

**URGENT KEY DECISION
(NOT INCLUDED IN THE
FORWARD PLAN)**



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PLYMOUTH CITY COUNCIL FORWARD PLAN OF KEY DECISIONS

What is the Forward Plan?

The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 require the Leader to prepare a Forward Plan to cover a period of four months. The Forward Plan contains **key decisions** that the Leader believes are to be taken within this period. It describes the nature of the decision, who is the decision maker, the period in which the decision will be taken, those whom the decision taker proposes to consult, the steps any individual may take who wishes to make representations to the decision maker and a list of background papers considered by the decision taker in respect of the key decision.

What is a Key Decision?

A **key decision** is –

- (a) Any decision in relation to an Executive function which results in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates;

or

- (b) Any decision that is likely to have a significant impact on two or more wards within the Council.

The threshold for significant expenditure / savings is £2 million for the award of contracts and £500,000 for all other matters.

The Cabinet cannot consider key decisions if they have not been included within the Forward Plan unless they fall within the two exceptions set out at paragraph 15 & 16 of the Regulations, namely:

REGULATION 15. GENERAL EXCEPTION

If a matter which is likely to be a key decision has not been included in the forward plan, then subject to Regulation 16 (special urgency), the decision may still be taken if:

- (a) the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next forward plan and until the start of the first month to which the next forward plan relates;
- (b) the monitoring officer has informed the Chair of a relevant Scrutiny Panel, or if there is no such person, each member of that panel in writing, by notice, of the matter to which the decision is to be made;
- (c) the Monitoring Officer has made copies of that notice available to the public at the offices of the Council; and
- (d) at least 5 working days have elapsed since the Monitoring Officer complied with (a) and (b).

Where such a decision is taken by a committee, it must be taken in public.

REGULATION 16. SPECIAL URGENCY

Where the date by which a decision must be taken under Regulation 15 (general exception) cannot be followed, then the decision can only be taken if the decision taker, obtains the agreement of the Chair of the Overview and Scrutiny Management Board, that the taking of the decision is urgent and that it cannot reasonably be deferred. If there is no Chair of the Overview and Scrutiny Management Board (or in his/her absence), then the agreement can be obtained from the Lord Mayor, or in both their absences, from the Deputy Lord Mayor.

The Forward Plan does not need to refer to exempt information and confidential information cannot be included.

What is the Budget and Policy Framework?

This is a reference to the Council's policy framework and is made up of a series of Statutory Plans and Strategies listed as below:

Corporate Plan	All Our Futures
Children and Young People's Plan	Capital Strategy and Asset Management Plan
Licensing Authority Policy Statement – Gambling Act 2005	Housing Strategy
Local Development Framework (Documents)	Investment in Children (comprising Strategy for Change and Building Schools for the Future)
Local Transport Plan	Plymouth Economic Strategy
Sustainable Community Strategy	Waste Management Strategy
Youth Justice Plan	

What does the Forward Plan tell me?

The Plan gives information about:

- what key decisions are coming forward in the next four months
- when those key decisions are likely to be made
- who will make those decisions
- what consultation will be undertaken
- who you can make representations to, and how
- what documents can you ask for, and when
- who you can contact for further information

Who takes Key Decisions?

Under the Council's Constitution most key decisions are taken at public meetings of either the City Council or the Cabinet and these bodies are presently scheduled to meet on the following dates:

	January 2012	February 2012	March 2012	April 2012
City Council Council House (2 pm)	30 January	27 February	-	16 April
Cabinet Council House (2pm)	17 January	7 February	6 and 27 March	-

Who can I contact?

Each entry in the Plan indicates the names of all the relevant people to contact about that particular item. In addition, the last page of the Forward Plan gives a complete list of all Members of the City Council, the Leader/Executive Members and the Chief Executive/ Executive Directors.

How do I make contact?

Wherever possible, full contact details are listed in the individual entries in the Forward Plan. If you are unsure how to make contact, please ring the City Council and staff will be able to assist you: Telephone 01752 668000.

How do I get copies of agenda papers?

The agenda papers for City Council and Cabinet meetings are usually available five working days before the meeting and can be accessed on the Council's website: www.plymouth.gov.uk/modgov.

On occasions, the papers you request may contain exempt or confidential information. If this is the case, it will be explained why it will not be possible to make copies available.

How can I get copies of the Plan?

Copies of the Plan are available for inspection at reasonable hours, free of charge, at the Plymouth City Council offices. The Plan is updated monthly on:

2011
8 December
2012
12 January
9 February
15 March
12 April

Copies are also available on the City Council's website: www.plymouth.gov.uk/modgov.

General

If you have any questions or comments about the Plan, we would positively welcome them and would ask that you send them direct to the contact officer named at the start of the Plan. Please also let us know if you have any difficulty in accessing a copy of the Plan or any of the documents referred to therein.

URGENT KEY DECISION

29 November 2011

ITEM

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MOUNT EDGCUMBE COUNTRY PARK – SALE OF PICKLECOMBE
COTTAGE

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MOUNT EDGCUMBE COUNTRY PARK - SALE OF PICKLECOMBE COTTAGE

Nature of the decision:

To consider the sale of Picklecombe Cottage at Mount Edgcumbe Country Park.

The Cabinet cannot consider key decisions if they have not been included within the Forward Plan unless they fall within the two exceptions set out in paragraphs 15 and 16 of the Access to Information Procedure Rules.

PARAGRAPH 15 – GENERAL EXCEPTION

subject to Rule 16 (special urgency), the decision may still be taken if -

- (a) the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next forward plan and until the start of the first month to which the next forward plan relates;

The next forward plan will be for the period commencing on 1 January 2012 and it is impracticable to defer the decision until Cabinet in January 2012 because of the risk that the offer may be withdrawn if a decision is not made quickly.

- (b) the monitoring officer has informed the Chair of the relevant Scrutiny Panel on 21 November 2011:

Councillor Thompson, Chair of the Customer and Communities Overview and Scrutiny Panel;

- (c) the Monitoring Officer has made copies of that notice available to the public at the offices of the Council;

- (d) at least 5 working days have elapsed since the Monitoring Officer complied with (a) and (b).

Who will make the decision? Cabinet (on the recommendation of Councillor Jordan)

Timing of the decision? 29 November 2011

Who will be consulted and how?

Council officers with the draft Cabinet report.

Information to be considered by the decision makers:

Report to cabinet on the sale of Picklecombe Cottage, further to Cabinet minute 44 of 23 August 2011.

Documents to be considered when the decision is taken

Report to Cabinet.

Representations:

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents: For further information contact:
James Coulton, Assistant Director for Culture, Sport and Leisure
Email: james.coulton@plymouth.gov.uk Tel: 01752 307013

**Municipal Year 2011/12
Cabinet / Cabinet Members:**

Councillor Mrs Vivien Pengelly, Leader of the Council
Councillor Ted Fry, Deputy Leader and Planning, Strategic Housing and Economic Development
Councillor Richard Ball, Customer Services
Councillor Ian Bowyer, Finance, Property and People
Councillor Glen Jordan, Community Services (Safer and Stronger Communities and Leisure, Culture and Sport)
Councillor Michael Leaves, Community Services (Street Scene, Waste and Sustainability)
Councillor Sam Leaves, Children and Young People
Councillor Grant Monahan, Adult Health and Social Care
Councillor Steven Ricketts, Transformation, Performance and Governance
Councillor Kevin Wigen, Transport

Chief Executive and Executive Directors

Barry Keel, Chief Executive
Adam Broome, Director for Corporate Support
Carole Burgoyne, Director for Community Services
Bronwen Lacey, Director of Services for Children and Young People
Anthony Payne, Director for Development and Regeneration
Deb Laphorne, Director for Public Health

Members of the City Council

The Lord Mayor, Councillor Brookshaw
The Deputy Lord Mayor, Councillor Delbridge, and
Councillors Mrs Aspinall; Mrs Beer; Berrow; Bowie; Mrs Bowyer; Mrs Bragg; Browne; Casey; Churchill; Coker; Davey; Mrs Dolan; Drean, Evans; Foster; Mrs W Foster; Gordon; Haydon; James; Lowry; Martin Leaves; Lock; Dr Mahony; McDonald; Murphy; Mrs Nelder; Nicholson; Mrs Nicholson; Penberthy; Rennie; Reynolds; Dr Salter; Singh; J Smith; P Smith; Stevens; Stark; Thompson; Tuffin; Tuohy; Vincent; Wheeler; Wildy, Williams and Wright