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Democratic Support

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CITY COUNCIL

ORDER OF PROCEEDINGS

Monday 31 March 2014

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, Wiggins, Williams and Wright.

The Order of Proceedings for the meeting is attached.

Tracey Lee

Chief Executive

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**CITY COUNCIL MEETING
ORDER OF PROCEEDINGS**

31 March 2014



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

Councillors Ball, Fry, Haydon and James.

2 MINUTES**SUPPLEMENT I PAGES 1 – 14**

The Lord Mayor will move that the minutes of the meeting of the City Council held on 24 February 2014 are approved.

3 DECLARATIONS OF INTEREST**SUPPLEMENT I PAGES 15 - 16**

The Head of Legal Services 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 SUPPLEMENT PACK 3 PAGES -

The Head of Legal Services will submit a schedule of vacancies on committees, outside bodies etc and of changes notified to us.

The City Council is asked to note the following change in membership notified to the Head of Legal Services –

	Committees and Other Bodies	Appointments 2013/14
(a)	Co-operative Scrutiny Board	Councillor Kate Taylor to replace Councillor Casey

5 ANNOUNCEMENTS

(a) Lord Mayor

Children's Services Social Worker of the Year

● City Council Elections

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

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
Q13/ 13-14	Mr Sharpe	Councillor Lowry (Cabinet Member for Finance)	Downham Special Needs School
Plymouth City Council plans to dispose of the site of the former Downham Special School in Plymstock. Will the Council take any notice of comments sent by the public regarding what should go on that site in future?			

Response:

The Council will always take notice of any comments made by the public on any matter including the former Downham Special School site in Plymstock. In this case we acknowledge the representations received in relation to potential future uses of the site; however I would confirm that the site has been identified to provide much needed housing for our City as part of the 'Plan for Homes'.

The successful bidder will be encouraged to carry out consultation with the public prior to submitting a planning application and the public will have the opportunity to comment on the application in the usual democratic way through the planning process.

**7 LOCAL ECONOMIC STRATEGY SUPPLEMENT 2 PAGES 1 – 12
SUPPLEMENT 3 PAGES 3 - 50**

The Lord Mayor will invite Councillor Evans (Council Leader) to present the Local Economic Strategy for adoption (Cabinet minute 120 refers).

The Lord Mayor will invite the City Council to vote on the recommendations to adopt Plymouth's Local Economic Strategy

**8 REVIEW OF THE LICENSING ACT 2003 STATEMENT OF LICENSING POLICY, INCLUDING CUMULATIVE IMPACT POLICY
SUPPLEMENT PACK 2 PAGES 13 – 222**

The Lord Mayor will invite Councillor Vincent (Cabinet Member for Environment) to present the Statement of Licensing Policy, including Cumulative Impact Policy for adoption (Cabinet minute 119 refers).

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

- (1) to adopt the draft Licensing Statement of Policy (Appendix 2 to the report);
- (2) based on the concerns about crime and disorder and public nuisance, to retain the special policy on Cumulative Impact for each of the following areas –
 - Union Street (including Derry's Cross)
 - Barbican
 - North Hill
 - Mutley Plain
 - Stoke

**9 DELEGATED AUTHORITY TO COMMIT TO CAPITAL SCHEMES
SUPPLEMENT PACK 2 PAGES 223 – 226**

The Lord Mayor will invite Councillor Evans (Council Leader) to present the Cabinet recommendation seeking Council's approval to delegate authority to the Leader to add schemes and remove schemes from the capital programme and determine the priority of all schemes in the programme, provided that the total value of the capital programme as agreed by Council should not be exceeded.

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

- (1) to give delegated authority to the Leader, in consultation with the cabinet Member for finance, to add schemes and remove schemes from the capital programme and determine the priority of all schemes in the programme, provided that the total value of the capital programme as agreed by Council should not be exceeded;
- (2) that any changes made by the Leader will be supported by a sound business case;
- (3) that any addition and/or amendments made to capital schemes under delegated authority will be reported in the Council financial monitoring report and quarterly to full Council;
- (4) that the relevant sections of the constitution are amended accordingly.

10 LORD MAYORALTY 2014/15 SUPPLEMENT 1 PAGES 17 – 18

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 4 refers).

**11. SENIOR MANAGEMENT RESTRUCTURE SUPPLEMENT PACK 3
PAGES 51 – 54**

The Lord Mayor will invite Councillor Evans (Chair of the Appointments Panel) to present the recommendations of the Appointments Panel held on 20 March 2014. (Supplement Pack 3, pages 51 – 54 refer).

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

- (1) that Council establish the post of Director of Public Health as part of a distinct Public Health Directorate reporting directly to the Chief Executive, and
- (2) that Council delegate the function of appointing and dismissing staff who report direct to the Director of Public Health, to the Director of Public Health.

12. AMENDMENT TO PAY POLICY STATEMENT 2014/2015 SUPPLEMENT 3 PAGES 55 - 70

The Lord Mayor will invite Councillor Smith (Deputy Leader, with responsibility for Human Resources and Corporate Functions) to present the recommendations of the Chief Executive and Head of Paid Service contained in the report to Council at Supplement Pack Number 3, Pages 55 – 70.

The Lord Mayor will invite the City Council to vote on the recommendations to approve the amended pay policy for 2014/15, to improve transparency in respect of arrangements for staff engagement under contracts for services and to note relevant data for 2013/14 in compliance with the Council's amended policy statement.

13 MOTIONS ON NOTICE

(a) Garden Grabbing

SUPPLEMENT I PAGES 19-20

The Lord Mayor will invite the City Council to vote on the Motion on Notice to –

Request the Portfolio Holder for the Environment to consider an appropriate policy response to the issue of garden grabbing and to consider the provisions of the National Planning Policy Framework paragraph 53 in the preparation of the Plymouth Plan.

Proposed by Councillor Nicholson

Seconded by Councillor Mrs Beer

(b) Abolition of the Independent Living Fund

SUPPLEMENT I PAGES 21 - 22

The Lord Mayor will invite the City Council to vote on the Motion on Notice to –

Call on the Government to immediately review the regressive step (of closing the independent Living fund by June 2015) and look at ways of safeguarding the Independent Living Fund; a fund which is valued and relied upon by many severely disabled people in Plymouth.

Proposed by Councillor Jon Taylor

Seconded by Councillor McDonald

(a) Car Parking Charges**SUPPLEMENT I PAGES 23-24**

The Lord Mayor will invite the City Council to vote on the Motion on Notice to –
Recommend that a decision is made (on proposed car parking charges) within 7 days of this meeting to help alleviate further speculation and uncertainty within the Plymouth economy.

Proposed by Councillor Samantha Leaves

Seconded by Councillor Mrs Bowyer

**14 DRAFT CALENDAR OF MEETINGS OF THE COUNCIL AND COMMITTEES
2014/2015 SUPPLEMENT PACK 2 PAGES 227 – 230**

The Lord Mayor will invite the Councillor Peter Smith to propose the draft Calendar of Meetings of the Council and Committees for 2014/15 for approval.

The Lord Mayor will invite the Council to agree the Calendar of Meetings of the Council and Committees 2014/15.

**15 REPORT OF THE LEADER ON URGENT CABINET AND KEY DECISIONS
SUPPLEMENT PACK 2 PAGES 231 – 234**

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.

16 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)

17 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 of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

18 REPORT OF THE COUNCIL'S MONITORING OFFICER

The Lord Mayor will invite Councillor Evans (Council Leader) to present the recommendations of the Chief Executive and Head of Paid Service in response to a report of the Monitoring Officer under Section 5 of the Local Government and Housing Act 1989.

The Lord Mayor will invite the City Council to vote on the recommendations in the report (Page 72 refers) together with the recommendations from today's meeting of the Appointments Panel.

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