has been identified	
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**STAGE 4: PUBLICATION**

Responsible Officer: Scott Smy, Transport Development Co-ordinator

Date: 07/10/2020

Strategic Director, Service Director, Head of Service or Group Manager

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