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Tracey Lee
Chief Executive

Plymouth City Council
Civic Centre
Plymouth PL1 2AA

Please ask for Nicola Kirby, Democratic
Support

T 01752 304867

E nicola.kirby@plymouth.gov.uk

www.plymouth.gov.uk/democracy

10 June 2013

CITY COUNCIL – ORDER OF PROCEEDINGS

Monday 10 June 2013

2 pm

Council House (Next to the Civic Centre), Plymouth

Members:

The Lord Mayor, Councillor Mrs Pengelly, Chair

The Deputy Lord Mayor, Councillor Churchill, Vice Chair

Councillors Mrs Aspinall, Ball, Mrs Beer, Bowie, Bowyer, Mrs Bowyer, Casey, Coker, Damarell, Darcy, Philippa Davey, Sam Davey, Mrs Dolan, Drean, 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, Rennie, Ricketts, Dr. Salter, Singh, John Smith, Peter Smith, Stark, Stevens, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent, Wheeler, Wiggins, Williams and Wright.

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CITY COUNCIL MEETING ORDER OF PROCEEDINGS

10 June 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 Reverend Mark Allsopp RN who is chaplain to 30 Commando Royal Marines, Stonehouse.

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

None

2 MINUTES

PAGES 1 – 40

The Lord Mayor will move that the minutes of the meeting of the City Council held on 22 April (and continued on 23 April 2013) and the Annual Meeting of the City Council held on 17 May 2013 for approval.

3 DECLARATIONS OF INTEREST

PAGE 41

The Assistant Director for Law, 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 disclosable pecuniary or private interest, councillors are advised that they must also declare the nature of that interest.

4 APPOINTMENTS TO COMMITTEES, OUTSIDE BODIES ETC

PAGES 43 - 44

(1) The City Council is asked to consider the following appointments (items (a) and (b) were deferred at the City Council's Annual Meeting) –

	Committees and Other Bodies	Membership	Appointments 2013/14
(a)	Plymouth Arts Centre	up to two observers	Cllr Jarvis Cllr Jordan
(b)	Plymouth Community Homes Board	Two vacancies arising from resignations of former Councillor Browne and Councillor Williams Current representatives are Sue Dann and Jack Thompson	The proposal is to defer appointments at the present time
(c)	Local Government Association General Assembly	up to four representatives Current representative is Cllr Evans (five votes)	Councillor Nicholson (Deputy Leader). The Labour Group does not wish to submit any further nominations
(d)	Pembroke Street Estate Management Board	Resignation of Councillor Coker	Councillor Stevens

Items (d), (e) and (f) have been added since the publication of the report.

(2) The City Council is asked to note the following appointments of substitute members -

	Committee, Outside Body etc	Membership
(e)	Mount Edgcumbe Joint Committee	Councillor Monahan
(f)	Tamar Bridge and Torpoint Ferry Joint Committee	Councillor Drean

5 ANNOUNCEMENTS

(a) The Lord Mayor

- Councillor David Stark – 50 years' service as a councillor

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

- Pledges (Leader)
- Adam Broome, Director for Corporate Services (Leader)
- Highways Investment (Councillor Coker)

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 two questions for today's meeting.

Question No	Question By	Cabinet Member	Subject
Q1/12-13	Mr Ryan Aldred	Councillor Penberthy (Cabinet Member for Cooperatives and Community Development)	Bedroom Tax: Reclassification by Housing Associations
<p>Will the Council be writing to the housing associations in the Plymouth area and encouraging them to reclassify their social housing as a way to properly oppose this bedroom tax as done by Leeds Council and the Knowsley Housing Trust?</p>			
<p>Response:</p> <p>The Council has been working cooperatively and proactively for over a year with partners to look at ways to mitigate the worst impact of the Government's Welfare Reforms.</p> <p>We are aware that the Government's Bedroom Tax is hitting our partners, their tenants and the Plymouth economy significantly. We have already been in discussions with partners around reclassification of bedrooms in some detail, and they are clear in pointing out that it is not a simple issue.</p> <p>National Government has made it almost impossible to find ways to legally lessen the impact on some of our poorest families. We are aware that within the first 8 weeks of the Bedroom Tax, our local Housing Associations have seen a steep rise in rent arrears, with it affecting at least 400 households in the city.</p> <p>Unfortunately the argument around reclassification is not simple and while the impact on councils who own their stock is minimal, Housing Associations have least room to manoeuvre. They have said that the main impacts would be:</p>			

- A loss of income as they would be required by law to cut their rents;
- A potential reclassification of premises impacted by the Bedroom Tax would lead to different rent charges being applied to identical properties based solely on who is paying the bill, a clearly unfair situation;
- A potential reclassification of all identical properties where any are impacted by the Bedroom Tax would lead to an immediate increase in overcrowded properties exacerbating the current situation, a course of action which neither they nor we would want to take;
- Financial viability as accommodation size is an important part of their housing stock value; this value is used to lever operating capital, improvement works and new housing developments.

As part of our ongoing work with our local Housing Associations I have already written to them to ask them to consider reclassification.

We will continue to support and work proactively with our partners to find ways of mitigating the impact of the Government's Bedroom Tax.

Question No	Question By	Cabinet Member	Subject
Q2/13-14	Mr Samuel Taylor-Wickenden	Councillor Lowry (Cabinet Member for Finance)	Debts from non-payment of Council Tax
<p>What will it cost for Plymouth City Council to hire bailiffs against those who accrue debts from non-payment of Council tax? Won't this increase rather than decrease the levels of poverty seen within Plymouth?</p>			
<p>Response:</p> <p>There are no costs to Plymouth City Council for the use of contracted bailiffs. Bailiff's recoup their costs by way of fees to the customer and Plymouth's bailiff's have some of the lowest charges.</p> <p>Any bailiff activity is undertaken as a last resort and once all other avenues to collect outstanding arrears have been exhausted. In the majority of cases collection to arrears is carried out by other means such as direct from earnings or benefits, or by an agreed payment plan.</p> <p>Only a small proportion of cases are sent to the bailiff (around 2% or arrears cases) and any cases that are deemed to be vulnerable or unsuitable for collection by the bailiff will not be referred, or will be recalled if details are found after the case has gone to the bailiff.</p> <p>Customer costs to the bailiff will vary depending on the size of the arrears and the level of interaction required by the bailiff to recover them.</p> <p>Plymouth aims to encourage customers to contact us as soon as possible if payments cannot be met in order that we can discuss options with the customer and avoid additional costs wherever possible.</p>			

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

7 COMMUNITY ASSET TRANSFER POLICY**PAGES 45 - 58**

The Lord Mayor will invite Councillor Penberthy (Cabinet Member for Cooperatives and Community Development) to present the Cabinet recommendation (Cabinet minute 6 refers).

The Lord Mayor will invite the Council to vote on the recommendation to adopt the newly drafted Community Asset Transfer Policy.

8 FINANCIAL OUTTURN 2012/13 (INCLUDING CAPITAL PROGRAMME UPDATE) PAGES 59 – 88

The Lord Mayor will invite Councillor Lowry (Cabinet Member for Finance) to present the Cabinet recommendations (Cabinet minute 9 refers).

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

- (1) that the provisional outturn position as at 31 March 2013 is noted;
- (2) the additional transfers to reserves reflected in the outturn figures -
 - transfer to Plymouth Life Centre Dowry for 2012/13; £0.150m
 - transfer to Pensions Reserve; £0.150m
 - transfer to General Reserve for community economic development trust development; £0.050m
- (3) that the adjusted revenue deficit for the year of £0.504m is noted and approval is given to the deficit being met by a transfer from the General Fund Working Balance;
- (4) the following net nil transfers between reserves and provisions:
 - creation of a Transformational Change Reserve £0.250m
 - transfer to Plymouth Life Centre Dowry (2013/14) £0.150m
 - transfer to Pension Reserve; £0.600m
 - net reduction to Insurance Provision and Reserves £(0.394)m
 - reduce VAT repayment reserve £(0.185)m
 - reduce Icelandic Bank legal reserve £(0.164)m
 - reduce Housing Rents provision £(0.171)m
 - reduce general commuted maintenance reserve £(0.086)m
- (5) that the capital financing requirement of £46.504m is noted and approval is given to the borrowing requirement of £4.806m for 2012/13;
- (6) the additional use of capital receipts totalling £0.840m and increasing the revenue Investment Fund Reserve by the same amount;

- (7) that the re-profiling changes to the capital programme identified during the outturn process subsequent to council approval in February 2013 are noted and approval is given to the latest revised forecasts totalling £122.670m for 2013/14 – 2015/16 which also include new approvals since February 2013 as set out in Table 5 in the report.

9 LANGAGE EMPLOYMENT UNITS

PAGES 89 – 104

The Lord Mayor will invite Councillor Lowry (Cabinet Member for Finance) to present the Cabinet recommendation (Cabinet minute 7a refers).

The Lord Mayor will invite the Council to vote on the recommendation to amend the capital programme to include £2.5m for a scheme to provide 2,787 square feet of industrial workspace at Langage.

10 SCRUTINY TERMS OF REFERENCE

PAGES 105 - 116

The Lord Mayor will invite Councillor James (Chair of the Cooperative Scrutiny Board) to present the Cooperative Scrutiny Board's recommendations. (Cooperative Scrutiny Board minute 4 refers and the proposed updated terms of reference are attached to the minute).

Councillor James will move the following amendment to add two additional recommendations (recommendation (8) to correct a drafting error) -

- (7) to add 'welfare reform' to the terms of reference of the Cooperative Scrutiny Board;
- (8) to amend the Partnership Links in the terms of reference for the Caring Plymouth panel where Children's Partnership (for social care matters) should read Children's Partnership (for health matters) and the link in the Ambitious Plymouth panel where Children's Partnership (for education matters) should read Children's Partnership (for social care and education matters).

The Lord Mayor will invite the Council to vote on the amendments to the terms of reference of the Cooperative Scrutiny Board and the scrutiny panels proposed by the Cooperative Scrutiny Board together with the two additional recommendations (7) and (8) as detailed above -

- (1) move Human Resources and ICT to the terms of reference for the Co-operative Scrutiny Board;
- (2) evidence a link between 'Working Plymouth' and 'Ambitious Plymouth' with respect to 'apprenticeships';
- (3) move Children's social care, adoption and fostering, early intervention and prevention, corporate parenting and the leadership and delivery of all services for children and young people out of the terms of reference for 'Caring Plymouth' and into the terms of reference for 'Ambitious Plymouth';
- (4) to amend the wording of the terms of reference for Caring Plymouth from 'Adult and Children's Health and Social Care' to Adult and Children's Health' to reflect (3) above;

- (5) add 'customer services' to the terms of reference for 'Your Plymouth';
- (6) update the 'corporate plan priorities' section of all terms of reference as and when the draft corporate plan is approved by City Council.

11 ANNUAL SCRUTINY REPORT 2012/13

PAGES 117 - 134

The Lord Mayor will invite Councillor James (Chair of the Cooperative Scrutiny Board) to present the Annual Scrutiny Report 2012/13.

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

MOTION ON NOTICE

12 Tackling Child Poverty

SUPPLEMENT

TACKLING CHILD POVERTY

Child poverty is essentially a result of poverty in families.

Child poverty matters because it means children suffer now and their future lives can be blighted.

Income is central to the lives of all families in poverty. This reflects the current national measure which classes families earning less than £251 per week as living in poverty. In Plymouth this equates to 11,560 children, of which 10,190 are aged under 16¹.

Amidst the deepening economic crisis, it is an opportune time to develop our local plan to tackle child poverty. Falling incomes, unemployment, rising cost of living, reduced economic activity and major changes to the way that welfare assistance is provided are having a real impact on Plymouth families both in the short and long term. For example, stressors such as job loss, home foreclosure, or loss in family savings can place strain on parental relationships and on the family as a whole. It can affect educational achievement of children by reducing families' abilities to provide a supportive learning environment or adequate nutrition, or by forcing a delay or abandonment of higher education plans.

Plymouth has shaped its response to child poverty based on its understanding of child poverty as the outcome of economic, environmental and social factors that can damage a child's development and limit or prevent children and young people from having many of the experiences and opportunities that others take for granted².

Our three year strategy presents 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.

Council therefore:

- (1) commends the Cross Party Working Group on Child Poverty, our partners, officers, Youth Council, the Overview and Scrutiny Management Board and Cabinet for their cooperation in developing a new Child Poverty Strategy for the city.

¹ Based on HMRC definition (Number of children in families in receipt of either out of work (means-tested) benefits, or in receipt of tax credits where their reported income is less than 60 per cent of median income. Snapshot at 31 August 2010.

² Definition taken from the Plymouth Children and Young People's Plan 2011-2014

- (2) commits to encourage partners to work with us to deliver the Child Poverty Strategy and action plan.
- (3) will actively support and promote the work of the new Standing Conference on Child Poverty.
- (4) instructs officers to share all background information, consultation responses and thinking from the last two years of work in developing the Child Poverty Strategy and action plan with the Plymouth Fairness Commission.
- (5) encourages members to act as Child Poverty Champions within their wards; working to mitigate the impact of child poverty now and take action to stop future generations lives being blighted by child poverty.

Proposed by Councillor Penberthy

Seconded by Councillor Mrs Bowyer

13 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)

14 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.

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