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Democratic Support

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CITY COUNCIL

Monday 15 September 2014
2.00 pm
Council House (Next to the Civic Centre), Plymouth

Members:

Councillor Fox, Chair

Councillor Murphy, Vice Chair

Councillors Mrs Aspinall, Ball, Mrs Beer, Bowie, Bowyer, Mrs Bowyer, Bridgeman, Casey, Churchill, Coker, Damarell, Darcy, Philippa Davey, Sam Davey, Downie, Drean, Evans, K Foster, Mrs Foster, Fry, Hendy, James, Jarvis, Jordan, Martin Leaves, Michael Leaves, Sam Leaves, Lowry, Dr. Mahony, McDonald, Morris, Mrs Nelder, Nicholson, Mrs Nicholson, Parker, Penberthy, Mrs Pengelly, Rennie, Ricketts, Riley, Dr. Salter, Singh, John Smith, Peter Smith, Sparling, Stark, Stevens, Storer, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent, Wheeler and Wiggins.

Members are invited to attend the above meeting to consider the items of business overleaf.

This meeting will be broadcast live to the internet and will be capable of subsequent repeated viewing. By entering the Council Chamber and during the course of the meeting, councillors are consenting to being filmed and to the use of those recordings for webcasting. Although the public seating areas are not filmed, by entering the meeting room and using the public seating area, the public are consenting to being filmed and to the use of those recordings for webcasting.

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Tracey Lee

Chief Executive

CITY COUNCIL

ORDER OF PROCEEDINGS 15 SEPTEMBER 2014

CITY COUNCIL: 15 SEPTEMBER 2014

Order of Proceedings



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 Stark

2 MINUTES**PAGES 1 – 16**

The Lord Mayor will move that the minutes of the special meeting and ordinary meeting of the City Council held on 30 June 2014 are approved, subject to the second sentence in minute 21 of 30 June ordinary council meeting minutes (the response to question 13) being amended to, 'No, the campaign for a Mayor was a waste of money'.

3 DECLARATIONS OF INTEREST**PAGE 25**

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 PAGE 27

There are no changes to the membership of committees and outside bodies.

5 ANNOUNCEMENTS

(a) Lord Mayor

- Alderman and former Deputy Lord Mayor Mrs Hazel Dolley
- Former councillor Janice Harden (subsequently Horler)
- November Council meeting at Devonport Guildhall
- Social Enterprise Awards 2014
- UK Community Energy Awards
- Customer Service Excellence Award and Community Initiative Award 2014
- Antony Jinman
- Devonport Field Gun Association Limited

(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 are four questions for today's meeting.

Question No	Question By	Cabinet Member	Subject
Q4/ 14-15	Mr Kevin Kelway	Councillor Peter Smith (Deputy Leader)	Tinside Lido
Since the iconic Tinside Lido is featured on a British postage stamp and marketing the city across the globe – does Councillor Peter Smith think the City wasted £3.2 million in getting the famous Grade 2 listed landmark restored?			
Response: No.			

Question No	Question By	Cabinet Member	Subject
Q5/ 14-15	Mr Morris	Councillor Evans (Council Leader)	Use of social media
<p>Given the elected Members corporate parenthood role and the Council's duties and responsibilities in terms of openness and transparency, does the Leader require of himself, and of his colleagues, the utmost probity in the use of social media at all times and in all places?</p>			
<p>Response:</p> <p>Plymouth City Council has adopted a Code of Conduct which sets out the conduct expected of elected Members and co-opted Members of the Council.</p> <p>The Code is intended to be consistent with Lord Nolan's seven principles of public life, namely that Councillors will act with selflessness, integrity, objectivity, accountability, openness, honesty and leadership.</p> <p>The Code applies to councillors when they –</p> <p>a) conduct the business of the Council, including the business of their office as a councillor; or</p> <p>b) act, claim to act or give the impression they are acting as a representative of the Council.</p> <p>It is, therefore, the Code of Conduct (and not the Leader of any political group on the Council) that requires all elected members to conduct themselves in a manner that is consistent with the Code.</p> <p>However, it ought to be noted that the Code of Conduct is not engaged at all times, respecting that all elected Members have a right to private life.</p> <p>Accordingly, how Members conduct themselves in terms of their private lives outside of the Council and away from the application of the Code of Conduct, for example, in terms of their use of social media, is entirely a matter for those individuals exercising their rights to a private life.</p>			

Question No	Question By	Cabinet Member	Subject
Q6/ 14-15	Sarah Car	Councillor Evans (Council Leader)	Tombstoning at the Hoe
<p>As a mum of a child that tombstones will the Leader of the Council listen to the kids and the parents and consider supporting the campaign to bring back the Plymouth Hoe diving boards to give kids back somewhere to use instead of dangerous jumping off the rocks.</p>			

Response under preparation

Question No	Question By	Cabinet Member	Subject
Q7/ 14-15	John Williams	Councillor Penberthy (Co-operatives, Housing and Community Safety)	Private Sector Landlords
<p>Does the Authority have a register of approved private-sector landlords?</p> <p>If so, what are the criteria for membership?</p> <p>Would any register in which the Authority participated approve of the following conduct: attempting to defraud a tenant by suing them for rent, for a period before the commencement of the tenancy?</p>			
<p>Response:</p> <p>The Council does <u>not</u> hold a register of approved private sector landlords and there is no requirement placed on us to do. There are calls for a National Register of Landlords to be established, which this Council has actively lobbied for, but the current Government has resisted this sensible course of action so far.</p> <p>As we have no register in place, then the question re. criteria for membership does not apply. However the Council would not support any landlord involved in fraudulent activity, and if evidence is available then it should be made available to us so that we can investigate and take appropriate action.</p> <p>Hypothetically, if there were a register of approved landlords then in all likelihood the terms of membership would be that the landlord should be 'fit and proper' (as with the mandatory licensing scheme for landlords of Houses in Multiple Occupation), and any fraudulent activity would impact on this.</p> <p>The Council has a Pledge to improve the Private Rented Sector, and this is supported by Plymouth's Fairness Commission, which identified a number of national and local recommendations.</p> <p>Work is in hand to create a Charter for the Private Rented Sector in Plymouth which would set out the Council's values and aims together with a set of key actions to improve this growing sector in Plymouth (now over 20% of all housing).</p> <p>Our aim will be to significantly improve conditions and management of private rented housing by supporting the best landlords, bringing more landlords up to the standards of the best and taking robust action against those that do not meet what is required of them.</p>			

RECOMMENDATIONS FROM CABINET**7 Corporate Plan Review****PAGES 19 – 30**

The Lord Mayor will invite Councillor Evans (Council Leader) to present the Corporate Plan review. (Cabinet minute 24 refers).

The Lord Mayor will invite the City Council to adopt the revised Corporate Plan.

8 Response to the Plymouth Fairness Commission**PAGES 31 – 58**

The Lord Mayor will invite Councillor Penberthy (Cabinet Member for Co-operatives, Housing and Community Safety) to present the draft response to the Plymouth Fairness Commission. (Cabinet minute 40 refers).

The Lord Mayor will invite the City Council to agree the draft response to the recommendations of the Plymouth Fairness Commission.

9 Capital and Revenue Monitoring Report 2014/15**PAGES 59 – 74**

The Lord Mayor will invite Councillor Lowry (Cabinet Member for Finance) to present the Capital and Revenue Monitoring Report 2014/15. (Cabinet minute 45 refers).

The Lord Mayor will invite the City Council to note the report and agree recommendation 5 -

to give the following delegated authority for approval of any changes to existing capital schemes, within the overall affordability envelope, based on a sound rationale -

Up to £200,000	Responsible Finance Officer in consultation with the relevant Cabinet Members
Above £200,000	Leader in consultation with the relevant Cabinet Member(s) (following consultation with the City Council Investment Board)

10 MOTION ON NOTICE**(a) Plymouth's Brittany Ferries Connections to Spain and Brittany****PAGE 75**

The Lord Mayor will invite the City Council to vote on the following Motion on Notice proposed by Councillor Evans and seconded by Councillor Bowyer –

PLYMOUTH'S BRITTANY FERRIES' CONNECTIONS TO SPAIN AND BRITTANY

Amendments to Annex VI of The International Convention for the Prevention of Pollution from Ships (MARPOL) set out more stringent limits on sulphur oxide and nitrogen oxide emissions from ships' exhaust. The new regulations are to take effect on 1 January 2015.

The Council is concerned that –

- (a) this is a short term challenge for Brittany Ferries; the company is investing £100 million and has commissioned a new ship at £225million. Plymouth will have the latest environmental technology and a new ship, which will exceed the (MARPOL) standards by late spring 2017. Plymouth will have one of the cleanest ferry routes in Europe, operating uniquely on liquid nitrogen gas, which will have a hugely beneficial environmental impact. The new ferry will replace the company's current flagship Pont-Aven and is designed to have capacity for almost 2,500 passengers. Brittany Ferries makes a significant contribution to our economy in terms of revenue and employment (supporting over 1,000 jobs across the UK);
- (b) unless the company is given a short term exemption to continue to burn heavy fuel oil for the next two years, or is provided with government support to ensure the short term commercial viability to burn "cleaner" marine gas oil , (estimated additional cost £30 million) the route will become more expensive for both freight and passengers. This will result in a shift of passengers to less environmentally-friendly air travel. Furthermore, fuel switching to low sulphur diesel, has a significant negative impact in terms of pushing freight back onto roads. Clearly this is unsustainable and poses a significant risk to local jobs and investment, as well as the environment.

The City Council agrees to support Brittany Ferries and lobby the Secretary of State to protect its connections to Spain and Brittany by –

- (1) seeking a short term exemption to continue to burn heavy fuel for the next two years pending procurement of new technology and provision of a new ferry; or
- (2) providing government support;

to ensure the short term commercial viability of Brittany Ferries, thus protecting local jobs and investment as well as the environment.

(b) Any other motions

There are no further motions for consideration.

II 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)