

Cabinet

Tuesday 10 August 2021

PRESENT:

Councillor Kelly, in the Chair.

Councillor Nicholson, Vice Chair.

Councillors Mrs Bridgeman, Deacon, Drean, Mrs Pengelly and Riley.

Apologies for absence: Councillor Downie.

The meeting started at 4.00 pm and finished at 5.30 pm.

Note: The full discussion can be viewed on the webcast of the City Council meeting at www.plymouth.gov.uk. At a future meeting, the Council will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

150. **Declarations of Interest**

There were no declarations of interest made by Councillors, in accordance with the code of conduct.

151. **Minutes**

Cabinet agreed that the minutes of the meeting held on 13 July 2021 are confirmed as a correct record.

152. **Questions from the Public**

There were no questions received from the public.

153. **Chair's Urgent Business**

There were no items of Chair's urgent business.

154. **Leader's Announcements** (Verbal Report)

Councillor Nick Kelly (The Leader), highlighted the following in his announcements:

- (a) Congratulated our city-born and city-trained athletes who had competed in the Tokyo Olympics. In particular, a mention Tom Daley on him winning the Gold Medal in the men's synchronized 10m diving and for winning the Bronze in the 10m diving. His performance had been simply outstanding, competing in diving championships over three decades in not only the Olympics, but World, European and Commonwealth Games and also his inspiring work as a role model for young people and for the LGBTQ+ community;

- (b) Announced that through our Lord Mayor we had offered to award him the Freedom of the City of Plymouth. This was the highest honour that as a council we could bestow. Tom has accepted to receive this honour and an EGM has been called ahead of the next Council meeting on 13th September to confirm this;
- (c) We are yet to realise the full extent of the economic impact SailGP had but with over 30,000 spectators and a global televised reach of over 125 million, it was safe to say this event had a positive impact. The scenes on The Hoe were incredible and Plymouth showed itself off in all its glory;
- (d) Following on from this successful event and with thanks to SailGP's Inspire programme we were continuing to support local youth sailing initiatives. It was so important that this event had a wider, long-lasting impact on Plymouth. It was great that this partnership had formed to deliver such a fantastic programme of activity which would enable more young people to get out on the water, try sailing and learn new skills;
- (e) Special thanks to all those involved in securing this race for our city and also to all our staff who went above and beyond to make sure The Hoe looked its absolute best;
- (f) Had now installed a swimming pontoon located just off Tinside Lido for our wild swimmers. This was a pilot scheme to see how well it was used and if it proves popular we will look to make it a bigger and more permanent feature. This was the latest of new facilities coming to the Waterfront thanks to a grant of £625,000 from the Getting Building Fund;
- (g) This was all part of this administration's commitment to improve our amazing waterfront and help people to make the most of this location by investing in maritime facilities;
- (h) This weekend would see the outdoor theatrical performance of The Hatchling. This would take place over two days – 14th and 15th August on The Hoe. This was one of the highlight events from Mayflower 400 and would take the form of a giant puppet dragon which would hatch and roam through the city, before taking flight from the coast in a unique feat of artistry and engineering. This had been made possible by funding from the National Lottery through Arts Council England. It will be a brilliant live performance bringing a universal myth to life in Plymouth;

- (i) A reminder to everyone about the Firework Championships taking place on the 18th and 19th August which you will be able to watch from The Hoe. Sadly this didn't take place last year, but we are thrilled to see it once again in Plymouth.

155. **Cabinet Member Updates** (Verbal Report)

Cabinet Members provided updates as follows:

- (a) Councillor Deacon (Cabinet Member for Customer Services, Culture, and Leisure & Sport) made the following announcements:
- the community youth team had been busy re-engaging with young people after a period of limited engagement due to the pandemic – thanks to funding received from the Fit and Fed programme and the Office of the Police and Crime Commissioner activities had been provided for young people. 17 young people from across the city had participated in a range of activities across the city including surfing, visits to Dartmoor Zoo, the Plym Trail and mountain biking;
 - the young carers team aimed to reach as many young carers through the summer programme – over 80 young carers had signed up; young carers were also working on a project in Honicknowle as well as a digital project whilst learning photography skills;
- (b) Councillor Mrs Maddi Bridgeman (Cabinet Member for Environment and Street Scene) made the following announcements:
- currently in the street scene department they were experiencing disruption to staffing levels, more so now than in the pandemic – front line services were affected by staff absence including disruption to garden estate, street cleaning and waste services. Disruption was specifically affecting garden waste services, however the council was following government guidance on how to prioritise waste collection services;
 - in her capacity as Deputy Lord Mayor, and accompanied by the Lord Mayor, both Councillor Mrs Maddi Bridge and Councillor Mrs Beer had visited street services and delivered pasties and drinks to the crew as they worked tirelessly through the pandemic; she pleaded with the public for their patience as the teams were exhausted but continued to work hard;
 - she had visited the Forder Valley Link Road site along with Councillor Drean and highlighted that 85% of people employed on site were from Plymouth. 78% of orders were linked to small and medium sized businesses and there were four graduates and apprentice internships; the project was still on target;

(c) Councillor Mrs Vivien Pengelly (Cabinet Member for Homes and Communities) made the following announcement:

- Manifesto Commitment 29 highlighted the council's desire to create innovative plans to achieve carbon neutrality by 2030 and Manifesto Commitment 75 described how this was going to work with housing associations to create a wider range of homes;
- she had reviewed the whole Plan for Homes Programme and in light of the Manifesto Commitments the allocation of funding to deliver zero and low carbon homes was increasing 6-fold to £1.5 million;
- she would continue to work with officers to maximise external funding for low and zero carbon homes such as the £600,000 secured from the Land Release Fund to support the delivery of 70 low carbon homes at Kings Tamerton, in partnership with Plymouth Energy Community and Plymouth Community Homes;
- this funding was already part of the Capital Programme, but if we want to make a real change in reducing carbon emissions from housing, which was the second highest contributor to our carbon emissions as a city after transport, we must put realistic resources against our ambitions;
- she looked forward to the commencement on site of our innovative Broadland Gardens scheme in my own ward, which will be the first housing direct delivery project by this Council in over 30 years. I will be working with Councillor Maddi Bridgeman to ensure that the 2022 Climate Emergency Action Plan contained ambitious actions on decarbonising housing and I will announce further sites where we see opportunities to deliver low carbon and zero carbon homes later in the year;

(d) Councillor Jonathan Drean (Cabinet Member for Transport) made the following announcement:

- he was due to look at marine facilities with the parking unit shortly;

(e) Councillor Patrick Nicholson (Deputy Leader) made the following announcement:

- case rate for covid stabilised at 420 per 100,000 in the last 7 day period, still considerably higher than the south west average of 320 and the England average of 290, but had reduced from the peak which was approximately two weeks ago;
- there were some positive signs in terms of hospitalisations, with rates beginning to fall both nationally and locally – though there were still around 40 people in Derriford with Covid, which did impact on the

hospital considerably. Vaccinations were progressing well, with 83% of adults having had one dose and over two thirds now having had both doses;

- for anyone who hadn't yet had their Covid-19 vaccination or was due their second jab could now get this from our mobile vaccine van located at Frankfort Gate every Thursday throughout August. No appointments are needed and it would be the Pfizer vaccine available;
- The key things that people needed to do was:
 - Have both your vaccinations, if you haven't already
 - Continue to have a PCR test and self-isolate if you have symptoms
 - Remember that Covid19 rates are high, and to avoid the infection by:
 - Avoiding crowded indoor areas
 - Limit your close contacts
 - Meet outdoors where possible – or open a window if indoors
 - Take lateral flow tests regularly – twice a week
- the council was launching a new campaign to recruit more care home assistants. Home care or domiciliary care assistants were vital in supporting people to improve and maintain their independence and enabling them to continue living in their own homes. With a shortage of staff in this sector means there was extra pressure on hospital wards and care homes. Following the last campaign almost 300 people had been offered employment, however there was still a significant gap which was why we are launching this new dedicated campaign;
- the Love Exploring App was a new app which had features for everyone to enable them to explore Central Park during the summer holidays. There was a comprehensive map, games and quizzes to play whilst walking the trails of the park, as well as an events feature that would keep people up to date on all the exciting things going on in the park;
- dedicated urban rangers were being placed across Plymouth's vast array of local nature reserves, who would work across and care for Council and National Trust sites in the city.

156. **100 Day Plan**

Councillor Nick Kelly (The Leader) introduced the 100 Day Plan and invited Cabinet Members to speak to commitments related to their portfolios as follows:

Councillor Patrick Nicholson highlighted that –

- commitment 3 was a joint commitment for Councillors Mrs Pengelly, Drean and Councillor Nicholson to fast track applications for blue badges disabled facilities grant and disabled parking spaces for those with a terminal illness – the process now been put in place whereby those with a terminal illness will have a blue badge facility grant or parking space actioned within a shorter timescale; this commitment was now complete;

Councillors Mrs Pengelly highlighted that –

- commitment number 5 regarding the consultation of local communities with the aim to devolve more power to local people where they feel they are empowered and have a greater input in determining their priorities was complete. A number of consultations and engagements had been launched over the summer including the youth survey snapshot, the city centre health and wellbeing centre, the green minds and future parks;

Councillors Mrs Maddi Bridgeman and Mark Deacon highlighted that –

- with regards to commitment number 7, five new semi-automatic defibrillators had been installed as well as 14 sea swimming safety signs across the waterfront; defibrillator and CPR training courses had been arranged for 48 business staff and wild swimmers. The appearance of Mount Batten Water Sports Centre had been significantly improved ahead of the Sail GP events; fibre connectivity had been installed along the Hoe and Millbay which was required to host the event. The swimming platform had now been installed on a trial basis and was believed to be very popular;

Councillor Riley highlighted that –

- with regards to commitment number 13 and the enforcement against ASB, including fly tipping, dog fouling, littering and graffiti, new CCTV equipment had been installed in key fly tipping hotspots to actively monitor incidents. The Council continued to actively enforce enviro-crime by issuing fixed penalty notices and prosecutions. Recruitment to increase environment enforcement is underway and increasing both uniformed and non-uniformed patrols for enviro-crime. A multi-pronged approach to challenge graffiti with enforcement was one part – easier reporting established with the police to identify perpetrators allowing the crime to be logged. Plans were moving forward to identify sites legally available for artists to work;

Councillor Drean highlighted that –

- with regards to commitment 14 – the council had taken delivery of 10 rapidly deployable CCTV cameras and had received requests from the Police to position a unit where social disturbances were experienced; there was a formalised process to follow with a private impact assessment being carried out to ensure we are not deploying compliance with section 30 of the protection of freedom act 2012; a further 3 units were ordered and were awaiting delivery; the council had entered round two of the safer streets fund for additional CCTV cover and emergency help points; 94% of the HMPE CCTV coverage had been converted to the high resolution cameras;
- with regards to commitment 30 – that the Council would lobby the Government to provide funding allowing a major network of electric charging points throughout the city to make electric vehicle ownership easier. The Council also committed to use the planning system so new build properties would have electric vehicle charging facilities to support residents. It was confirmed that Councillor Drean had written to the Secretary of State highlighting the progress and delivery of the 109 EV charging programmes;
- the Council had received £297,948 for the transport capabilities fund – to increase capability of Local Authorities to plan good activity travel infrastructure – will be used to support infrastructure projects so the council well placed to bid for future capital funding opportunities;
- with regards to commitment 59 and maintaining free parking in district car parks, the Council was committed to supporting other city districts including Mutley, Whitleigh, St Budeaux, Plympton, Plymstock, Estover, West Park, Stoke, Devonport, Leigham, Mount Batten and Crownhill;
- With regards to commitment 70 and the extension of 3 hour parking at Mutley Barracks and Napier Street, the aim was to support traders on Mutley Plain allowing shoppers to park for longer. The council wanted to help businesses to thrive and aim to make it a more attractive place for shoppers. This would be a major boost for local traders; from Friday 20 August 2021, free parking would be extended from 2 hours to 3 hours;
- with regards to commitment 74 and the expanding of the city's traffic management capabilities with increasing road capacity by 13%, the Council was investing in micro processor optimised vehicle actuation technology which made more effective use of the highway network day and night. By increasing virtual intelligence of signalled junctions allowing controllers to learn traffic movements, maximise control efficiency and communicate with up or downstream junctions. The programme for delivery completion was by the end of 2023 – a new CCTV and traffic management control centre would allow increased efficiency of the city's network and highway to prevent congestion and road delays, increase safety and improved journey time reliability.

157. **Finance and Capital Monitoring Report June 2021**

Councillor Nick Kelly (The Leader) and Brendan Arnold (Service Director for Finance) presented the Finance and Capital Monitoring Report June 2021 to Cabinet.

- (a) This report set out the revenue finance monitoring position and the capital position of the Council to the end of the financial year 2021/22, as at the end of June 2021;
- (b) The forecast revenue outturn after the application of Covid grants and council mitigating actions was currently estimated at £1.514m over budget, which is a variance of +0.8% against the net budget (+0.2% against the gross budget);
- (c) This was the first quarter's monitoring report for 2021/22 and it should be noted that the financial position would fluctuate as we move through the year. Officers and Members would work closely to manage the finances towards a balanced position by the end of the year;
- (d) The five year capital budget 2021-2026 was currently forecasted at £612.270 as at 30 June 2021. The capital budget had been adjusted to take into account the removal of the prior year (2020/21) and to add any new approvals or changes to the capital programme and to adjust the future funding assumptions shown in table 1.

Cabinet agreed to -

- 1. Note the current revenue monitoring position;
- 2. Note the current capital position;
- 3. Recommend to Council that the Capital Budget 2021-2026 is revised to £612.270m. (as shown in Section C Table 1).

158. **Modern Slavery Update 2021**

Councillor Mrs Vivien Pengelly (Cabinet Member for Homes and Communities) presented the Modern Slavery Update 2021 to Cabinet –

- (a) Thankfully, we have a low prevalence of modern slavery and trafficking in the city, but we must not be complacent and need to continue our efforts to address this issue and protect those most vulnerable from becoming victims;
- (b) We have a statutory duty to publish a Modern Slavery Statement every year which sets out our progress in addressing modern slavery in our supply chains and also tackling incidents in the city, which we do alongside our partners, and in particular with the police;
- (c) The previous administration set the framework for how the Council deals with modern slavery through the development of the Ten Commitments Charter. Appendix B in the paper pack demonstrates the progress made against these commitments over the past year;

- (d) Building on the Charter, this administration was proposing a renewed approach to reporting and monitoring progress. Our commitment to addressing Modern Slavery would be held together through a new Policy which includes a set of overarching principles and our work will be supported and monitored through an annual action plan;
- (e) Training and development was a key area where we want to focus our efforts – we would continue to support our Procurement staff to undertake annual training in ethical procurement, ensure all our front line staff in high risk areas are appropriately trained, and want to reach out to all staff to increase awareness as part of our wider safeguarding training;
- (f) We would also be taking measures to ensure we were meeting the new requirements set out by the Home Office which were due to be enacted later this year, and have already made some changes to the way in which we have set out the Modern Slavery Statement to align with these.

Cabinet agreed to –

1. Note the progress made on the Ten Commitments;
2. Approve the updated Modern Slavery Statement;
3. Agree the new Modern Slavery Policy and overarching principles;
4. Note the Action Plan for 2021-22;
5. Circulate the Modern Slavery Policy to all members.

159. **Leisure Management Contract**

A report containing commercially confidential information relating to the financial and business affairs of the current provider of this service was attached. Councillor Nick Kelly (Leader) asked Cabinet whether they wished to ask questions about the part 2 report and move into a private meeting.

Having considered all of the information, Cabinet agreed to remain in Part I (Public Meeting) for this item.

Councillor Deacon (Cabinet Member for Customer Services, Culture, Leisure & Sport) presented the Leisure Management Contract to Cabinet –

- (a) The leisure management contract was due to expire at the end of March 2022 and the Council needed to determine how the leisure facilities would be operated from April 2022.

Options that had been considered were:

1. To do nothing;
2. To extend the contract with SLM;
3. To retender the contract;
4. To transfer facilities to community-based organisation(s) under community asset transfer (CAT) arrangements;
5. To run and maintain facilities in-house and transfer all staff to the Council;

6. To transfer facilities and staff to a new Local Authority Trading Company, owned and controlled by the Council.
 - (b) The Council have undertaken a full options appraisal to ascertain the 'best value operating model' and have engaged sector specialist Fathom Consultancy Solutions to review the work of officers and to provide input into this Business Case.
 - (c) The Business Case concludes with a recommendation to establish a Local Authority Trading Company (LATC) for the provision of Leisure Management Services within the city of Plymouth, with effect from 1 April 2022

Members raised questions relating to –

- (d) How these are heavily used community assets and that the Cabinet are committed to maintaining and improving these facilities for their residents;
- (e) Whether it would be viable to outsource again in the future;
- (f) This would give the flexibility to allow us to give a good standard of leisure across the city improve health inequalities;
- (g) The importance of due diligence and a full risk assessment taking place.

Having considered all of the information Cabinet agreed to -

1. Approve the Business Case and in particular the creation of a Local Authority Trading Company for the delivery of leisure services for the following facilities; Plymouth Life Centre, Plympton Swimming Pool, Tinside Lido, Mount Wise Pools, and Brickfields Sports Centre, with effect 1 April 2022.
2. Delegate authority to Craig McArdle, Strategic Director for People to:
 - 2.1 Appoint council officers as Directors of the Local Authority Trading Company; and
 - 2.2 Appoint either himself or another senior council officer to act as member representative for the Local Authority Trading Company and to exercise all voting rights on behalf of the Council as member of the company subject to Key Decisions (as defined by the Council's Constitution) being reserved to the Leader/ Cabinet) and take any necessary action to protect, safeguard and effectively manage the Council's interest in the Local Authority Trading Company

160. **Compulsory Purchase Order Resolution for the Regeneration of Colin Campbell Court, Plymouth**

A report containing commercially confidential information relating to the financial and or business affairs of people affected by this item was attached. Councillor Nick Kelly (Leader)

asked Cabinet whether they wished to ask questions about the part 2 report and move into a private meeting.

Having considered all of the information Cabinet agreed to remain in Part I (Public Meeting) for this item.

Councillor Patrick Nicholson (Deputy Leader) present the Compulsory Purchase Order Resolution for the Regeneration of Colin Campbell Court report to Cabinet –

- (a) The Council had been working with a number of health providers and was proposing to deliver a new 6,000 square metre health hub, which would form the first phase of the redevelopment of this part of Colin Campbell Court.
- (b) In order to deliver the project, some of the existing car park would be redeveloped and a number of the existing commercial properties would also need to be demolished.
- (c) Over recent years the Council had acquired a number of long leasehold interests at CCC. However, in order to deliver the new health hub further leasehold interests may need to be acquired and other property interests varied.
- (d) The Council had already had a number of discussions with all of the properties in the area which would be affected and intends to agree terms with all of the affected parties through a process of negotiation. However, in the event that these negotiations were unsuccessful, the Council would seek to acquire or vary the interests necessary through the use of its compulsory purchase powers.
- (e) For a number of years Colin Campbell Court has been identified as a key strategic regeneration opportunity. The new health hub was expected to have a number of significant benefits for the city. These include:
 - Provision of better healthcare;
 - Reduction of inequalities in healthcare provision;
 - More people working in and visiting the city centre, helping to support city centre businesses, particularly in the West End;
 - Creation of new permanent skilled jobs and construction jobs;
 - Improvements to the quality of the built form in this part of the city, by replacing a number of run-down premises with a new, high quality building;
 - Zero carbon building will help to set better environmental standards; and
 - A major catalyst for further phases of regeneration at Colin Campbell Court and other local sites.

Having considered all of the information Cabinet agreed to -

- Subject to sufficient funding being identified, make a Compulsory Purchase Order pursuant to Section 226(1)(a) of the Town and Country Planning Act 1990 in respect of the Order Land as shown outlined in red on the plan at Appendix I.
- Delegate to the Service Director for Economic Development and the Assistant Head of Legal Services the power to effect the making, confirmation and implementation of the CPO and to take all necessary steps to give effect to the CPO in respect of the Order Land including, but not limited to, the following procedural steps:
 1. finalise a Statement of Reasons to properly reflect the Council's position regarding the proposed CPO so as to properly present the Council's case;
 2. making the CPO, the publication and service of any press, site and individual notices and other correspondence for such making;
 3. acquire for planning purposes all interests in land and new rights within the Order Land as may be necessary to facilitate the Scheme, either by agreement or compulsorily, including entering into negotiations with any third parties for the acquisition of their land interests and/or for new rights over their land (as appropriate), the payment of compensation and dealing with any blight notices served in connection with the CPO;
 4. approve agreements with land owners or statutory undertakers as applicable, setting out the terms for withdrawal of any objections to the CPO, including where appropriate seeking exclusion of land or new rights from the CPO;
 5. make any additions, deletions or amendments to the plan at Appendix I and to seek any requisite modifications to the CPO Order and any CPO maps;
 6. seek confirmation of the CPO by the Secretary of State (or, if permitted, by the Council pursuant to Section 14A of the Acquisition of Land Act 1981) (the 1981 Act), including the preparation and presentation of the Council's case at any public inquiry which may be necessary;
 7. publication and service of notices of confirmation of the CPO and thereafter to execute and serve any general vesting declarations and/or notices to treat and notices of entry, and any other notices or correspondence to acquire those interests within the area;
 8. referral and conduct of disputes, relating to compulsory purchase compensation, at the Upper Tribunal (Lands Chamber).

- Delegate authority to the Strategic Director for Place and the Service Director for Finance to approve the financial terms of the compensation arising as a result of the CPO.
- Authorise in accordance with section 122 of the Local Government Act 1972, the appropriation of land owned by the Council within the Order Land, to planning purposes pursuant to section 203 of the Housing and Planning Act 2016, so development may proceed without obstruction in respect of any claimed third-party rights.

161. **Exempt Business**

All Business was considered in the Part I (Public) meeting.

162. **Leisure Management Contract**

The item was considered in the Part I (Public) meeting.

163. **Compulsory Purchase Order Resolution for the Regeneration of Colin Campbell Court, Plymouth**

The item was considered in the Part I (Public) meeting.