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Democratic Support

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CITY COUNCIL: ORDER OF PROCEEDINGS

Monday 25 November 2013

2.00 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, Morris, 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, Wogens, Williams and Wright.

The order of proceedings is attached.

Tracey Lee

Chief Executive

CITY COUNCIL

COUNCIL ORDER PROCEEDINGS 25 NOVEMBER 2013

CITY COUNCIL MEETING ORDER OF PROCEEDINGS

25 November 2013



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

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.

1 APOLOGIES

Councillor Mrs Dolan.

2 MINUTES

PAGES 1 – 20

The Lord Mayor will move that the minutes of the meeting of the City Council held on 16 September 2013 are approved subject to a minor amendment to minute 53 (6) to add the word 'over' before '80 per cent' in Councillor Williams' response to a question by Councillor Jordan.

3 DECLARATIONS OF INTEREST

PAGES 21 - 22

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 a disclosable pecuniary interest or a private interest in accordance with the Localism Act 2011 and the Council's Code of Conduct.

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

4 APPOINTMENTS TO COMMITTEES, OUTSIDE BODIES ETC

PAGES 23 - 24

(1) The City Council is asked to consider the following appointments –

	Committees and Other Bodies	Membership	Appointments 2013/14
(a)	Devon and Somerset Fire and Rescue Authority	Current representatives are Councillors Gordon and John Smith	Councillor Mrs Bowyer to replace Councillor Darcy
(b)	Plymouth Charity Trust	Current representatives are Councillors Penberthy and Jarvis, Mr M Foster and Mr C Robinson	Councillor Damarell to replace Councillor Penberthy

(2) Since the publication of the agenda papers, the following vacancies have been notified and the City Council is asked to approve the following appointments -

	Committees and Other Bodies	Membership	Appointments 2013/14
(c)	Admission Forum	Councillor Singh and Monahan	Councillor Mrs Bowyer to replace Councillor Monahan
(d)	LEP Community Interest Company (to replace current LEP Board)	One nominated Director	Councillor Evans Substitute: Tracey Lee (Chief Executive)
(e)	Local Government Association General Assembly	Councillor Evans	Councillor Peter Smith to be appointed as a substitute member

(3) The City Council is asked to note the following changes notified to the Assistant Director for Law, Democracy and Governance –

	Committee / Outside Body	Membership
(f)	Co-operative Scrutiny Board	Councillor Darcy to replace Councillor Ball
(g)	Ambitious Plymouth Overview and Scrutiny Panel	Councillor Mrs Beer (Vice Chair) to replace Councillor Monahan
(h)	Caring Plymouth Overview and Scrutiny Panel	Councillor Ricketts to replace Councillor Michael Leaves Councillor Mrs Foster to replace Councillor Mrs Beer
(i)	Working Plymouth Overview and Scrutiny Panel	Councillor Martin Leaves to replace Councillor Ball Councillor Darcy to replace Councillor Ball as Vice Chair

(j)	Your Plymouth Overview and Scrutiny Panel	Councillor Sam Leaves (Vice Chair) to replace Councillor Bowyer
(k)	Taxi Licensing Committee	Councillor Jarvis to replace Councillor Singh

5 ANNOUNCEMENTS

(a) The Lord Mayor

- (1) Former Councillor Peggy Radmore
- (2) 100th Anniversary of Warspite
- (3) Pride of Plymouth Awards
- (4) National Apprenticeships Awards 2013
- (5) EDUcatering Excellence Awards 2013

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

Leader

- Assisted area status

Cabinet members

Councillor Penberthy

- Social Enterprise City mark

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 is one question for today's meeting.

Question No	Question By	Cabinet Member	Subject
Q12/13-14	Mr John Williams	Councillor Penberthy (Cabinet Member for Co-operatives and Community Development)	Evictions for rent arrears
The Labour Leader of Renfrewshire Council has pledged that no tenant of his Authority will be evicted for rent arrears directly arising from the Under Occupancy Penalty, provided the Authority is apprised of the full circumstances. Why does this Authority not request Plymouth Community Homes to adopt a similar policy?			

Response:

We have asked them and Plymouth Community Homes has said, like all other Housing Associations in Plymouth, that they will not commit to such a policy for a number of reasons including:

- Such a policy would be impractical – wider welfare reforms make it hard to tell whether applicants have fallen into arrears as a result of the bedroom tax or because of other reasons (this is substantiated by data provided by Plymouth Community Homes that indicates that where under-occupiers are in rent arrears at this time, 90% were already in arrears prior to the bedroom tax being introduced).
- That it would be unfair to other tenants to introduce a ‘no eviction’ policy for under-occupiers, when other tenants who fall into arrears will continue to have eviction action taken against them.
- It gives the wrong message - tenants perceptions of a ‘no eviction’ policy may result in them not prioritising rent payments where they would otherwise have made them, because they’re aware that no action will be taken against them.
- The impact of reduced income for Housing Associations could result in them being unable to secure new funding to build new homes (a Council priority) and at worst could result in instability for the organisation that would be unsustainable in the longer term.

PCC is not a landlord and can’t instruct housing associations like PCH to follow any particular course of action. This does not mean that Housing Associations are not strongly committed to working in partnership with the City Council to mitigate the significant problems that the bedroom tax and other welfare reforms are causing the citizens of Plymouth, and to prevent evictions wherever possible.

A number of them – including Plymouth Community Homes - have employed dedicated staff to support tenants to downsize and help them to develop budgeting skills as well as access the available hardship funds.

This positive work is underpinned by initiatives introduced by Plymouth City Council that include:-

- Use of the Discretionary Housing Payments scheme to enable tenants in difficulty to meet rent payments when housing benefit has been reduced due to under-occupation.
- Easy and local access to welfare rights advisors, debt advice and budgeting skills workshops which has so far helped local people claim over £800,000 in previously unclaimed benefits to which they were entitled.
- Supporting the development of Plymouth Energy Community which offers savings on energy bills and protection against rising energy prices.
- A weekly pre-court ‘arrears panel’ that is attended by social landlords and tenants to negotiate and agree action plans to prevent further possession action being taken.
- Giving under-occupiers in social housing greater priority through Devon Home Choice (Band ‘B’) to give them a better chance of downsizing to more affordable properties.

- Proactive work to engage with affected tenants before they reach crisis/potential eviction action. Plans currently include an 'advice bus' that will tour social housing estates in January 2014 with Housing Association officers working alongside welfare reform advisors to discuss potential to mutual exchange with other tenants, access to hardship funds, and support to develop budgeting skills.

You can see from this that Plymouth's Labour Council and its partner housing providers are putting in significant resources to mitigate the impact of the Conservative government's Bedroom Tax which is an iniquitous and blunt tool. Nearly 1000 tenants now have to find 14% of their rent from other benefits – an average of £17pw. Nearly 240 households have to find 25% - or around £24pw at a time when heating bills, food and other costs are increasing.

The Conservative Bedroom Tax indiscriminately causes hardship and worry to many including vulnerable people who have no choice or opportunity to avoid its impact, as the Tory-led coalition government has not evaluated whether there are suitable homes for people to move to, before implementing it.

In Plymouth there are over 600 households waiting to downsize to avoid the Bedroom Tax, but despite Plymouth being a top quartile performer in delivering new homes – there is just not enough supply to meet this demand in the short or medium term.

Rather than asking housing providers to put their businesses at risk through soaking up the benefit loss, or for other tenants to subsidise this cut, a more effective action would be to lobby this Tory-led Government to abolish the tax now. I am glad that local MP Alison Seabeck voted to do just this in a recent parliamentary debate. I am proud to be part of Plymouth's Labour Council and to back Ed Miliband's promise to scrap the Bedroom Tax.

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

7 MEMBERS' ALLOWANCE SCHEME: REPORT OF THE INDEPENDENT REMUNERATION PANEL

PAGES 25 - 44

The Lord Mayor will invite Councillor Peter Smith (Deputy Leader) to propose the Members' Allowance Scheme following consideration of the written report of the Interim Director for Corporate Services and the recommendations contained within the report of the Independent Remuneration Panel as follows:

- (1) retain the existing level of the Basic Allowance and Special Responsibility Allowances (See Appendix B) subject to annual increase in line with the percentage increase of the local government pay award;
- (2) retain the existing level of allowances for the Lord Mayor and the Deputy Lord Mayor and include the allowances within the Members' Allowance Scheme, subject to annual increase in line with the percentage increase of the local government pay award (see Appendix B);

- (3) retain the existing travelling and subsistence arrangements and amend in line with any changes negotiated to the 'Plymouth Book' (see Appendix B);
- (4) retain all other arrangements (see the report of the Independent Remuneration Panel).

The Lord Mayor will invite the City Council to vote on the recommendations.

CABINET RECOMMENDATIONS

8 Capital Programme Approvals

PAGES 45 – 48

The Lord Mayor will invite Councillor Lowry (Cabinet Member for Finance) to present the report of the Assistant Director for Finance, Efficiencies, Technology and Assets on the Cabinet recommendations (Cabinet minutes 62 and 64 refer).

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

- (1) an increase to the Council’s Capital Transformation budget 2013/14 of £0.627m to enable the Civic Centre decant;
- (2) the inclusion of the Plan for Homes within the Capital Programme from 2014/2015 until 2019/2020 with an allocation of up to £50 million (subject to due diligence) in support of the affordable housing loan facility to the Plymouth Housing Partnership.

MOTIONS ON NOTICE

9 Yes to Homes Campaign

PAGES 49 - 50

**Proposed by Councillor Mark Lowry
Seconded by Councillor Patrick Nicholson**

This Council notes that:

•	We are not building enough homes in England to meet housing needs, with most commentators identifying the level of need at around 265,000 homes per annum.
•	Rising house prices mean the dream of home ownership is beyond the reach of millions and the size of a mortgage deposit alone stops many would-be first-time buyers from getting on the housing ladder.
•	One in 12 families in England is now on a social housing waiting list.
•	The average house price in Plymouth in 20 12 was £ 159,281 making the standard 20% mortgage deposit £31,856.

•	Evidence from the 2013 Strategic Housing Market Needs Assessment indicates the median annual earnings to be £23,600 with almost 40% of households earning below £20,000, meaning that £29,829 (with a 10% deposit) is required to purchase a lower quartile house of £116,000 or to afford the average market rent for a two bed property.
•	A lower quartile house costs 6.3 times the income of a household earning a lower quartile salary.
•	80% of future housing needs are for one and two bedrooms affordable homes.
•	Customers seeking housing advice have increased by 41% and the total housing waiting list stands at 10,100 - all signs of the housing market being under severe stress.
•	The Government have provided assistance with mortgage deposits.

This Council believes that:

•	The solution to the housing shortage is to build more of the right homes, in the right place, at the right price.
•	Public opposition is one of the main barriers to increasing housing supply and all too often the people who actually need homes are missing from local debates.
•	Plymouth City Council needs to take an active role in making the case for building more homes locally, through both the Plymouth Plan consultations and the neighbourhood planning process.

This Council resolves to:

- (1) Support the Yes to Homes campaign, and commits to increasing the delivery of the right homes, in the right place, at the right price in the Plymouth housing market area.
- (2) Work with Yes to Homes supporters, local groups, and organisations to actively make the case for new homes and explain the benefits of new homes for the whole community.
- (3) Invite the Plymouth Housing Development Partnership to hold special hearings on housing to help local people, community groups and businesses to give evidence on the need for more homes, including investigating the reasons why people object to new homes, and report these findings to the Working Plymouth Scrutiny Panel.
- (4) Inform local people, local Members of Parliament, One Plymouth, the Plymouth Growth Board, the Heart of the South West Local Enterprise Partnership, the Plymouth Housing Development Partnership and the Plymouth Regeneration Forum of this decision.

10 Development in the North of the City

PAGE 51

**Proposed by Councillor Ian Bowyer
Seconded by Councillor Patrick Nicholson**

Notwithstanding the City Council's Core Strategy published in 2007, the Council acknowledges the Planning Inspector's findings following the recent public inquiry into the Derriford and Seaton Area Action Plan.

This Council recognises the current uncertainty felt by residents living in the north of our City over potential developments in their communities and in particular the future of the Plymouth Airport site.

The Council resolves to ask the Cabinet to bring forward the publication of the Plymouth Plan to March 2014 in order to give the citizens of Plymouth a further opportunity to be consulted on the Council's preferred options for the growth of their City and to provide greater certainty on the potential funding for vital infrastructure works in the north of Plymouth.

**11 Redevelopment and Enhancement of Colin Campbell Court
and Support for Plymouth City Centre as the Retail Centre of
the City**

PAGE 53

**Proposed by Councillor Patrick Nicholson
Seconded by Councillor Ian Darcy**

Following the Council's recent approvals of out of town retail developments, despite areas of our City Centre containing empty and run down retail premises, this Council reaffirms its support for retaining the City Centre as the retail heart of Plymouth.

The Council calls upon the Cabinet to drive the redevelopment of Colin Campbell Court and the West End, in consultation with the local community and deliver investment in this vital sector of our local economy.

12 Bedroom Tax and Safe Rooms**PAGE 55****Proposed by Councillor Williams
Seconded by Councillor Penberthy**

One in four women have been the victim of domestic abuse, it accounts for 17% of all crime, two women a week are killed by a partner or former partner and the findings of a number of case reviews into deaths of children in Plymouth have identified domestic abuse as a significant factor.

Women facing some of the worst domestic abuse benefit from the installation of a number of sanctuary scheme measures; which may include the provision of a 'safe room'; where they and their children can go safely if threatened, which is directly linked to the police.

The government's bedroom tax however considers these vital safe rooms as a spare room, reducing the amount of housing benefit that can be claimed and putting women in jeopardy of eviction due to non-payment of rent. Evicting women and their children who have been victims of domestic abuse means that not only are they losing their home, they are being penalised for being a victim of domestic abuse, and risk becoming more vulnerable to repeat abuse.

Council notes that Women's Aid and other domestic abuse charities are calling on councils to take action to overcome this issue.

Council resolves to:-

- (1) Lobby the government to exempt safe rooms from inclusion as bedrooms for the purposes of the bedroom tax;
- (2) Make Discretionary Housing Payments available in Plymouth to cover reductions in housing benefit applied under the bedroom tax for safe rooms, subject to periodic review.

13 Further Motions on Notice**SUPPLEMENT****(a) Energy Market****SUPPLEMENT PAGE 1****Proposed by Councillor Bill Stevens
Seconded by Councillor Kate Taylor**

Plymouth City Council believes Britain's energy market isn't working for ordinary families and businesses in Plymouth and the cost of electricity and gas is crippling family finances. We regret that energy bills have risen by almost £300 for families since 2010 with businesses saying it's the second biggest cost they face, and are concerned that when the price of energy increases energy companies pass this on, but when it drops consumers don't see bills go down.

We note recent research by Which? estimating that market flaws have left consumers paying £3.9bn a year over the odds since 2010 and opposes the unfair price rises recently announced by the big energy companies including a 10.4% increase in Npower's dual-fuel bills from December, SSE increasing prices by 8.2% from 15th November, British Gas increasing prices by 9.2% on 23rd November and Scottish Power raising prices by 8.6% from 6th December. We believe these increases represent a rip-off for Plymothians and that the Conservative led Government is defending the big energy companies and not standing up for ordinary consumers.

It's for these reasons that Plymouth Energy was established, making energy more affordable for people across Plymouth.

We therefore welcome Ed Miliband's commitment to freeze energy bills for twenty months until 2017 upon the election of a Labour Government and congratulate Alison Seabeck MP for voting for this freeze on 6 November whilst Oliver Colvile MP and Gary Streeter MP voted against it.

(b) Local Government Declaration on Tobacco Control

**SECOND
SUPPLEMENT**

**Proposed by Councillor Sue McDonald
Seconded by Councillor Tudor Evans**

Please note that amendment comprises additional words which are underlined (no words were deleted).

It is acknowledged that:

- Smoking is the single greatest cause of premature death and disease in our communities;
- Reducing smoking in our communities significantly increases household incomes and benefits the local economy;
- Reducing smoking amongst the most disadvantaged in our communities is the single most important means of reducing health inequalities;
- Smoking is an addiction largely taken up by children and young people, two thirds of smokers start before the age of 18;
- Smoking is an epidemic created and sustained by the tobacco industry, which promotes uptake of smoking to replace the 80,000 people its products kill in England every year; and
- The illicit trade in tobacco funds the activities of organised criminal gangs and gives children access to cheap tobacco.

As local leaders in public health we welcome the:

- Opportunity for local government to lead local action to tackle smoking and secure the health, welfare, social, economic and environmental benefits that come from reducing smoking prevalence;

It is therefore recommended that the Council commits itself to:

- Act at a local level to reduce smoking prevalence and health inequalities and to raise the profile of the harm caused by smoking to our communities;
- Develop plans with our partners and local communities to address the causes and impacts of tobacco use;
- Participate in local and regional networks for support;
- Support the government in taking action at national level to help local authorities reduce smoking prevalence and health inequalities in our communities;
- Protect our tobacco control work from the commercial and vested interests of the tobacco industry by not accepting any partnerships, payments, gifts and services, monetary or in kind or research funding offered by the tobacco industry to officials or employees except as mentioned in Annex A so as to enable the authority to pursue its enforcement role concerning illicit or unsafe tobacco:
- Monitor the progress of our plans against our commitments and publish the results; and
- Publicly declare our commitment to reducing smoking in our communities by joining the Smokefree Action Coalition, the alliance of organisations working to reduce the harm caused by tobacco.

And invites all the City's Members of Parliament to sign this declaration too.

Annex A

To enable the authority to pursue its enforcement role concerning illicit or unsafe tobacco the following interaction will take place between it and the Tobacco Industry:

- Receipt of training from the Tobacco Industry on the identification of illegal tobacco products;
- Examination of illegal tobacco products by the Tobacco Industry to enable the gathering of intelligence and identification of illegal tobacco products;
- Provision of witness statements from the Tobacco Industry to confirm that a tobacco product is illegal and enable legal proceedings to be taken forward.

All interactions with the Tobacco industry will be recorded in a contact log for transparency.

14 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)