



Oversight and Governance

Chief Executive's Department

Plymouth City Council

Ballard House

Plymouth PL1 3BJ

T 01752 305155

www.plymouth.gov.uk/democracy

Published 25/11/20

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 2 December 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 urgent decision detailed below may be implemented immediately, the decision (1b) by the Leader may be implemented on Thursday 3 December 2020 if not called in.

Delegated Decisions

I. The Leader - Councillor Evans OBE

- I.1. Urgent Decision - Acquisition of a Freehold and Long Leasehold Investment Portfolio **(Pages 1 - 20)**
- I.1. Allocation of High Street Heritage Action Zone Funding to the Capital Programme **(Pages 21 - 34)**

EXECUTIVE DECISION

made by a Cabinet Member

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

Executive Decision Reference Number – L22 20/21


Decision			
1	Title of decision: Acquisition of a Freehold and Long Leasehold Investment Portfolio		
2	Decision maker (Cabinet member name and portfolio title): Councillor Tudor Evans OBE, Leader of Plymouth City Council		
3	Report author and contact details: Sarah Partridge, Asset Manager - Land & Property Email: sarah.partridge@plymouth.gov.uk		
4	Decision to be taken: <ol style="list-style-type: none"> 1. Approves the Business Case (attached as a Part II confidential document). 2. Approves the Capital Programme allocation for the sum set out in the business case, funded from service borrowing as part of the Asset Investment Fund. 3. Approves the acquisition of the freehold and leasehold interests in the portfolio. 		
5	Reasons for decision: To safeguard the use of the sites for employment accommodation and also secure a sustainable long-term income stream (via rental receipts) and other associated benefits.		
6	Alternative options considered and rejected: <ol style="list-style-type: none"> 1. Do nothing <ul style="list-style-type: none"> • Loss of opportunity to promote economic and employment growth, secure a long-term income revenue and other associated benefits. 		
7	Financial implications: The capital and revenue costs of the acquisition are set out in the Part II Business Case (confidential). The acquisition will be funded from service borrowing, which will be repaid from the additional net rental income generated from the acquisition. An allowance for void and risk has been incorporated into the financial model.		
8	Is the decision a Key Decision?	Yes	Per the Constitution, a key decision is one which:

	(please contact Democratic Support for further advice)	x		in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			x	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million
			x	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.
	If yes, date of publication of the notice in the <u>Forward Plan of Key Decisions</u>	3 April 2017		
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 will contribute towards the following Corporate Plan priority: Economic growth that benefits as many people as possible. Under the Corporate Plan, this will be delivered by: Spending money wisely.		
10	Please specify any direct environmental implications of the decision (carbon impact)	No direct impact as existing buildings		

Urgent decisions

11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes	X	(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No		(If no, go to section 13a)
12a	Reason for urgency: In order to secure the acquisition a decision is required urgently to protect the commercial interest of the Council otherwise the investment opportunity may be lost.			
12b	Scrutiny Chair Signature:	Councillor Glenn Jordan approved by email	Date	25 November 2020
	Scrutiny Committee name:	Performance & Finance Overview and Scrutiny Committee		
	Print Name:	Councillor Glenn Jordan		

Consultation			
I3a	Are any other Cabinet members' portfolios affected by the decision?	Yes	X
		No	(If no go to section I4)
I3b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Mark Lowry, Cabinet Member for Finance	
I3c	Date Cabinet member consulted	19/10/2020	
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?		If yes, please discuss with the Monitoring Officer
		No	
I5	Which Corporate Management Team member has been consulted?	Name	Anthony Payne
		Job title	Strategic Director for Place
		Date consulted	16/10/2020
Sign-off			
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS62 20/21
		Finance (mandatory)	pl.20.21.128
		Legal (mandatory)	35576/AC/5/11/20.
		Human Resources (if applicable)	
		Property (if applicable)	JW 0110 24/11/20
		Procurement (if applicable)	
Appendices			
I7	Ref.	Title of appendix	
	A	Briefing report	
	B	Equalities Impact Assessment	
Confidential/exempt information			
I8a	Do you need to include any confidential/exempt information?	Yes	X If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is

		No	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)					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title: Part II Briefing Report			X				
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
Financial Analysis				X				
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	25 November 2020			
Print Name	Councillor Tudor Evans OBE (Leader of the Council)							

PART I BRIEFING REPORT

Acquisition of an Investment Property Portfolio



1. An opportunity has arisen in relation to the acquisition of a freehold and long leasehold investment portfolio.
2. The Council's purchase will safeguard the use of the sites for employment accommodation in the short to medium term, thereby supporting economic development and the growth agenda in Plymouth and the Functional Economic Area.
3. The acquisition will generate a long-term sustainable income stream in addition to unlocking the opportunity to benefit from any future capital growth.
4. The Council will acquire the freehold and long leasehold interests in the portfolio as set out in the Part II Confidential Business Case Report.
5. The acquisition of the properties are in pursuance of the benefits (and in particular those of an economic nature) that it will confer upon the Council and its area, in accordance with s120 of the Local Government Act 1972.

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The following relates to exempt or confidential matters (Para(s) 3 of Part 1, Schedule 12A of the Local Govt Act 1972). Any breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

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EQUALITY IMPACT ASSESSMENT

Land & Property: Economic Development: Place



STAGE 1: WHAT IS BEING ASSESSED AND BY WHOM?

What is being assessed - including a brief description of aims and objectives?	Acquisition of an Investment Portfolio as part of the Council's Asset Investment Program to safeguard the use of the sites for employment accommodation in the short to medium term, thereby supporting economic development and the growth agenda in Plymouth and the Functional Economic Area, in addition to securing a sustainable long-term income stream (via rental receipts) and other associated benefits.
Author	Sarah Partridge, MRICS
Department and service	Land & Property: Economic Development
Date of assessment	15/11/2020

STAGE 2: EVIDENCE AND IMPACT

Protected characteristics (Equality Act)	Evidence and information (eg data and feedback)	Any adverse impact See guidance on how to make judgement	Actions	Timescale and who is responsible
Age	<p>The average age in Plymouth (39.0 years) is about the same as the rest of England (39.3 years), but less than the SW (41.6yrs).</p> <p>The city has the third lowest percentage of older people (75), and the fifth highest percentage of children and young people (under 18) of the 16 SW authorities.</p> <p>Children and young people (CYP) under-18 account for 19.8% of the population.</p>	No adverse impacts anticipated	n/a	n/a

Disability	Accessibility through Equalities Act – Landlord responsibilities	No adverse impacts anticipated	Properties are compliant. Requirements will be monitored as part of asset management regime and any further works carried out as legislation/best practice dictates.	Ongoing – Land & Property
Faith/religion or belief	<p>Christian - 148,917 people (58.1%), decreased from 73.6% since 2001.</p> <p>32.9% of the Plymouth population stated they had no religion.</p> <p>Those with a Hindi, Buddhist, Jewish or Sikh religion combined totalled less than 1%.</p>	No adverse impacts anticipated	n/a	n/a
Gender - including marriage, pregnancy and maternity	<p>Overall 50.6% of our population are women and 49.4% are men; this reflects the national figure of 50.8% women and 49.2% men.</p> <p>There were 3280 births in 2011. Birthrate trends have been on the increase since 20015, but since 2010 the number of births has stabilised. Areas with highest numbers of births include Stonehouse (142), Whitleigh (137) and Devonport (137).</p> <p>Of those aged 16 and over 90,765 (42.9%) people are married. 5,190 (2.5%) are separated and still legally married or legally in a same-sex</p>	No adverse impacts anticipated	n/a	n/a

	civil partnership.			
Gender reassignment	<p>It is estimated that there may be 10,000 transgender people in the UK.</p> <p>There were 26 referrals from Plymouth made to the Newton Abbott clinic, the nearest clinic, in 2013/14 to February 6.</p>	No adverse impacts anticipated	n/a	n/a
Race	<p>92.9% of Plymouth's population identify themselves as White British.</p> <p>7.1% identify themselves as Black and Minority Ethnic (BME) with White Other (2.7%), Chinese (0.5%) and Other Asian (0.5%) the most common ethnic groups.</p> <p>Our recorded BME population rose from 3% in 2001 to 6.7% in 2011 therefore has more than doubled since the 2001 census</p>	No adverse impacts anticipated	n/a	n/a
Sexual orientation - including civil partnership	<p>There is no precise local data on numbers of Lesbian, Gay and Bi-sexual (LGB) people in Plymouth, but nationally the government have estimated this to be between 5 - 7% and Stonewall agree with this estimation given in 2005. This would mean that for Plymouth the figure is approximately 12,500 – 17,500 people aged over 16 in Plymouth are LGB.</p>	No adverse impacts anticipated	n/a	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 inequality gap, particularly in health between communities.	n/a – Acquisition will deliver revenue surplus for provision of services.	Ongoing – Land & Property in conjunction with Treasury Management
Good relations between different communities (community cohesion)	n/a	
Human rights Please refer to guidance	n/a	
Principles of fairness Please refer to guidance	As above: Things that make the biggest difference to people’s lives should get priority when deciding where resources go - Positive impact for all groups as the investment will provide an opportunity to benefit from any future capital growth and deliver long term revenue, protecting and increasing the budget available to support front line services.	Ongoing – Land & Property

STAGE 4: PUBLICATION

Responsible Officer: James Watt, Head of Land & Property

Date 15/11/2020

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 – L23 20/21

Decision			
1	Title of decision: Allocation of High Street Heritage Action Zone funding to the Capital Programme		
2	Decision maker: Councillor Tudor Evans OBE, Leader of the Council		
3	Report author and contact details: Tom Lowry, Design and Delivery Coordinator, SP&I, Ballard House, PL13BJ. 01752305980 tom.lowry@plymouth.gov.uk		
4	<p>Decision to be taken:</p> <ul style="list-style-type: none"> Allocate £1,614,825 High Street Heritage Action Zone funding to the Capital Programme Approve virements and budget re-alignments for the Better Places Public Realm projects as set out in the Part 2 report. 		
5	<p>Reasons for decision:</p> <p>Provides authorisation to allocate High Street Heritage Action Zone funding to the Capital Programme and re-align project budgets to enable effective delivery of external funding.</p>		
6	<p>Alternative options considered and rejected:</p> <p>Not allocating the funding to the capital programme would have the following consequences:</p> <ul style="list-style-type: none"> We would not be able to spend £1,614,825 Historic England funding on the agreed capital projects within Plymouth City Centre Conservation Area This in turn would make it more difficult to secure funding in the future. This in turn would delay investment in infrastructure needed to bring forward the growth of the city. This could undermine the delivery of the Joint Local Plan and regeneration of the City Centre. <p>This would ultimately impact upon the growth of the city.</p>		
7	<p>Financial implications:</p> <p>The funding package for this programme of works and activities includes match funding including existing Council funding (already allocated in the Capital Programme). The Council has accepted the terms and conditions of this funding (Exec decision L07 20/21) which commits the spending of this capital grant to a previously agreed timetable.</p>		
8	Is the decision a Key Decision?	Yes	No
			Per the Constitution, a key decision is one which:

	(please contact Democratic Support for further advice)	✓	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
		✓	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million
		✓	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.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions		
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:	<p>This programme of works and activities will support the delivery of the Plymouth Plan and Joint Local Plan through the delivery of schemes on the Infrastructure Needs Assessment and supporting the following policies specifically:</p> <p>Plymouth Plan:</p> <p>Strategic Objective 2 Delivering a growing city</p> <p>Policy GRO1 Creating the conditions for economic growth.</p> <p>Policy INT3 Positioning Plymouth as a major UK destination.</p> <p>Joint Local Plan:</p> <p>Strategic Objective SO3 Delivering growth in Plymouth's City Centre and Waterfront Growth Area</p> <p>Policy PLY6 Improving Plymouth's city centre</p> <p>Policy DEV21 Development affecting the historic environment</p>	
10	Please specify any direct environmental implications of the decision (carbon impact)	None	
Urgent decisions			
11	Is the decision urgent and to be implemented immediately in	Yes	(If yes, please contact Democratic Support

	the interests of the Council or the public?			(democraticsupport@plymouth.gov.uk) for advice)
		No	<input checked="" type="checkbox"/>	(If no, go to section I3a)
I2a	Reason for urgency:			
I2b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
I3a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	<input checked="" type="checkbox"/>	(If no go to section I4)
I3b	Which other Cabinet member's portfolio is affected by the decision?			
I3c	Date Cabinet member consulted	TBC		
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	<input checked="" type="checkbox"/>	
I5	Which Corporate Management Team member has been consulted?	Name	Anthony Payne	
		Job title	Strategic Director for Place	
		Date consulted	11/11/2020	
Sign-off				
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS66 20/21	
		Finance (mandatory)	pl.20.21.140	
		Legal (mandatory)	34818-A/AC/11/11/2020	

		Human Resources (if applicable)	
		Corporate property (if applicable)	
		Procurement (if applicable)	
Appendices			
17	Ref.	Title of appendix	
	A	Briefing report for publication	
Confidential/exempt information			
18a	Do you need to include any confidential/exempt information?	Yes	<input checked="" type="checkbox"/> 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	
		Exemption Paragraph Number	
		1	2
		3	4
		5	6
		7	
18b	Confidential/exempt briefing report title: Capital Investment Business Case Update Better Places Plymouth / Civic Square / High Street Heritage Action Zone		<input checked="" type="checkbox"/>
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	25 November 2020			
Print Name	Cllr Tudor Evans OBE (Leader of the Council)						

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Allocation of High Street Heritage Action Zone funding to the Capital Programme: Briefing Report (Part I)

Following an application submitted in late 2019 the Council has been successful in securing an award of £1,994,638 funding towards improvements to the City Centre from the Historic England Heritage High Street Action Zones scheme.

This funding will help to deliver regeneration in the newly adopted City Centre Conservation Area and will therefore contribute valuable resources to the Resurgam Programme.

In July 2020 the Council accepted the Terms and Conditions of this funding (Exec Decision L07 20/21). In September 2020, a report to the City Council Investment Board (CCIB) recommended allocating the capital element (**£1,614,825**) of the funding to the Capital Programme along with virements and budget re-alignments to enable the effective delivery of the projects.

The proposal was endorsed by CCIB on 28.09.2020.

This Executive Decision requests approval to:

- Allocate £1,614,825 High Street Heritage Action Zone funding to the Capital Programme
- Approve virements and budget re-alignments for the Better Places Public Realm projects as set out in the 'Better Places Plymouth / Civic Square / High Street Heritage Action Zone: Capital Investment Business Case Update'

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