

Cabinet

Tuesday 7 July 2015

PRESENT:

Councillor Evans, in the Chair.

Councillor Smith, Vice Chair.

Councillors Coker, Philippa Davey, McDonald, Penberthy, Jon Taylor and Vincent.

Also in attendance: Tracey Lee (Chief Executive), Lesa Annear (Strategic Director for Transformation and Change), Carole Burgoyne (Strategic Director for People), Kelechi Nnoaham (Director of Public Health), Anthony Payne (Strategic Director for Place) and Nicola Kirby (Democratic Support Officer).

For part of the meeting: Simon Dale (Interim Assistant Director for Street Services), Jayne Gorton (Head of Access and Planning), Judith Harwood (Assistant Director for Learning and Communities), Neil Mawson (Housing Delivery Officer) and Jo Siney (Head of Special Educational Needs and Disabilities).

Apologies for absence: Councillors Lowry and Tuffin

The meeting started at 2.00 pm and finished at 3.30 pm.

Note: At a future meeting, the Cabinet 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.

11. **COUNCILLOR PHILIPPA DAVEY**

The Chair welcomed Councillor Philippa Davey, the newly appointed Cabinet Member for Safer and Stronger Communities, to this her first meeting of Cabinet.

12. **DECLARATIONS OF INTEREST**

There were no declarations of interest made by councillors in accordance with the code of conduct in relation to items under consideration at this meeting.

13. **MINUTES**

Agreed the minutes of the meeting held on 9 June 2015.

14. **QUESTIONS FROM THE PUBLIC**

One question was submitted by a member of the public for this meeting, in accordance with Part B, paragraph 11 of the Constitution. Ms Casey attended the meeting and asked the following question. Councillor Evans responded as set out below.

Question No	Question By	Cabinet Member	Subject
1(15/16)	Ms A Casey	Councillor Evans, Leader	Planning Committee Joint Chairs
<p>Can you please explain how you can justify having two chairpersons on the planning committee, resulting in taking an extra £5,000 out of the budget, instead of having a chairperson and vice chairperson? Also this arrangement is not what is set out in the council's constitution.</p>			
<p>Response: The meeting of the Annual General Meeting held on 22 May 2015 approved changes to the composition of the Planning Committee resultant from the working arrangements agreed by the largest party and the largest opposition party following the local elections on 7 May 2015. As part of these working arrangements there is a joint chair for the Planning Committee with no formal Vice Chair position. The constitution was therefore changed to accommodate this working arrangement and had the approval of the majority of Council at the AGM, thus justifying the arrangement.</p>			

15. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

(Please see also minute 20 below).

16. **POSITIVE CHOICES FOR BETTER HEALTH IN A GROWING CITY - DIRECTOR OF PUBLIC HEALTH ANNUAL REPORT 2014/15**

Kelechi Nnoaham (Director of Public Health) presented his independent report entitled 'Positive Choices for Better Health in a Growing City' which focussed on Thrive Plymouth (4-4-54) and would be the baseline report for the 10 year programme to reduce health inequalities in Plymouth.

Councillor McDonald (Cabinet Member for Children, Young People and Public Health) sought approval of the recommendations in the Cabinet report.

In response to questions, Cabinet Members were advised that -

- (a) employers were increasingly concerned about the health of their workforce with pressures to increase productivity;
- (b) the Director of Public Health was considering -
 - the right way to deliver consistent messages to differing sectors of the city's population; and
 - social marketing to tackle increasing consumption of alcohol at home by some sectors of the population;

- (c) the Health and WellBeing Board would link with other partnerships and would consider how the city could respond to the challenges with a view to reporting back in approximately four months.

The Director of Public Health thanked his team for all their work and on behalf of Cabinet, the Chair also added his thanks to Kelechi Nnoaham and everyone involved in the production of the report.

Alternative options considered and reasons for the decision –

As set out in the report.

Agreed that the report is endorsed and commended to the Health and Wellbeing Board.

17. **DELEGATED AUTHORITY TO AWARD EDUCATION AND CHILDREN'S SOCIAL CARE TRANSPORT CONTRACTS**

Carole Burgoyne (Strategic Director for People) submitted a report seeking approval to delegate authority to the Cabinet Member for Children, Young People and Public Health to award the contracts following the re-tendering of transport arrangements for Special Educational Needs children and Looked After Children, without the requirement to seek further formal Cabinet approval. Cabinet Members were advised that this would streamline overall timescales and support the achievement of the January 2016 implementation target.

Councillor Jon Taylor (Cabinet Member for Transformation and Customer Services) introduced the proposals and indicated that he was confident that the service could be enhanced and savings achieved by doing things differently.

Councillor McDonald (Cabinet Member for Children, Young People and Public Health) offered reassurance to parents that they would receive a better service, a safe service and that passenger assistance would remain.

Simon Dale (Interim Assistant Director for Street Services), Jayne Gorton (Head of Access and Planning) attended the meeting for this item and Jayne Gorton confirmed that safety would be paramount with timetables delivering routine and regularity, parents having access to the transport team and regular liaison with the successful contractors.

Alternative options considered and reasons for the decision –

As set out in the report.

Agreed that the Cabinet Member for Children, Young People and Public Health is delegated authority to approve the award of contract for the new passenger transport contracts (taxis and minibuses) for education and children's social care without the need to seek further formal Cabinet approval.

18. **SPECIAL EDUCATIONAL NEEDS AND DISABILITY REVIEW AND FRAMEWORK FOR EDUCATION PROVISION 2015 -2018**

Carole Burgoyne (Strategic Director for People) submitted a report on the Special Educational Needs and Disability (SEND) review and the proposed framework for education provision 2015-18 (which would require further detailed planning with costs prior to implementation) together with an action plan setting out the next steps and an implementation plan.

Councillor McDonald (Cabinet Member for Children, Young People and Public Health) introduced the review which set out the level of SEND need and the proposed framework.

Judith Harwood (Assistant Director for Communities and Learning) and Jo Siney (Head of Special Educational Needs and Disabilities) attended the meeting for this item.

Cabinet Members -

- (a) were advised that the report had been supported by the Ambitious Plymouth Scrutiny Panel at its meeting held on 6 July 2015 and that updates on progress had been sought at regular intervals;
- (b) expressed concern at the comparison with other authorities which showed that this Council had nearly twice as many children with SEND statements compared with other similar authorities with 4,000 children in the city with statements which was 20% of the school population;
- (c) were informed that some local authorities were offering support to pre-school age children through multi agency support plans which appeared to reduce the need for long term enduring support;
- (d) were advised that schools had been fully consulted on the proposed framework;
- (e) were informed that the city had a significant amount of SEND provision which was also used by children from outside of the city.

Following a request by Cabinet, officers undertook to report back following an investigation into the reasons for the number of children in the city with statements and benchmarking with Portsmouth and Southampton City Councils.

Alternative options considered and reasons for the decision –

As set out in the report.

Agreed –

- (1) that the Ambitious Plymouth Scrutiny Panel receives regular progress reports;

- (2) the principles set out in the SEND Review and Framework 2015 – 2018;
- (3) in principle, the implementation plan;
- (4) to delegate authority to the Cabinet Member for Children, Young People and Public Health and the Cabinet Member for Finance to consider the detailed proposals including any capital requests prior to formal approval.

19. **COMPULSORY PURCHASE ORDER RESOLUTION FOR THE REGENERATION OF PHASE 3 NORTH PROSPECT**

Anthony Payne (Strategic Director for Place) submitted a report seeking approval to make a Compulsory Purchase Order (CPO) in the future, if necessary, as part of the third phase of the North Prospect regeneration project and relates to properties within the estate transferred to Plymouth Community Homes.

Councillor Penberthy (Cabinet Member for Co-operatives and Housing) introduced the proposals.

Neil Mawson (Housing Delivery Officer) attended the meeting for this item.

Cabinet Members were advised -

- (a) that although similar powers had been sought on two separate occasions, they had never been implemented and it was hoped that this would also not need to be implemented;
- (b) of concerns by a resident with regard to excessive and continual dust caused by previous development works in North Prospect.

Neil Mawson undertook to raise the continuing issue with Plymouth Community Homes and to ask them to work with future developers.

Alternative options considered and reasons for the decision –

As set out in the report.

The Cabinet specifically noted the considerations that arose under the Human Rights Act (1998) in respect of the proposed CPO and had full regard to the rights of those that would be affected by the CPO but, for the reasons set out in the report, determined nevertheless to authorise CPO procedure.

Agreed that in the event that a Compulsory Purchase Order is required for properties within Phase 3 of North Prospect defined as –

- 9 Mavisdale;
- 1,11,12,14,20,22,29,32,33,35,42,44,46,48,52,56,60,62,64,68, Wordsworth Road;
- 3,26,30,38,65 Wordsworth Crescent;

a Compulsory Purchase Order is made pursuant to Section 17 of the Housing Act 1985, in respect of the areas outlined in red on the plan submitted (appendix one).

20. **ROYAL TOWN PLANNING INSTITUTE AWARDS**

At the invitation of the Chair, Councillor Coker (Cabinet Member for Strategic Transport and Planning) advised Cabinet that the Planning Department had been recognised at the Royal Town Planning Institute Awards for Planning Excellence for their work on the Plymouth Plan in the category of Excellence in Plan Making Practice which was considered to be best practice with innovative measures for community engagement.

Cabinet paid tribute to Councillor Vincent (formerly the Cabinet Member responsible for the draft plan), Paul Barnard (Assistant Director for Strategic Planning and Infrastructure), all of his team and everyone who had made a contribution to the plan.