

## Brexit, Infrastructure and Legislative Change Overview and Scrutiny Committee

**Wednesday 23 February 2022**

### PRESENT:

Councillor Bingley, in the Chair.

Councillor Buchan, Vice Chair.

Councillors Coker, Corvid, Cree, Hendy, Jordan, Patel, Penberthy and Salmon.

Also in attendance: Paul Barnard (Service Director for Strategic Planning and Infrastructure), Nicola Bridge (Ocean Conservation Trust), Councillor Maddi Bridgeman (Cabinet Member for Environment and Street Scene), Jonathan Bell (Head of Development Planning), Caroline Cozens (Head of Strategic Programmes), Councillor Mark Deacon (Cabinet Member for Customer Services, Culture, Leisure and Sport), Councillor Nick Kelly (Leader of the Council), Amanda Lumley (Executive Director, Destination Plymouth), Richard May (Head of Oceansgate and Marine Investment), Kevin McKenzie (Policy and Intelligence Officer), Councillor Patrick Nicholson (Deputy Leader), Helen Prendergast (Democratic Advisor), Sophie Tucker (Senior Support and Research Assistant) and Adrian Vinken.

The meeting started at 2.00 pm and finished at 5.20 pm.

*Note: At a future meeting, the Panel 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.*

### 34. **Declarations of Interest**

In accordance with the code of conduct, the following interests were made by Councillors -

<b>Name</b>	<b>Minute Number</b>	<b>Reason</b>	<b>Interest</b>
Councillor Penberthy	Climate Emergency Action Plan 2021 and Corporate Carbon Reduction Plan 2021: Year End Reports  (Minute 42)	Plymouth Energy Community CBS (Director)  Plymouth Energy Community Trust (former Member)  Plymouth Energy Community Renewables (Founder Member and Director)	Private

		Ernesettle Community Solar Ltd (Director)  Plymouth Energy Community Homes (Director)  Ernesettle Community Solar Ltd (Founder Member and Director)	
Councillor Dr Buchan	Plymouth Sound National Marine Park - Heritage Horizons Activity Plan  (Minute 4)	Applying for funding for a project for the National Marine Park	Disclosable Pecuniary Interest
Councillor Jordan	Plymouth Sound National Marine Park - Heritage Horizons Activity Plan  (Minute 43)	Director of Community Photographic Studio CIC	Private

35. **Minutes**

The Committee agreed that the minutes of the meeting held on 8 December 2021 are confirmed as a correct record.

36. **Chair's Urgent Business**

The Chair took this opportunity, on behalf of the Committee, to thank Councillor Bill Wakeham for his service on the Committee during 2021/22 and this invaluable contribution during his term of office.

In accordance with Section 100(B)(4)(b) of the Local Government Act, 1972, the Chair brought forward the above item for consideration because of the need to inform Members).

**Work Programme**

The Committee considered its work programme and following discussions, it agreed to add the following issues for 2022/23 -

- (1) Select Committee Review: the Delivery of Taxi Services within Plymouth; (this review would need to be considered once the results of the consultation on the new Taxi and Private Hire licensing policy had been fully analysed);
- (2) bus service delivery and improvement in the city (June 2022);
- (3) Commercial estate including Plymouth Airport.

38. **Tracking Decisions**

The Committee noted the progress of its tracking decisions.

Councillor Penberthy raised concerns that the Scrutiny Committee had not received responses to questions that it had raised which in his opinion was not acceptable. He requested that the Chair formerly write to the Chief Executive and the Monitoring Officer, regarding this matter.

The Chair undertook to formally write to the Chief Executive and Monitoring Officer, regarding providing responses to the Committee in a timely manner.

The Chair raised an issue he had been experiencing in not being able to access online training. He would also write to the Chief Executive regarding this matter.

39. **Policy Brief**

Sophie Tucker (Senior Support and Research Assistant) presented the report which highlighted the following key areas –

- (a) the Department for Environment, Food and Rural Affairs: UK and EU reach agreement on fishing opportunities for 2022;

the UK and EU had reached agreement on catch limits for 2022, providing approximately 140,000 tonnes (70 fish stocks) of fishing opportunities for the UK fleet;

a £75m boost to modernise the UK fishing industry and level up coastal communities; £65m related to an infrastructure scheme which would be available for projects such as modernising ports and harbours; up to £10m would also be used to encourage new entrants into the sector;

there were eight new projects that would support the UK's fishing industry to be more productive and sustainable which had been awarded a share of the £1.4m; the funding was the first part of the £24m (earmarked from the £100m UK Seafood Fund) specifically for science and innovation projects;

CEFAS, in partnership with local fish producer organisations, attracted a small grant for addressing specific challenges facing the

Celtic Sea demersal trawl mixed fisheries;

South Devon and Channel Shell Fishermen Ltd had also received a share of £270,000 for a 24 month project aimed at improving Shellfish Data Collection;

- (b) the Department for Transport (Green shipping boost as Maritime Minister announced plans to explore shore power); there was a call for evidence which the Government had launched that aimed to accelerate maritime decarbonisation by switching to emissions-cutting shore power at UK ports;

marine decarbonisation was one of the five key themes which the Council intended to explore in its carbon net zero strategy for the Plymouth and South Devon Freeport;

- (c) Prime Minister's Office: the Government had announced a Brexit Freedoms Bill, as well as a new law which focussed on competition law exemption for the UK, replacing the retained EU rules which would expire on 31 May 2022; a technical consultation on the wording of the legislation was now open until 16 March 2022;

- (d) customs: on 1 January 2022, new customs rules took effect which included full customs declarations and controls which were introduced on EU imports into the UK;

in January 2022, the Government had also published a call for evidence to feedback on the customs system to help shape long-term customs policy; Councils were encouraged to promote and share details of this consultation with businesses in its area (the call for evidence closed on 2 May 2022);

- (e) in terms of upcoming key dates, there would be further requirements introduced from 1 July 2022 onwards, including Export Health Certificates and Safety and Security declarations on EU imports.

The Committee –

- (f) sought clarification as to the statistics relating to the EU settlement scheme; in the most recent quarterly report there had been 11,850 concluded applications for Plymouth of which 7,310 were granted settled status and 4,040 pre settled status, which left a shortfall of 500 people;

response: these figures did not include those people that were not granted status; however full information would be provided in an email and circulated to all Committee members outside of this forum;

- (g) on whether the Council would be providing a submission relating to the call for evidence for the Department of Transport's 'green shipping boost as Maritime Minister announced plans to explore shore power';

response: a response would be provided to this query and circulated to Committee members, outside of this forum.

#### 40. **Mayflower 400 Wrap Up**

Councillor Mark Deacon (Cabinet Member for Customer Services, Culture, Leisure and Sport), Adrian Vinken and Amanda Lumley (Executive Director, Destination Plymouth) presented the report which highlighted the following key areas –

- (a) Mayflower 400 project success which included -
- The Box opened to significant acclaim with 75% of reviews rating it as good or excellent and almost 40,000 tickets sold for the Mayflower 400 Legend and Legacy exhibition;
  - Illuminate 2019 Plymouth had attracted 50,000 visitors and had reached an online audience of over 400,000 people;
  - a total of 50 organisations were commissioned through the Mayflower 400 Community Sparks and successfully delivered grassroots activity, engaging over 46,000 people across different communities and geographies of Plymouth;
  - the Mayflower Autonomous Ship had attracted substantial attention in the media with national and international coverage worth over £105m;
- (b) key insights included -
- Mayflower 400 had demonstrated how investing in a cultural programme had numerous benefits for the city, not least Plymouth's positioning as a hub for cultural investment had supported wider income generation, including £16m for National Portfolio Organisations;
  - Mayflower 400 had presented an opportunity to not only develop new and diverse partnerships but also to build on existing relationships across a multitude of sectors which had opened up new avenues and possibilities for Plymouth and its cultural offer going forward;
  - the programme engaged over 400 Mayflower Makers, who dedicated 7,000 hours, worth over £100,000 to supporting

events and activities across the partnership;

- Mayflower 400 provided Plymouth with an opportunity to change the way it engaged with its own history and its position as a modern city; whilst it took some time for the programme to become fully comfortable in tackling the challenging elements of the Mayflower narrative, the city had now matured and was much more capable of discussing sensitive topics;

(c) key national visitor project outputs -

- a total of 241 travel trade contacts were made during the project period; largely made at key national and international travel trade events;
- a key element for the partners involved had been the sharing of best practice, networking and facilitating of conversations and relationships that would not have happened otherwise; partners also had a bid in for further funds to support the development of their Mayflower offer.

The Committee –

(a) sought clarification on -

- whether there were any areas of Mayflower 400 that could have been improved upon;
- what measures would be put in place, in order to build upon the success of Mayflower 400; (a city wide programme needed to be put in place which need a dedicated team).

A discussion took place with regard to the Look II sculpture which had been commissioned as part of the 'Making It' inaugural exhibition at The Box. Whilst the sculpture had dividend opinion in the city, as to whether this had been a waste of money, it had also opened up the wider debate on public art. The sculpture had been successful in generating £867,695 of media coverage for Plymouth.

The Chair took this opportunity, on behalf of the Committee, to pass on its thanks to Adrian Vinken and the whole team that had been involved with the Mayflower 400 project over a number of years and that had worked tremendously hard to achieve this phenomenal success.

The Committee agreed –

- (1) to endorse the evaluation completed by SERIO at the University of Plymouth;
- (2) to note the 'insight' learnings included in the evaluation;

- (3) the Chair write a 'thank you' letter to Adrian Vinken and the team for the tremendous work undertaken with Mayflower 400.

41. **Plymouth Plan Annual Report**

Councillor Patrick Nicholson (Deputy Leader) presented this report which highlighted the following key areas –

- (a) since its inception in 2014, the Plymouth Plan had set out a shared director of gravel for the long term future of the city of Plymouth;
- (b) the first Annual Report prepared for the Plymouth Plan was published in June 2021 and provided an overview of progress for each of the different elements of the plan;
- (c) given the timing of data availability, the information in the Annual report pre-dated the impacts of both Brexit and the Covid pandemic; the report did however provide an opportunity to reflect on progress in the first six years of the plan;
- (d) the Plymouth Plan Annual report could be used as the starting point for a citywide discussion on progress towards achieving the strategic outcomes set out in the Plan and any future actions that needed to be taken in partnership to improve the direction of travel; the next report, planned for June 2022, would begin to capture some of the impacts of Brexit and the Covid pandemic;
- (e) the Section 106 guidance had been updated which had resulted in the Council being able to secure the full level of health contributions from December 2021; it should be noted that Plymouth had been receiving less contributions when compared to its neighbouring authorities.

The Committee –

- (f) sought clarification -
  - on whether the Plymouth Plan performance indicators could be integrated into the Council's corporate monitoring report and flagged as a Plymouth Plan indicator, as this would provide an opportunity for all the scrutiny committees to regularly monitor rather than receiving an annual report;
  - on whether the Plan should reflect the Council's more recent commitments, such as the ocean recovery and the ecological emergency declarations and whether sustainability should also be recognised in the three main themes of the report (growing, healthy and international);
  - on when the Plymouth Plan would next be refreshed, in order to include the Council's newest commitments;

- on whether the more recent pledges/commitments made at the November 2021 Council meeting were being incorporated into the Plymouth Plan (as there had been no mention of either the ocean recovery or the ecological emergency declarations); looking forward the refresh of the Plymouth Plan and the Joint Local Plan should have a proactive component to ensure that the full suite of sustainable issues were included in the refresh;
- (g) requested that a copy of the recently agreed developer contributions guidance (relating to the health contributions) be provided.

Paul Barnard (Service Director for Strategic Planning and infrastructure) undertook to circulate to all members of the Committee a copy of the developer contributions document.

The Committee requested implementation of a method of integrating performance indicators within the Plymouth Plan with other performance monitoring that the Council undertook.

The Committee agreed –

- (1) for Scrutiny to consider and note the information provided in regard to the Plymouth Plan Annual report;
- (2) to implement a proactive approach to updating strategic policy commitments within the Plymouth Plan and the Joint Local Plan.

42. **Climate Emergency Action Plan 2021 and Corporate Carbon Reduction Plan 2021: Year End Reports**

Councillor Maddi Bridgeman (Cabinet Member for Environment and Street Scene) and Paul Barnard (Strategic Director for Strategic Planning and Infrastructure) presented this report which highlighted the following key areas –

- (a) the report fulfilled the commitments made at the previous City Council, Cabinet and the Brexit, Infrastructure and Legislative Change Overview and Scrutiny Committee to regularly report on progress of the detailed actions contained in both the Climate Emergency Action Plan 2021 and the Corporate Carbon Reduction Plan 2021;
- (b) this report provided the year end position, as at December 2021, in relation to all the actions that were scheduled for delivery during the year; there was also detailed commentary on every action, set out in the accompanying schedules to the report.

The Committee –



(c) sought clarification on -

- whether the Council was engaging with the Youth Parliament regarding climate emergency issues;
- the rationale for not continuing with 'No Mo May' given the importance of biodiversity in helping insects;
- whether environmental experts would be consulted on the 'Low Mo May' initiative, as it was really important for wildlife to be able to propagate;
- the impact of the removal of the need to register for the garden waste collection service which related to action 2.56 in the plan (collect and utilise waste data intelligence to optimise service delivery by reducing frequency of collections and improving route planning and scheduling);
- on what data was being collected on newly engaged people as opposed to repeat attendees (as good community engagement should reach more people other than the same individuals); this related to action 2.65 (reconnect residents, schools and local enterprises with Plymouth's natural environments to support climate change initiatives through the Green Minds Programme);
- whether there had been a reduction in car usage on 'World Car Free Day' that had been held on 22 September 2021 which related to action 2.72 (promote a car free day across Plymouth);
- whether the partially completed actions in the plan would be rolled forward, as there was concern that this would be overlooked;
- whether the e-bikes and mobility hubs would be extended to the outlying areas of the city, as opposed to just the district centres;
- what measures would be put in place to ensure that it was not just the Council's involvement in delivering low carbon homes and solar arrays, as it was important for other suppliers in the city to invest in such initiatives;
- on whether future sites had been identified for both eco homes and solar arrays in the city;
- on whether as part of the key achievements (every new commercial tenant was provided with a Sustainable Occupancy Pack to encourage them to take action on carbon reduction

initiatives) there was data available on the take-up by tenants of these initiatives;

- on whether the Council was undertaking work with community groups and other facilities to provide assistance for the installation of solar panels, given the increasing cost of fuel and electricity; (concern was raised that this situation could impact the Council's ability to generate rent, if such groups were not financially sustainable due to the high energy costs);

(d) raised -

- whether information on low carbon homes could be provided in an information pack.

Paul Barnard (Service Director for Strategic Planning and Infrastructure) to provide information to the Committee (outside of this forum) on the following issues –

- (e) new/repeat engagements with regard to action 2.65;
- (f) share the assessment work which had been undertaken on the 'World Car Free Day' with regard to action 2.72.

The Committee requested that –

- (g) future iterations of the Climate Emergency Action Plan indicated which actions had been rolled forward;
- (h) future reports include data on all new low carbon homes and new solar arrays supplied by all providers (not just the City Council).

The Committee agreed to –

- (1) note the Climate Emergency Action Plan (CEAP) 2021 year-end report details of which are set out in Appendix 2 and 2a;
- (2) note the Corporate Carbon Reduction Plan (CCRP) 2021 year-end, details of which are set out in Appendix 3 and 3a.

#### 43. **Plymouth Sound National Marine Park - Heritage Horizons Activity Plan**

Councillor Nick Kelly (Leader of the Council), Caroline Cozens (Head of Strategic Programmes) and Nicola Bridge (Ocean Conservation Trust) presented the report which highlighted the following key areas –

- (a) the Plymouth Sound National Marine Park (NMP) was presented to this Committee on 8 December 2021; the report set out an overview of all activity relating to the National Lottery Heritage Fund, Heritage Horizon project;

- (b) the recommendation contained in the report submitted to the Committee at its December 2021 meeting relating to the Activity Plan for the NMP Horizons project to be submitted to the Committee in February 2022;
- (c) as per the Committee's request, the Activity Plan sets out the aims and approach to community engagement and how the work would be evaluated and evolved, as a result of what had been learnt throughout the Activity Phase of the project.

The Committee –

- (d) sought clarification -
  - on whether during the engagement process there would be a review, in order to ensure that engagement was being undertaken with the hard to reach community group within the city, as these individuals could not be overlooked;
  - on whether the plan could emphasis not only the physical activities of the Park but also the wellbeing benefits it could offer (such as improving mental health wellness);
  - on how data would be captured and reported relating to those individuals that were making repeat visits to the Park;
  - on what measures would be put in place to ensure that deprived communities had the opportunity to access the facilities being offered by the Park, such as the Mount Batten water sports and activities centre;
  - on what measures would be put in place to ensure that certain demographics in the city did not miss out on engaging with National Marine Park; there was concern that the consultation taking place at the National Marine Aquarium, as part of the open day event would not be representative of the whole of the city, as those individuals from deprived areas may not be able to afford to travel to the Aquarium and may be unaware of the event due to being digitally excluded; the impact on deprived communities also needed to be considered such as aspirations, understanding, child care, feeling safe to go to new places, etc);
  - on whether the Council as the freeholder, would take measures to maximise access to the water and foreshore; there had been a number of leaseholders who had stopped public access to these areas, as part of their business development plans: therefore would the Council not grant

permission for the leaseholder to stop access;

- on whether the Council had started conversations with organisations that were already using the waterfront (as individuals being encouraged to participate in the taster sessions and wishing to progress their interests, would need to be signposted to the relevant organisations; this engagement could also assist organisations with their funding bids);
- on whether the Council would be liaising with organisations that had undertaken consultation in the city, in order to share information, outcomes, etc.

The Committee requested that -

- (e) the National Marine Park officers reach out to elected members, in order to identify relevant organisations for potential partnerships, in line with the Council's community engagement policy and process;
- (f) the community strand of the Plan include health, wellbeing, emotional and educational access, as well as physical access.

The Committee agreed -

- (1) to endorse the approach to the community engagement, as detailed in the NMP Horizons Activity Plan;
- (2) that it asks for the outputs and learning from the NMP Horizons Activity Plan delivery to be presented to it in March 2023, to enable any recommendation of the Committee to be included in the Delivery Phase Bid for the NMP Horizons project.

Councillor Dr Buchan was not present for this item only due to her Disclosable pecuniary interest.

Councillor Dr Cree was not present for this item or for the remainder of the meeting

#### 44. **Plymouth and South Devon Freeport**

Councillor Nicky Kelly (Leader of the Council), Kevin McKenzie (Policy and Intelligence Advisor) and Richard May (Head of Oceansgate and Marine Investment) presented the report which highlighted the following key areas –

- (a) Plymouth and South Devon Freeport was the result of a successful bid submitted by Plymouth City Council in February 2021;
- (b) the report provided members with an update on the progress and the Council's intention to secure a formal decision endorsing the Full

Business Case.

The Committee –

(c) sought clarification -

- on the governance arrangements and whether the full members would be members of the newly formed company, or whether the company would have different governance arrangements (and how the full members would link with the company);
- on the EIA (disability accessibility); the EIA stated that the large majority of buildings within the Freeport would be closed to members of the public, so accessibility would not be an issue; however, accessibility did not just relate to members of the public but employees and contractors entering these buildings;
- on the EIA (deprivation); the EIA stated that Plymouth had two local super output areas in the most deprived one percent of England; however, the mitigations had not referenced these areas;
- on whether as part of the impact assessment, a transport assessment could be provided, in order to fully understand the movement of traffic between the Freeport sites;
- on both the environmental and health impacts of moving goods and products between the sites within the Freeport;
- on whether members of the public and local communities (affected by the sites identified within the Freeport) would have the opportunity to comment; (if the sites identified were brought forward as planning applications, how would the Council prepare for any mass planning objections);

(d) raised -

concerns that the Freeport would exacerbate the parking issues being experienced in Devonport which was having a detrimental impact on the local community; additional people accessing the sites, movement of goods and the increase in carbon emissions would further impact residents; parking in the area had been made worse by the Oceansgate site, the opening of Devonport Market Hall and the reinvestment in the dockyard.

Councillor Coker advised that he would be happy to liaise with officers relating to specific parking issues in Devonport. He had tried over a number of years to get Babcock and the Royal Navy to implement a green travel plan but to no avail. The

proposed provision of a multi storey car park would not address this issue, as vehicle would still need to drive to this facility.

Anthony Payne (Strategic Director for Place) advised that he would be happy to take this issue up with Babcock and the Royal Navy. However, this issue was outside of the Freeport project. He was currently waiting for feedback from Babcock and the Royal Navy with regard to the provision of their sustainable transport plans. Once this information had been received, Ward Councillors would be engaged with but at this stage, he was unclear when this information would be provided.

Councillor Coker highlighted that in order to access the Freeport sites, people would need to drive through the local community.

The Committee agreed —

- (1) to recommend to Cabinet that the Committee endorses the submission of the Full Business Case subject to the report setting out -
  - the business case for Oceansgate, the capital requirement and now it will be met;
  - governance arrangements and the legal status of the Freeport Authority;
  - the operating model and staff recruitment;
  - the contractual commitments to landowners that will be set out in the site Specific Agreements;
  - the revenue commitment required from Plymouth City Council, as a landowner;
  - legal obligations arising from the customs sites;
- (2) public consultation process and public feedback loops to be clarified and public consultation to be built into the delivery of the Freeport using means such as planning process and bespoke engagement(s) as appropriate:
- (3) the Equality Impact Assessment consider issues of diversity (eg employee access) and skills support in areas of deprivation together with noise and emissions/pollution between sites, as well as on site;
- (4) the Carbon Net Zero Strategy for the Freeport considers carbon impact and seeks to minimise carbon outputs in areas such as people and goods moving between sites and also on site.

#### 45. **Exempt Business**

There were no items of exempt business.