

Public Document Pack



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22 April 2013

CITY COUNCIL – ORDER OF PROCEEDINGS

Monday 22 April 2013

2.00 pm

Council House (Next to the Civic Centre), Plymouth

Members:

The Lord Mayor, Councillor Wright, Chair

The Deputy Lord Mayor, Councillor Singh, Vice Chair

Councillors Mrs Aspinall, Ball, Mrs Beer, Bowie, Bowyer, Mrs Bowyer, Browne, Casey, Churchill, Coker, Damarell, Darcy, Philippa Davey, Sam Davey, Mrs Dolan, Drear, Evans, K Foster, Mrs Foster, Fox, Fry, Gordon, Haydon, James, Jarvis, Jordan, Martin Leaves, Michael Leaves, Sam Leaves, Lowry, Dr. Mahony, McDonald, Monahan, Murphy, Mrs Nelder, Nicholson, Mrs Nicholson, Parker, Penberthy, Mrs Pengelly, Rennie, Ricketts, Dr. Salter, John Smith, Peter Smith, Stark, Stevens, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent, Wheeler, Wiggins and Williams.

The order of proceedings for the meeting is attached.

Tracey Lee
Chief Executive

CITY COUNCIL MEETING ORDER OF PROCEEDINGS

22 April 2013



**MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE LIST
SITUATED AT THE REAR OF THE CHAMBER.**

Before the start of the meeting, prayers will be said by the Lord Mayor's Chaplain, Father Sam Philpott, Priest-in-charge of St Peter's Church.

The Lord Mayor will draw the attention of councillors and the public to the following including the fire and emergency procedures as printed below -

FIRE, EMERGENCY AND OTHER PROCEDURES

Would you please note that –

- Toilets are situated at the front of the Council House at the foot of the stairs.
- If the fire alarm sounds, make your way immediately out of the public gallery through the exit at the back (the door through which you entered). For those in the Council Chamber the exit is through the doors at the back of the Chamber and down the stairs to the front of the Council House. The assembly area is to the right as you exit the Council House. For the mobility impaired, the assembly point is directly in front of the Council House car park.
- If you are in need of first aid, please make yourself known to any council officer and the designated first aiders will be contacted.
- This meeting is being broadcast live to the internet.
- Smoking is not permitted within the Council House building.

1 APOLOGIES

Councillor Browne

2 MINUTES

PAGES 1 – 16

The Lord Mayor will move that the minutes of the meeting of the City Council held on 25 February 2013 are approved.

3 DECLARATIONS OF INTEREST

PAGE 17

The Assistant Director for Democracy and Governance will invite councillors to make any declarations of interest relevant to today's meeting.

Councillors are reminded that an interest may be personal, prejudicial or a disclosable pecuniary interest in accordance with the Localism Act 2011 and the Council's Code of Conduct.

In declaring a personal, prejudicial or a disclosable pecuniary interest, councillors are advised that they must also declare the nature of that interest.

4 APPOINTMENTS TO COMMITTEES, OUTSIDE BODIES ETC

PAGES 19 - 21

(1) The City Council is asked to consider the following vacancies and further details relating to the requests as set out below –

	Committee, Outside Body etc	Membership	Appointment
(a)	Plymouth Fairness Commission NEW BODY	two councillors: Cabinet Member for Co-operatives and Community Development and one councillor from the opposition party	Cabinet Member for Co-operatives and Community Development Cllr Dr Salter
(b)	Municipal Charities of Plymouth	Four representatives: Cllrs Fox and Penberthy and Betty Gray One vacancy arising from resignation of Fred Brimacombe	Pauline Bunkin

(2) The City Council is asked to note that the following bodies have ceased -

	Committee, Outside Body etc	Membership
(c)	Children and Young People's Trust	Councillors Williams, Philippa Davey and Mrs Bowyer
(d)	Devon Playing Fields Association	Councillor Vincent
(e)	Devonport Community Lands Trust	Councillor Stevens
(f)	Learning Disability Partnership Board	Councillor Gordon

5 ANNOUNCEMENTS

(a) The Lord Mayor

- Local Government Information Unit Councillor Awards

(b) The Leader, Cabinet Members or Chairs of Committees

- Announcement by Derriford on regional pay;
- Leader's letter to the Prime Minister concerning Plymouth being the Host City for Mayflower 2020 and Councillor Peter Smith joining the Chamber of Commerce Delegation re Massachusetts;
- City of Culture Bid.

6 QUESTIONS BY THE PUBLIC

To receive questions from and provide answers to the public in relation to matters which, in the opinion of the Lord Mayor, are relevant to the business of the meeting in accordance with paragraph 10 of the constitution.

There are seven questions for today's meeting.

Question No	Question By	Cabinet Member	Subject
Q8/12-13	Mr R Aldred	Councillors Lowry (Cabinet Member for Finance) and Penberthy (Cabinet Member for Cooperatives and Community Development)	Cuts in Housing Benefit
<p>This labour council have said that they are opposed to the spare room subsidy or bedroom tax, and I would like to know what steps they will be taking to ensure that housing associations do not evict those who are unable to afford the 14-25% cut in Housing Benefit?</p>			
<p>Response:</p> <p>The Council has taken a very proactive stance on mitigating the negative impact of the coalition Governments welfare reform changes. It is actively working to limit this, and examples of partnership initiatives to prevent evictions that result from loss of benefit due to under-occupation are:</p> <ul style="list-style-type: none"> • Identifying individual households affected and targeting support: The Council's Revs & Bens Department have identified every household that will receive reduced levels of Housing Benefit, and have shared this information with Housing Associations. At a recent partnership meeting, Housing Association partners assured the Local Authority that they are proactively contacting each and every affected tenant to offer support. In addition visiting officers from the Local Authority and the DWP will combine to offer specialist affordability/employment related support to households in social housing who are experiencing high levels of loss (due to the combined impact of being subject to the benefit cap) • Pre-court eviction prevention panel: A new initiative about to be piloted with tenants of Devon & Cornwall Homes (DCH) with support provided by Shelter. The aim of the panel is to ensure that tenants engage with support after they have been issued with a notice seeking possession. The next step would normally be court proceedings, but support to develop a personal action plan (delivered alongside a realistic view about future housing options) proactively seeks to prevent eviction. Support will include development of an arrears repayment plan; money management skills; help to address debt issues; income maximisation work and other support required on an individual basis. • Support to access Discretionary Housing Payments: Our partnership forum is specifically working with housing associations to develop access to this limited funding pot for tenants who simply cannot afford the additional amount and would otherwise fall into rent arrears. Priorities will include affected social tenants where: properties have been substantially adapted around tenant's disability needs; where a medical condition, behavioural issues or disability 			

mean that it is unsuitable for members of a household to share a room where they would otherwise be expected to; foster carers between placements of children; tenants who are pregnant and for whom the under-occupation issue is therefore short term.

- **Ensuring that tenancies are affordable, and that tenants can manage their money:** The Housing Options service have commissioned an additional service from the main Advice Plymouth contract, with the aim of proactively offering a welfare rights/housing affordability check and money management advice to every customer that attends the Housing Options service asking for advice. In addition Big Lottery funding in the city will enable new young tenants of social housing to receive financial capability advice and support. Both of these services seek to ensure that new tenants in social housing are better prepared for their tenancies, and are able to manage their money (and rent payments) much better, avoiding the potential for eviction action to be taken.
- **Giving priority within the social housing register for affected tenants who wish to downsize:** Current social housing tenants have been awarded additional priority within the Devon Home Choice housing register since September 2012. Their ability to apply for a smaller property from within band 'B' significantly increases their chances of bidding successfully for a more affordable property.
- **Increase accessibility of private rented sector:** For tenants in receipt of full housing benefit, a move to an appropriately sized private rented property may be the quickest way to secure an affordable property of a decent standard in an area of their choice. Tenants are often reluctant to move from social housing to houses with the permitted number of bedrooms in the private rented sector, even when this would be more affordable to them. However, the expansion of Easy Let scheme (that matches private rented properties with appropriate properties) enables Housing Options staff to offer this as a realistic option.
- **Work within Housing Associations to encourage tenants to exchange properties:** Housing Associations report that applications for mutual exchanges have noticeably increased this year, and they continue to encourage their tenants to access the Home-swapper scheme. Recently the Devon Home Choice on-line system has been updated to take a more proactive approach to enabling people to easily access information about mutual exchange properties that are being advertised.
- **Housing Delivery:** In addition to this proactive approach to prevent evictions, PCC is responsible for working with Housing Associations to secure funding and provide land assets to build new affordable housing and has offered ten new housing sites recently which are planned to deliver 616 new homes of which 43% are new affordable homes. The Council also works proactively with the Plymouth Housing Development Partnership of Housing Association partners and developers to enable the delivery of new development opportunities and to influence the tenure and mix of new homes so that there are increased opportunities for downsizing (i.e. including a higher proportion of smaller one and two bed units). Our regeneration activities further improve the number and mix of new homes, helping to rebalance housing markets in some of our priority neighbourhoods.

The Council will determine our policy on the Bedroom Tax later this afternoon. I hope that you are able to stay and listen to the debate and observe the decision being made.

Question No	Question By	Cabinet Member	Subject
Q9/12-13	Mr D Moore	Councillor Lowry (Cabinet Member for Finance)	Cuts to Council Tax Benefits
What are the council's total financial reserves and could you use some of these to offset cuts to Council Tax Benefits?			
<p>Response:</p> <p>Total reserve balances are forecast at £31.3m at the end of March 2013, of which £20m are earmarked against future known expenditure and will at some point be spent. This leaves a modest working reserve of 5% or £1.1m and would be used up within four years if we were to make up the government's cut in Council Tax Benefit to individuals, thereby leaving the council potentially bankrupt.</p> <p>As a Council, we have been very aware of the impact of the cuts to funding for Council Tax Benefits and have made our views clear to the Government. So whilst we as a Council would like to fully fund the reductions, we are faced with the fact that we are unable to do so.</p> <p>As you will understand, this Council will need to make tough choices as we face the reality of ensuring we balance the needs of the people of Plymouth and maintain essential services whilst accepting the reality of central government cuts to our core funding. Over the four year period to 2015/16 Plymouth City Council will see anticipated funding reductions of over 35%.</p> <p>However, the Council Tax Support Scheme we have introduced aims to minimise the impact on individuals as far as possible, and to help further support the most vulnerable residents, we have created an Exceptional Hardship Fund.</p>			

Question No	Question By	Cabinet Member	Subject
Q10 /12-13	Mr S Taylor-Wickenden	Councillor Lowry (Cabinet Member for Finance)	Cuts to Council Tax Benefit
How do you think we can afford to make up for the 25% Council Tax Benefit cut and pay for the 14-25% bedroom tax or spare room subsidy when my benefit has only gone up by 1%, a dismal 54p?			
<p>Response:</p> <p>Plymouth has worked hard to minimise the impact of the Governments cuts to funding and has implemented a Council Tax Support scheme which aims to achieve this and have introduced an Exceptional Hardship Fund to support the most vulnerable residents. We are currently preparing to lobby the Government in relation the 'bedroom tax' over which the Council has no direct discretion.</p> <p>We are working with our Social Landlords to find ways to support tenants and a Discretionary Housing Fund has been set aside to help residents move to suitable accommodation. However we recognise that this funding will only help around 17% of those affected.</p> <p>Knowing your household budget is going to be really important and staff and agencies are working together to help residents work out what they can afford and options available to them.</p>			

Question No	Question By	Cabinet Member	Subject
Q11 /12-13	Dr L Alldridge	Councillor Lowry (Cabinet Member for Finance), Councillor Penberthy (Cabinet Member for Cooperatives and Community Development) and Councillor Williams (Cabinet Member for Children and Young People)	Impact of cuts on Child Poverty
How will these cuts affect child poverty in Plymouth? How will you keep your promise to reduce child poverty in the town?			
<p>Response:</p> <p>How will these cuts affect child poverty in Plymouth?</p> <p><u>The National Context</u></p> <p>Attempts to tackle child poverty across the country are taking place within an environment of public spending cuts, the level of which has only been seen once since the World War II period.</p> <p>Families with children are shouldering a disproportionate burden as a result of the government's austerity cuts.</p> <p>As a result of the changes being introduced between January 2011 and April 2014, households with children are set to lose more than pensioner households and working-age households without children.</p> <p>This disparity is largely driven by a package of benefit and tax credit reforms which are disproportionately affecting our poorest households (e.g. non-working lone parents), households with three or more children, households with children under 5yrs and households living in private rented accommodation.</p> <p>Our poorest families face a future of disproportionately lower incomes, increased pressure to take work or increase their hours, continuing stigmatisation of dependency, and families being blamed for their poverty rather than the nature and structures of society being examined.</p> <p><u>The Local Context</u></p> <p>Plymouth has high levels of deprivation with a number of neighbourhoods among some of the most deprived in the country. Plymouth is just above the bottom 20% of local authorities for levels of deprivation and is most deprived in the domains of income and employment scale.</p> <p>One in five Plymouth children are living in poverty with one Local Super Output Area alone having 57.6% of children in poverty. Plymouth families earning less than £251 per week are classed as living in poverty. This equates to 11,560 children, of which 10,190 are aged under 16.</p> <p>Overall, changes to the benefits and tax credits system is estimated to impact 20% of the city's population, disproportionately affecting some of our most vulnerable families.</p>			

Austerity cuts at a national level are also impacting local government. We are being forced to take financial sums out of our spend while endeavouring to ensure that this doesn't affect our most vulnerable households.

While at a local level we are working hard to reduce our child poverty levels, it appears that current government policy is making this difficult for us to achieve.

How will you keep your promise to reduce child poverty in the town?

Child Poverty in Plymouth is being taken seriously.

Plymouth City Council expects to publish its three year Child Poverty Strategy and Action Plan at the end of May 2013. This strategy will present how Plymouth aims to tackle the causes and impact of child poverty, while also acknowledging the limits and challenges presented by the current economic and social environment. The breadth of work already being undertaken to tackle child poverty across the city is also reflected in the strategy.

This work has been overseen by a Child Poverty Cross Party Working Group which also oversaw development of the Child Poverty Needs Assessment. All documents can be accessed at via the dedicated child poverty page on the Plymouth City Council website.

Question No	Question By	Cabinet Member	Subject
Q12 /12-13	Mr C Willcox	Councillor Lowry (Cabinet Member for Finance)	Council tax enforcement
Can the council assure tenants that they will not be issuing liability orders for non-payment of council tax if they genuinely cannot afford to pay for the 25% cut in Council Tax Benefit and will they be hiring bailiffs to evict people if they accrue debts?			
<p>Response:</p> <p>We worked hard to limit the impact of the Council Tax benefit cuts and, following public consultation, implemented a new Council Tax Support Scheme from 1 April 2013. We wrote to everyone who is affected before the changes were implemented.</p> <p>Our overriding aim is to work with customers to help them pay. Various payment options are available and payment plans can be agreed with us. However, if the instalments or payment plan that is agreed with the council is not maintained then appropriate further recovery action will be taken. This could include issuing a liability order for non-payment of council tax. This will allow us to arrange an attachment to benefits rather than referring to our bailiff where possible.</p> <p>Our 'Money Advice.....' booklet includes details of the recent changes and offers help and advice for people on low incomes.</p>			

Question No	Question By	Cabinet Member	Subject
Q13 /12-13	Mr R Davey	Councillor Lowry (Cabinet Member for Finance) and Penberthy (Cabinet Member for Cooperatives and Community Development)	Impact of welfare reforms on rent arrears and repossessions
<p>In Torfaen, trial-version welfare reforms (including the bedroom tax and direct payment of housing benefit) increased rent arrears sevenfold. What impact do you expect these reforms to have on the spread and severity of rent arrears in Plymouth, and on the cost to housing associations of pursuing arrears and repossessions?</p>			
<p>Response:</p> <p>The Council is aware that the demonstration projects have seen rent arrears increase as a consequence of both bedroom tax and Universal Credit. For that reason the Council believes that it is possible that this will happen in Plymouth. We are unable to forecast the level of any potential rise. Instead the Council is concentrating on trying to mitigate the changes and to support Registered Social Landlords to minimise the impact.</p> <p>Examples of partnership initiatives to prevent evictions that result from loss of benefit due to under-occupation are:</p> <ul style="list-style-type: none"> • Identifying individual households affected and targeting support: The Council's Revs & Bens Department have identified every household that will receive reduced levels of Housing Benefit, and have shared this information with Housing Associations. At a recent partnership meeting, Housing Association partners assured the Local Authority that they are proactively contacting each and every affected tenant to offer support. In addition visiting officers from the Local Authority and the DWP will combine to offer specialist affordability/employment related support to households in social housing who are experiencing high levels of loss (due to the combined impact of being subject to the benefit cap) • Pre-court eviction prevention panel: A new initiative about to be piloted with tenants of Devon & Cornwall Homes (DCH) with support provided by Shelter. The aim of the panel is to ensure that tenants engage with support after they have been issued with a notice seeking possession. The next step would normally be court proceedings, but support to develop a personal action plan (delivered alongside a realistic view about future housing options) proactively seeks to prevent eviction. Support will include development of an arrears repayment plan; money management skills; help to address debt issues; income maximisation work and other support required on an individual basis. • Support to access Discretionary Housing Payments: Our partnership forum is specifically working with housing associations to develop access to this limited funding pot for tenants who simply cannot afford the additional amount and would otherwise fall into rent arrears. Priorities will include affected social tenants where: properties have been substantially adapted around tenant's disability needs; where a medical condition, behavioural issues or disability mean that it is unsuitable for members of a household to share a room where they would otherwise be expected to; foster carers between placements of children; tenants who are pregnant and for whom the under-occupation issue is therefore short term. 			

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Question No	Question By	Cabinet Member	Subject
Q14 /12-13	Mr G Fidler	Councillor Lowry (Cabinet Member for Finance)	Cuts to Council Tax Benefit
Due to the cuts to the Council Tax Benefit, how much extra council tax will people affected in Plymouth have to pay? Please provide examples.			
<p>Response:</p> <p>The new Council Tax Reduction Scheme will reduce the amount of support people of working age receive to help pay their council tax bill. From April that amount of support has been reduced to a maximum of 75 per cent. This means all working age claimants who qualify for Council Tax Support will have to pay at least 25 per cent of the yearly council tax charge.</p> <p>The majority of Plymouth council tax payers are in Band A and Band B properties and these are the indicative amounts of council tax a household will be expected to pay, based on 2 adults in the household or a single person, with a single person discount from April 2013.</p> <p>Band A full annual charge is £1005.24. Paying at least 25 per cent of this annual charge will mean a minimum annual charge of £251.31, resulting in a minimum weekly payment of £4.83 based on 2 adults in the household. If a single person discount of 25 per cent applies this will reduce the minimum weekly payment to £3.62.</p> <p>Band B full annual charge is £1172.79. Paying at least 25 per cent of this annual charge will mean a minimum annual charge of £293.20, resulting in a minimum weekly payment of £5.64 based on 2 adults in the household. If a single person discount of 25 per cent applies this will reduce the minimum weekly payment to £4.23.</p> <p>Further restrictions have been brought in for those working age customers who are in a Band F property or above. The maximum amount of Council Tax Support will be 75 per cent of the annual charge for a Band E property, this is £1382.20. As a minimum, customers in a Band F property or above will have to pay the difference between the £1382.20 and their full annual charge.</p> <p>The table below indicates the amount of council tax a household will be expected to pay based on 2 adults in the household and a single person (SPD) from April 2013.</p>			

Council Tax for 2013-2014					
Band	Full Annual Charge £	75% Annual maximum Support £	25% Annual charge to pay £	Minimum weekly payment £	Minimum weekly payment with 25% SPD £
Band A + DPR	838.26	628.26	209.56	4.03	3.02
A	1005.24	753.93	251.31	4.83	3.62
B	1172.79	879.60	293.20	5.64	4.23
C	1340.32	1005.24	335.08	6.44	4.83
D	1507.86	1130.90	376.96	7.25	5.44
E	1842.93	1382.20	460.73	8.86	6.65
		Restrict to Band E - annual maximum support £			
F	2178.02	1382.20	795.82	15.30	11.48
G	2513.10	1382.20	1130.90	21.75	16.31
H	3015.72	1382.20	1633.52	31.41	23.56

(Note: There is a 10 minute time limit on this item)

TO RESPOND TO RECOMMENDATIONS FROM CABINET

7 Urban Enterprise – New Enterprise Units at Millfields Trust PAGES 23 - 32

The Lord Mayor will invite Councillor Evans (Council Leader) to present the Cabinet recommendations (Cabinet minute 155 refers).

The Lord Mayor will invite the Council to vote on the recommendations to agree –

- (1) subject to a favourable outcome to both the ERDF and GPF applications, that the Council acts as guarantor for Millfields Trust for repayment of the balance of the Trust's loan from the LEP outstanding to a maximum of £2.1m in accordance with an agreed Heads of Terms between Plymouth City Council and the Millfields Trust which mitigates the potential financial impact upon the Council;
- (2) to delegate approval of the Heads of Terms to the Director for Place.

**8 Development Plan: Adoption of Development Guidelines
Supplementary Planning Document: First Review PAGES 33 - 184**

The Lord Mayor will invite Councillor Vincent (Cabinet Member for Environment) to present the Cabinet recommendations (Cabinet minute 165a refers).

The Lord Mayor will invite the Council to vote on the recommendations to –

- (1) formally adopt the Development Guidelines Supplementary Planning Document: First Review (Appendix I to the written report);
- (2) delegate authority to the Assistant Director for Planning Services to approve the final publication version of the Supplementary Planning Document.

9 Adoption of Community Infrastructure Levy Charging Schedule PAGES 185 – 202

The Lord Mayor will invite Councillor Vincent (Cabinet Member for Environment) to present the Cabinet recommendations (Cabinet minute 166a refers).

The Lord Mayor will invite the Council to vote on the recommendations to adopt –

- (1) the Community Infrastructure Levy Charging Schedule attached as Appendix I to the written report, and set the date for the Charging Schedule to take effect as 1 June 2013;
- (2) the Community Infrastructure Levy Instalments Policy attached as Appendix 2 to the written report.

TO RESPOND TO A RECOMMENDATION FROM THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD

10 Restructure of Overview and Scrutiny

PAGES 203 - 220

The Lord Mayor will invite Councillor Mrs Aspinall (Chair of the Overview and Scrutiny Management Committee) to present the written report of the Lead Scrutiny Officer (Overview and Scrutiny Management Board minute 136 refers).

The Lord Mayor will invite the Council to vote on the recommendations as amended that -

- (1) a new scrutiny structure is approved (as detailed in the report to the City Council);
- (2) the new terms of reference for the Co-operative Scrutiny Board and each of the panels are approved **subject to the following amendments** and incorporated into the constitution -
 - (a) **social enterprise support is moved from the responsibilities of the Your Plymouth Panel to the Working Plymouth Panel;**
 - (b) **child poverty is added to the responsibilities of the Co-operative Scrutiny Board;**
- (3) statutory health scrutiny functions (other than referral of matters to the Secretary of State for Health) are delegated to the Caring Plymouth panel.

TO RESPOND TO A RECOMMENDATION FROM THE LORD MAYOR'S SELECTION COMMITTEE

11 Lord Mayoralty 2013/14

PAGE 221

The Lord Mayor will invite Councillor Evans (Chair of the Lord Mayor's Selection Committee) to present the recommendation of the Lord Mayor's Selection Committee (Lord Mayor's Selection Committee minute 3 refers).

The Lord Mayor will invite the Council to vote on the recommendation to appoint Councillor Mrs Pengelly as Lord Mayor for the ensuing year.

MOTIONS ON NOTICE

12 A Reliable Railway Link for Plymouth

PAGE 223

This Council considers it scandalous that the only mainline railway connection to the fifteenth largest city in the country, as well as to the entire County of Cornwall, continues to rest upon a bank of pebbles which wash away when it rains too much. A 21st century city cannot prosper when it relies upon 19th century infrastructure. We therefore call upon the Government to replace mere discussion with urgent practical action, and spend just a tiny fraction of the £30 billion being proposed for the Midlands' HS2 scheme to install in the very near future at Cowley Bridge outside Exeter, and any similarly vulnerable sites on the route to Plymouth, a concrete viaduct or other robust technical solution.

Proposed by Councillor Dr. Salter

Seconded by Councillor Drean

13 Further Motions on Notice

(a) Under – Occupancy ‘Bedroom Tax’

SUPPLEMENT PAGES 1- 2

- The under-occupancy reductions ‘bedroom tax’ came into effect on 1 April 2013. The reductions stipulate a 14% reduction for those homes deemed to have one bedroom more than they need and 25% reduction for those homes deemed to have two more bedrooms than they need.
- It will affect anyone of working age (below 61 ½) deemed to be under-occupying a social housing home. This equates to 2000 homes across Plymouth with the average reduction being £10 per week for one additional bedroom and £20 per week for two.
- Those couples who need an extra bedroom because of one of them having a medical condition or disability are not exempt and will be subject to a reduction.
- Non-resident parents who have their children to stay at weekends in the holidays for instance are not exempt and will be subject to a reduction.
- Families who offer regular respite support to other family members are not exempt and will be subject to a reduction.
- People living in homes which have been substantially adapted at tax-payers’ expense to meet their need are not exempt and will be subject to a reduction.
- This Council is committed to supporting all residents both children and adults, including those with disabilities and medical needs.
- The Discretionary Payments Fund that the Government has made available is estimated to cover less than 17% of those affected by the bedroom tax.
- The Government’s own Equality Impact Assessment estimates that two-thirds of households affected will have a member with a disability.
- Many independent analysts are predicting that households will move into the private rented sector, costing more, and that care needs for many disabled people will increase, again costing more. Rents for private housing invariably costs more than social housing and are less likely to be adapted for disability needs.
- There is not an excess supply of small properties available for households to move into in Plymouth.

Council therefore believes:

- That the bedroom tax will unfairly hit many people including families with disabled children or adults, families who share the care of their children, families who offer respite care to other family members.
- This policy may well end up costing the public purse more.

- That disabled people – both adults and children – deserve respect and not to be penalised for their medical needs.
- That we value the role of non-resident parents and believe they should be encouraged to play as full a part in the lives of their children as possible.
- That we value and appreciate the role of families who offer respite care – and not only because it saves the taxpayer billions of pounds.
- That Housing Associations will have difficulty in keeping arrears down, damaging services for all tenants.

Council therefore resolves to:

- Ask the Chief Executive to write to the Secretary of State outlining our concerns and urgently requesting that the bedroom tax is scrapped.
- Ask the Cabinet Member for Co-operatives and Community Development to write to Plymouth MPs outlining our concerns and asking that they lobby for their affected constituents and push for the bedroom tax to be scrapped.
- To offer support and encouragement to the Plymouth Social Landlords Group as they proactively support their tenants.

Proposed by Councillor Penberthy
Seconded by Councillor Kate Taylor

(b) National Minimum Wage**SUPPLEMENT PAGES 3- 4****Council Notes:**

A review from the Government (BIS) has suggested that the Low Pay Commission (LPC) should formally consider its impact on 'employment and the economy' before recommending future increases in the national minimum wage (NMW). The review explicitly recommends that new terms for the Commission should incorporate 'the understood and accepted goal to raise the wages of the lowest paid without damaging employment or the economy'.

Council also notes: the recent abolition of the Agricultural Wages Board.

Council further notes:

- The National Minimum Wage Act 1998 created the first minimum wage across the United Kingdom. The NMW took effect on 1 April 1999 and is traditionally announced in March each year by the LPC, after negotiations with employers, unions and the Government.
- The NMW currently stand at £6.19 per hour for workers aged 21 years and older, £4.98 per hour for workers aged 18 and 20.
- According to the Low Pay Commission (2012), the adult rate of the NMW has increased by nearly 69 per cent since its introduction. That is faster than both average earnings and prices. Since October 2006, however, the increases in the minimum wage have broadly been in line with average earnings, though below inflation.
- Based on a wealth of economic research, the Low Pay Commission conclude that the lowest paid have received higher than average pay rises, there has not been a rise in wage inflation and, on balance, there has been little or no significant adverse impact of the minimum wage on employment. They quote: 'The NMW was introduced 12 years ago and, at about the same time, wage inequality at the bottom of the earnings distribution started to fall, having risen over the preceding 20 years'.
- According to research for the LSE (2012), areas with the lowest wages prior to the introduction of the minimum wage experienced the greatest falls in inequality over the period from 1998 to 2010. In addition, the fall in wage inequality has been more pronounced in younger age groups. These findings have resonance for Plymouth – a generally low wage economy with a relatively large younger (aged 18-24) population.
- While no specific data for the impact of the NMW on Plymouth exist, trends in the city's earnings over the last decade point to an improvement in relative position. Between 2000 and 2010, average weekly workplace wages in the city increased from £360 to £422 per week¹. This meant that average wages relative to the SW average increased from 97% to 101% (1% above) and from 86% to 89% relative to the national average. On a resident basis, the relative gaps also closed – 92% to 93% (vs. SW) and 83% to 85% (vs. UK).
- The value of the NMW in real terms has fallen to 2004 levels under the coalition.

¹ Oxford Economics (2012) based on Annual Survey of Hours and Earnings (ASHE), ONS
ORDER OF PROCEEDINGS

Council believes that any freeze or reduction in the real value of the NMW may:

- Reverse the positive trends seen in the labour market since its inception.
- Reduce incentives to work at a time where Welfare reform is attempting to resolve this very issue. If remuneration for work diminishes, this could make the option of living off benefits a rational choice for individuals.
- Reduce consumer spending power at a time when demand is weak, real incomes constrained, and expectations over future prospects uncertain. In theory, those individuals at the lower end of the earnings spectrum tend to have a greater marginal propensity to spend to meet basic demands.
- Have an adverse impact upon the socio-economic wellbeing of households and families, for example, by increasing pressures on personal debt.
- Have an adverse impact on the apprenticeship programme – employers may make an active decision that lower paid part-time posts are more attractive than full-time apprenticeship post. This could have a disproportionate impact on younger people.

Council believes: that protection for the lowest paid workers is under threat.

Council therefore resolves to:

- Ask the Chief Executive to write to the Secretary of State outlining our concerns over changes to the remit of the Low Pay Commission and emphasising the value and importance of the NMW to the local economy.
- Ask the Chief Executive to write to Plymouth MPs outlining these concerns and asking that they lobby for their affected constituents, emphasising the value and importance of the NMW to Plymouth's economy.

Proposed by Councillor Evans

Seconded by Councillor Tuffin

(c) Construction Industry Blacklisting**SUPPLEMENT PAGE 5**

A number of construction companies have been challenged about supporting the existence of and subscribing to unlawful construction industry 'blacklists', which detail covertly gathered information on construction trade unionism, militant tendencies, poor timekeeping, trouble making, etc. Blacklisting is an unacceptable practice and cannot be condoned. The GMB union is leading a national campaign aimed at forcing those who have been involved in blacklisting to apologise to those who have been affected by it.

It is understood that the construction industry blacklist was collated by the Consulting Association (a private consultancy) and was then provided at a cost to construction companies as they sought to recruit/avoid new workers. The Information Commissioner has investigated and taken action against the Consulting Association for this practice.

Furthermore, the Information Commissioner has taken enforcement action against a number of construction companies based on the evidence recovered from the Consulting Association.

Owing to the concentration of construction activity in and around large cities, many of those alleged to have been discriminated against live in the country's major cities, and this practice may have disadvantaged residents of Plymouth.

Given the potential impact on residents of the Plymouth area, this Council –

- (a) deplores the use of unlawful blacklisting;
- (b) supports the GMB campaign;
- (c) agrees to amend the councils tender documentation for construction projects, which will request bidders to confirm that they do not subscribe to the use of unlawful construction industry 'blacklists' and exclude tenderers who use such blacklists, and further, will terminate the contract where the contractor is subsequently found to have used such blacklists;
- (d) will encourage its partners to take similar measures with regard to their suppliers

Proposed by Councillor Evans

Seconded by Councillor Peter Smith

14 REVISED COUNCILLORS' CODE OF CONDUCT**PAGES 225 - 238**

The Lord Mayor will invite the Assistant Director for Democracy and Governance to present his written report on the Councillors' Code of Conduct.

Councillor Peter Smith (Deputy Leader) will be invited to make a proposal for consideration.

The Lord Mayor will invite the Council to vote on the recommendations to –

- (1) adopt the revised code of conduct;
- (2) amend the council's constitution accordingly.

15 ESTABLISHMENT OF HEALTH AND WELLBEING BOARD PAGES 239 - 248

The Lord Mayor will invite the Assistant Director for Democracy and Governance to present his written report on the establishment of a Health and Wellbeing Board.

Councillor McDonald will be invited to make a proposal for consideration.

The Lord Mayor will invite the Council to vote on the recommendations to agree –

- (1) the establishment of the Health and Wellbeing Board from May 2013;
- (2) the core membership of the board;
- (3) that political proportionality is not applied to the board;
- (4) the terms of reference (attached to the written report).

16 REVIEW OF THE COUNCIL'S CONSTITUTION PAGES 249 - 256

The Lord Mayor will invite the Assistant Director for Democracy and Governance to present his written report on a review of the council's constitution.

Councillor Peter Smith (Deputy Leader) will be invited to make a proposal for consideration.

The Lord Mayor will invite the Council to vote on the recommendations to –

- (1) undertake a 'root and branch' review of the constitution to be managed through the Constitution Review Group;
- (2) structure the review around:
 - (a) agreeing and setting the principles of how the constitution should be formed;
 - (b) creating a written constitution to reflect those principles and put them into practice;
- (3) utilise external assistance in undertaking the review as described in the report.

17 PROGRAMME OF ORDINARY MEETINGS OF THE PAGES 257 - 260
COUNCIL AND COMMITTEES 2013/2014

The Lord Mayor will invite the Assistant Director for Democracy and Governance to introduce the draft programme of ordinary meetings of the Council and Committees for 2013/14.

Councillor Peter Smith (Deputy Leader) will be invited to make a proposal for consideration.

The Lord Mayor will invite the Council to agree the programme of ordinary meetings of the Council and Committees 2013/14.

18 REPORT OF THE LEADER ON URGENT CABINET AND PAGE 261
KEY DECISIONS

The Lord Mayor will invite Councillor Evans to present the written report on urgent Cabinet and key decisions.

The Lord Mayor will invite the Council to note the report.

19 QUESTIONS BY COUNCILLORS

Questions to the Leader, Cabinet Members and Committee Chairs covering aspects for their areas of responsibility or concern by councillors in accordance with Part B, paragraph 12 of the Constitution, on the basis of one minute for the question and two minutes for the reply. The same for supplementary questions.

(Note: There is a 45 minute time limit on this item)

20 EXEMPT BUSINESS

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph .. of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.