



Oversight and Governance

Chief Executive's Department
Plymouth City Council
Ballard House
Plymouth PL1 3BJ

Please ask for Ross Jago
T 01752 305155
E Head of Governance, Performance and Risk
democraticsupport@plymouth.gov.uk
www.plymouth.gov.uk
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CITY COUNCIL – SUPPLEMENT PACK

Friday 20 May 2022
10.30 am
Guildhall, Plymouth

Members:

Councillor Mrs Beer, Lord Mayor

Councillor Mrs Bridgeman, Deputy Lord Mayor

Councillors Allen, Mrs Aspinall, Bingley, Mrs Bowyer, Briars-Delve, Burden, Carlyle, Churchill, Coker, Collins, Dr Cree, Cresswell, Dann, Darcy, Deacon, Drean, Evans OBE, Finn, Goslin, Harrison, Haydon, Hendy, Holloway, Hulme, Kelly, Laing, Loveridge, Lowry, Luggier, Dr Mahony, McDonald, Murphy, Nicholson, Partridge, Patel, Penberthy, Mrs Pengelly, Poyser, Reilly, Rennie, Riley, Salmon, Shayer, Singh, R Smith, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy, Vincent, Wakeham, Ms Watkin and Wheeler.

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

For further information on attending Council meetings and how to engage in the democratic process please follow this link - [Get Involved](#)

Tracey Lee

Chief Executive

City Council

- 5. To note the Membership of the Cabinet: (Pages 1 - 2)**
- 6. To agree amendments to the Constitution: (Pages 3 - 20)**
- 7. To agree Committees and their Members and appoint Chairs and Vice Chairs: (Pages 21 - 36)**
- 8. To appoint representatives to Outside Bodies: (Pages 37 - 44)**
- 9. To agree an amendment to the Taxi Licensing Policy: (Pages 45 - 48)**

LEADERS SCHEME OF DELEGATION 2022/23

Leader: Cllr Richard Bingley	Deputy Leader and Finance and Economy: Cllr Mark Shayer	Health and Adult Social: Cllr Dr John Mahony	Customer Services, Culture, Leisure & Sport: Cllr Pat Patel	Education, Skills and Children and Young People: Cllr Charlotte Carlyle
<ul style="list-style-type: none"> • Chair of Cabinet meetings and may act on behalf of, or instead of any other Cabinet members • Liaison with Government • Leadership representative of the Council on national and regional bodies • The overview of the Council and its resources • The Corporate Plan • Corporate policy development • One Plymouth • Marine National Park designation • Capital programme where delegated • Designs for the future purpose, functions, shape and size of the organisation • Communications 	<ul style="list-style-type: none"> • HM Dockyard and defence issues • Plymouth Fishing industries • Economy and Enterprise including Freeport • Regional and Local Economic Strategy (including regional transport links) • Strategic and commercial projects • Revenue Budget • Capital programme monitoring and oversight • Corporate property. Land and facilities management • Performance management and commitment delivery • District shopping centre revival • City Centre Company • Revenues and municipal enterprise • Transformation and Change Oversight • Fees and charges relating to portfolio 	<ul style="list-style-type: none"> • Older people's services • Mental Health services • Physical disability services • Drug & alcohol services • Learning disabilities services • Adult's public health • Adult Safeguarding • Dementia friendly city • Health and social care • Other healthcare matters • Health and Wellbeing hubs investment programme • Children's mental health • Children's dental health • Children's public health • Fees and charges relating to portfolio 	<ul style="list-style-type: none"> • Customer services • Community engagement • Plymouth Active Leisure • Library service • Mayflower 400 commemorations • Events, Culture, heritage and museums (Including Mount Edgumbe) • Waterfront Partnership • The Box • Sports Development • Building Stronger Communities including volunteering and community use of Council assets • Fees and charges relating to portfolio 	<ul style="list-style-type: none"> • Post 16 – Education and training • Plan for Education • Plymouth Education Board • Schools • School admissions arrangements • Early Years • Adult Education • Higher and Further Education • Skills and Employability • Children Safeguarding • Children in Care • Children in Need • Children's Social Care. • Youth Services • Fees and charges relating to portfolio

Governance, HR, IT & Community Safety: Cllr Richard Bingley	Climate Change: Cllr James Stoneman	Transport: Cllr Jonathan Drea	Strategic Planning Homes & Communities: Cllr Rebecca Smith	Environment & Street Scene: Cllr Bill Wakeham
<ul style="list-style-type: none"> • Regional lead for HR • Human Resources, Organisational development and trade Union liaison • Member development • Democracy and Governance • Legal and elections • Environmental health • Trading Standards • Taxi Licencing • Miscellaneous Licensing • Food safety • Crime and Anti-social behaviour • Safer Plymouth Community Safety Partnership • Civil Protection and resilience • Information technology • Digital transformation • Fees and charges relating to portfolio 	<ul style="list-style-type: none"> • Climate change action plans and delivery • Plymouth Net Zero 2030 • Climate Emergency Investment Fund • Energy policy, decarbonisation and renewable energy initiatives • Fees and charges relating to portfolio 	<ul style="list-style-type: none"> • Strategic transport policy including public transport, active travel, community transport, concessionary fares and non-commercial routes • Strategic and regional transport • Flood risk management • City Centre public realm and infrastructure delivery • Highways operations and maintenance • Parking • Marine services • Tamar Bridge and Torpoint Ferry Cruise Terminal/Port services • Fees and charges relating to portfolio 	<ul style="list-style-type: none"> • Plymouth and South West Devon Joint Local Plan • Spatial and infrastructure planning • City Change Fund • Plan for Homes and associated initiatives • Building regulations including building safety • Homelessness • Unauthorised encampments and Travellers Policy • Welcoming Plymouth including equalities and diversity, asylum seekers and refugees • Veterans and Community Covenant • Tackling poverty and Child Poverty • National welfare policy and Council discretionary welfare funds • Fees and charges relating to portfolio 	<ul style="list-style-type: none"> • Street cleaning • Commercial and domestic waste management • Parks, recreation and sports pitches • Environmental enforcement • Plan for Trees and Tree management • Recycling • Plastic Free Plymouth • Green Estate Management • Fees and charges relating to portfolio

PLYMOUTH CITY COUNCIL

Subject:	Amendments to the Council's Constitution
Committee:	Council
Date:	20 May 2022
CMT Member:	Giles Perritt, Assistant Chief Executive
Author:	Ross Jago, Head of Governance, Performance and Risk.
Contact details:	Ross.jago@plymouth.gov.uk
Ref:	AGM22/C
Key Decision:	No
Part:	I

Purpose of the report:

A number of constitutional amendments are required to ensure continuing good governance, clarification of proper officer roles and a best practice approach to Overview and Scrutiny.

Constitutional amendments as appended to this report will give effect to -

- Updated Proper Officer functions which better reflect officers' responsibilities and a proposed delegation to the Chief Executive to determine any further Proper Officer allocations where necessary.
- An update to the order of business at an ordinary Council Meeting which will enable Council to note any changes to political groups' appointments to committees provided they do not impact upon proportionality.
- An update to the responsibility for functions. New wording has been added to allow the Monitoring Officer to make in-year changes to appointments in agreement with the relevant leader and whip provided that they do not affect political proportionality.
- An update to Part D, Overview and Scrutiny Committees to reflect:
 - a change the name of the Brexit Infrastructure and Legislative Change Overview scrutiny committee to the "Infrastructure and Growth Overview and Scrutiny Committee"
 - Changes to allow the largest opposition party to hold the position of Chair on three of the four Committees
- The removal of the Terms of Reference for:
 - Devon and Cornwall and Isles of Scilly Police and Crime Panel as this is not a committee of the Council.
 - Mount Edgcumbe Joint Committee as it is a committee of the executive and not the Council
- Clarification of Article 5 – Lord Mayor. In law the Lord Mayor and Deputy Lord Mayor cannot be a member of the executive (cabinet). This amendment will ensure this is reflected in the articles of the constitution.

Corporate Plan:

Effective decision and good governance impacts upon all aspects of the Corporate Plan. Proposed changes to the constitution ensure clarity of officer roles, best practice approach to scrutiny and flexibility for political groups.

Further reviews of the scrutiny function and the constitution will take place across the coming municipal year and will be considered at the Audit and Governance Committee and through the Council's scrutiny function.

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land:**

There are no financial implications of the amendments to the Constitution as appended.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

There are no other implications of the amendments to the Constitution as appended.

Equality and Diversity:

Has an Equality Impact Assessment been undertaken? No

Recommendations and Reasons for recommended action:

That Council agrees to –

1. to remove the Devon, Cornwall and Isles of Scilly Police and Crime Panel terms of reference;
2. to remove Mount Edgcumbe Joint Committee terms of reference;
3. amendments as detailed in attached appendices.

Alternative options considered and rejected:

Not reviewing the constitution would mean that the Council's statutory duty to maintain and keep under review a Constitution which must comply with the provisions of the Local Government Act 2000 would not be met.

Published work / information:

N/A

Sign off:

Fin	N/A	Leg	EJ/38 623/ 0522 /I	Mon Off	EJ/38 623/ 0522 /I	HR	N/A	Assets	N/ A	IT	N/A	Strat Proc	N/A
Originating SMT Member – Giles Perritt, Assistant Chief Executive													

Amendment to Part A, Article 5

Amendments appear in yellow

4. Article 5 – Lord Mayor and Chair of the Council**4.1. Appointment of the Lord Mayor**

- 4.1.1. The Lord Mayor will be elected by the Council annually.
- 4.1.2. Each municipal year the Council will appoint a panel of Councillors to receive nominations from amongst the Council for a Councillor to hold the position of Lord Mayor for the coming municipal year. The panel will make a recommendation to Full Council prior to the Annual Meeting from amongst the persons nominated.
- 4.1.3. Following the panel's recommendation the nominee shall within 4 weeks notify the panel of his or her recommendation for the position of Deputy Lord Mayor.

4.2. Role and functions of the Lord Mayor

- 4.2.1. The Lord Mayor, and in his or her absence the Deputy Lord Mayor, represents the Council at civic and ceremonial events.
- 4.2.2. The Lord Mayor, and in his or her absence the Deputy Lord Mayor, chairs Council meetings. (In the absence of both, Council will elect a person to chair the meeting). In chairing Council, the Lord Mayor will:
 - promote the purpose of the Constitution
 - interpret the Constitution
 - get the business done efficiently but pay attention to the rights of all Councillors and the interests of local people
 - make Council a place for discussing the concerns of local people
 - encourage the public to take part in the Council's activities

4.2.3. The Lord Mayor and the Deputy Lord Mayor may not be a member of the Cabinet.

Amendment to Part A, Article 6

Amendments appear in yellow

6.5 The Cabinet**Form and Composition**

The Cabinet will consist of the Leader, and Deputy Leader (who may also hold a portfolio), together with Cabinet members. Cabinet members will be appointed by the Leader and notified to the Council. In accordance with the Local Government Act 2000 (Part II Sec. 11 Para. 8) the Cabinet may not consist of more than 10 members.

No member of Cabinet will serve on Overview and Scrutiny Committees.

No member of Cabinet will serve as Lord Mayor or Deputy Lord Mayor.

PLYMOUTH CITY COUNCIL CONSTITUTION

PART D: OVERVIEW AND SCRUTINY FUNCTIONS & PROCEDURES

1. Overview and Scrutiny Functions

2. The aims of the Overview and Scrutiny process are to-

- add value to Council business and decision-making;
- hold the Cabinet to account;
- monitor the budget and performance of services;
- assist the Council in the development of policy and review the effectiveness of the implementation of Council policy;
- review relevant central government policy development and legislation to assess the impact on the City and make recommendations to Cabinet.

3. Scrutiny Management Board

3.1. The purpose of the Scrutiny Management Board is to manage scrutiny in a way that ensures the functions of overview and scrutiny are fairly balanced across all aspects of the Council's work, with a view to improving services, reducing inequalities and improving outcomes for the people of Plymouth.

4. Role of the Scrutiny Management Board

- To ensure that work is allocated fairly across the four scrutiny committees and reflects all aspects of the Council's work by providing oversight and direction to the committees' work programmes
- To ensure corporate and cross cutting business is dealt with by the relevant committee
- To review performance against the relevant corporate priorities and inform work programmes as appropriate
- To commission select committee reviews where necessary and appropriate
- To receive for information, and oversee implementation of, recommendations made by each Scrutiny Committee
- To plan and oversee implementation of the process for annual Budget Scrutiny
- To produce an annual scrutiny report to Council (in conjunction with the scrutiny committees)
- To review national best practice and guidance in relation to overview and scrutiny and recommend any changes to the way overview and scrutiny is undertaken as a result

4.1. **Membership** – the Scrutiny Management Board will consist of the Chairs of each of the scrutiny committees. The relevant committee Vice-Chair can act as substitute for the relevant Chair if required.

4.2. **Chair** – the Chair of the Board will be from the group in administration.

4.3. **Vice-Chair** – the Vice-Chair will be from the main opposition group.

5. Role of Overview and Scrutiny Committees

5.1. The relevant scrutiny committee will:

- hear call-ins, Councilors' call for action and petitions;
- approve time limited select committees for issues within its remit;
- monitor performance against the relevant corporate priorities;
- receive finance and performance reports;

- agree recommendations to Cabinet, Council and partner organisations;
- agree appointments of co-opted representatives;
- monitor the forward plan;
- help Council and the Cabinet to develop policy by studying issues in detail through time limited Select Committees;
- review new and developing legislation to assess its impact on the city;
- consider and introduce schemes to involve the public in developing policy;
- work with national, regional and local organisations to promote the interest of local people.

6. Infrastructure and Growth Overview and Scrutiny Committee

6.1. Responsibility for

- Relevant policies in the Plymouth Plan
- Response to Central Government's Policy Making
- Capital Programme
- Strategic Procurement
- Corporate Property
- Development planning
- Strategic Highways
- Economic Development
- Heart of the South West Productivity Plan
- Strategic Transport policies and strategies
- Cultural Infrastructure
- Climate change and sustainability
- Reviewing impact of Brexit on the city
- Proposing measures that Government should take to provide stability for the council and partners in light of Brexit
- Exploring powers could be devolved from the EU directly to local authorities
- Hear call-ins relevant to the role of the committee

6.2. Partnership links

- Growth Board
- Joint Committee for Heart of the South West
- Heart of the South West Local Enterprise Partnership

6.3. Membership - All members of the Committee will adhere to the general rules of Overview and Scrutiny. **There are thirteen members of the Committee including the Chair and Vice Chair.**

6.4. Chair – The Chair will be from the group in administration and will be a member of the Scrutiny Management Board.

6.5. Vice Chair – **The Vice Chair will be from the largest opposition group** and will act as substitute for the Chair on the Scrutiny Management Board.

6.6. Urgent Decisions – Urgent decisions will be reviewed by the Chair with relevant responsibilities

7. Performance, Finance and Customer Focus Overview and Scrutiny Committee

7.1. Responsibility for -

- Relevant policies in the Plymouth Plan
- Corporate Performance Monitoring
- Financial Performance Monitoring
- Annual Budget Setting Process
- Medium Term Financial Strategy
- Revenues and benefits
- Homelessness
- Communications
- Human resources
- Audit and Risk
- Transformation
- Bereavement Services and Register Office
- Community Safety
- Customer Services
- Street scene and Waste
- Parking
- Hear call-ins relevant to the role of the committee

7.2. Partnership links

- Health and Wellbeing Board
- Safer Plymouth
- Police and Crime Panel

7.3. Membership - All members of the Committee will adhere to the general rules of Overview and Scrutiny. There are thirteen members of the Committee including the Chair and Vice Chair.

7.4. Chair – The Chair will be from the largest opposition group and will be a member of the Scrutiny Management Board.

7.5. Vice Chair – The Vice Chair will be from the group in administration and will act as substitute for the Chair on the Scrutiny Management Board.

7.6. Urgent Decisions – Urgent decisions will be reviewed by the Chair with relevant responsibilities

8. Education and Children's Social Care Overview and Scrutiny Committee

8.1. Responsibility for-

- Relevant policies in the Plymouth Plan
- Early Years Services
- Schools, colleges and other educational settings
- Child Poverty
- Special Education Needs, behaviour and attendance, narrowing the gap in outcomes
- Safeguarding Children
- Cared for children
- Youth offending

- Adoption and Fostering
- Corporate Parenting
- Hear call-ins relevant to the role of the committee

8.2. Partnership Links

- Plymouth Safeguarding Children's Board
- Plymouth Education Board
- Health and Wellbeing Board
- Regional Adoption Agency
- Children's Partnership

8.3. Membership - All members of the Committee will adhere to the general rules of Overview and Scrutiny. **There are thirteen members of the Committee including the Chair and Vice Chair.**

8.4. **Chair** – The Chair will be from the **largest opposition group** and will be a member of the Scrutiny Management Board.

8.5. **Vice Chair** – The Vice Chair will be from the group in administration and will act as substitute for the Chair on the Scrutiny Management Board.

8.6. **Urgent Decisions** – Urgent decisions will be reviewed by the Chair with relevant responsibilities

9. Health and Adult Social Care Overview and Scrutiny Committee

9.1. Responsibility for -

- Relevant policies in the Plymouth Plan
- Integrated Commissioning
- Hospital and community health services
- dental services, pharmacy and NHS ophthalmic services;
- public health services
- Adult Social Care Services
- Adult Safeguarding Services
- Hear call-ins relevant to the role of the committee

9.2. Statutory Role with regard to undertaking all the statutory functions in accordance with Section 244, of the National Health Act 2006, (as amended by Health and Social Care Act 2012) regulations and guidance under that section.

9.3. Partnership Links

- Health and Wellbeing Board
- Plymouth Safeguarding Adults Board
- Integrated Commissioning Board

9.4. **Membership** - All members of the Committee will adhere to the general rules of Overview and Scrutiny. **There are thirteen members of the Committee** including the Chair and Vice Chair. The Vice Chair is from the opposite political group to the Chair.

10. Chair – The Chair will be **from the largest opposition group** and will be a member of the Scrutiny Management Board.

11. Vice Chair – The Vice Chair will be from **the group in administration** and will act as substitute for the Chair on the Scrutiny Management Board.

12. Urgent Decisions – Urgent decisions will be reviewed by the Chair with relevant responsibilities.

Amendment to Part B section 4 of the Constitution.

Amendments highlighted in yellow.

4.5 ORDER OF BUSINESS AT ORDINARY MEETING OF COUNCIL

- 4.5.1 At ordinary meetings (except for Council Tax setting meetings) the order of business will be to:
- a. elect the chair (if the Lord Mayor and Deputy are absent)
 - b. receive apologies for absence from Councillors
 - c. approve minutes of the last meeting as a correct record
 - d. receive declarations of interest from Councillors
 - e. Note any changes made by a political group to its allocated seats on committees (other than committees of the executive).
 - f. To make appointments to outside bodies (unless the outside body's function relates to an executive function)
 - f. reply to questions by the public (see Part B)
 - g. receive announcements from the Lord Mayor, Head of Paid Service, Responsible Finance Officer and Monitoring Officer
 - h. receive announcements from the Leader, Cabinet members, committee chairs
 - i. receive presentations of and responses to Council Petitions (see Part G)
 - j. deal with any unfinished business from the last meeting
 - k. respond to recommendations from the Cabinet
 - l. respond to recommendations and reports from Overview and Scrutiny Committees/sub-committees
 - m. respond to recommendations from other Committees requiring Council approval
 - n. respond to reports from the Chief Executive, Responsible Finance Officer or Monitoring Officer
 - o. deal with motions on notice
 - p. deal with any other agenda items
 - q. deal with questions by Councillors to the Leader, Cabinet members and committee chairs about their areas of responsibility²

Amendment to Part E section 2 of the Constitution.

Amendments highlighted in yellow.

General Rules Applying to Committees**2. APPOINTMENT OF COMMITTEES**

Council is responsible for appointing and dissolving committees and for agreeing their membership and roles, unless the law says otherwise. Allocation of seats will be made by Council at the AGM each year.

Changes during the municipal year to those appointed to a committee seat allocated to a political group will be able to be delegated to the Monitoring Officer to enact:

- on the advice and agreement of the leader and the whip of the relevant political group seeking changes to the group's appointments; and
- Provided any changes being made do not affect the agreed political proportionality of the Council.

Where any change requested by a political group has the effect of altering the political proportionality as approved by Council, no changes may be approved other than by a meeting of full Council.

Where amendments are made to committee appointments by the Monitoring Officer, those changes will be reported to Council at the next ordinary meeting.

Amendments to Part H Standing Orders

Amendments in yellow

Appointment of Proper Officers

1. The Following table, subject to 2 and 3 below, sets out the proper officer appointments of the Council.
2. Legislation in these tables includes any amendments, re-enactments and subordinate legislation.
3. In relation to any other Proper Officer appointments which are contained with legislation, whether that legislation was made before or after this list was approved and requiring a proper officer appointment, the or authorised officer Chief Executive shall (or the Assistant Chief Executive in their absence) shall be delegated the responsibility to allocate all such functions to appropriate officers, in consultation with the Leader and Leader of the opposition.

Legislation		Responsibility	Proper officer
Local Government Act 1972	Section 83(1) to (4)	Witnessing and receiving declarations of acceptance of office	Chief Executive Or Monitoring Officer
	Section 84(1)	Receiving a Councillor's resignation	Chief Executive Or Monitoring Officer
	Section 88 (2)	Calling a Council meeting to elect a chair if there is a casual vacancy	Chief Executive
	Section 89(1)	Giving notice of a casual vacancy	Chief Executive
	Section 100B	Access to Agenda and Connected Reports	Monitoring Officer
	Section 100C	Inspection of minutes and other documents after the meeting	Head of Governance, Performance and Risk
	Section 100D	Listing background papers for reports and making copies available for the public to look at	All Service Directors
	Section 100F	Additional right of access to documents for members	Monitoring Officer
	Section 115(2)	Receiving money due	Responsible

		from officers	Finance Officer
	Section 146(1)(a) and (b)	Making declarations and certificates about transferring securities	Responsible Finance Officer
	Section 191	Receiving applications under Section 1 of the Ordnance Survey Act	Head of Legal Services
	Section 225	Depositing documents	Head of Legal Services
	Section 228(3)	Making accounts available for Councillors to look at	Responsible Finance Officer
	Section 229(5)	Certifying photocopies of documents	Head of Legal Services
	Section 234 *	Authenticating documents	Head of Legal Services and all Service Directors
	Section 238	Certifying byelaws	Head of Legal Services
	Section 248	Keeping a list of freemen of the city	Monitoring Officer
	Schedule 12, paragraph 4(2)(b)	Signing the summons to Council	Chief Executive
	Schedule 14, paragraph 25	Certifying resolutions passed under this paragraph	Head of Legal Services
Local Government Act 1974	Section 30(5)	Giving notice that copies of an ombudsman's report are available	Strategic Director for Customer and Corporate Services
Local Government (Miscellaneous Provisions) Act 1976	Section 41(1) Section 4 (2A)	Certifying copies of resolutions and minutes	Monitoring Officer

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Local Authorities Cemeteries Order 1977	Regulation 10 and schedule 2	Signing exclusive burial rights	Head of Public Protection Service
Local Elections (Principal Area) Rules 1986	Rule 46	Keeping documents after an election and making them available for the public to look at	Electoral Registration Officer
Local Authorities (Referendum) (Petitions and	Part 2	Petitions and Referendums	Chief Executive

Directions) Functions Regulations 2000			
Local Authorities (Conduct of Referendums) (England) Regulations 2012		Conducting Referendums	Chief Executive
Local Government and Housing Act 1989	Section 2(4)	Keeping the list of politically restricted posts	Service Director for Human Resources and Organisational Development
Local Government (Committees and Political Groups) Regulations 1990		Dealing with political balance on committees	Monitoring Officer
Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012	Section 7	Access to agenda and connected reports for public meetings	Monitoring Officer
	Section 10	General exception to publication and access duties	Head of Governance, Performance and Risk Or Monitoring Officer
	Section 12	Record of executive decisions at meetings	Head of Governance, Performance and Risk
	Section 13	Record of executive decisions by individuals	Head of Governance, Performance and Risk
	Section 14	Inspection of documents following executive decisions	Head of Governance, Performance and Risk
	Section 15	Inspection of background papers	All Service Directors
	Section 16	Additional access rights for members of the overview and scrutiny committees	Monitoring Officer
	Section 20	Confidential Information and exempt information	Monitoring Officer
Local Authorities		Giving notice of	Service Director for

(Standing Orders) (England) regulations 2001		appointments and dismissals of officers in accordance with the regulations	Human Resources and Organisational Development
Local Government Act 2000		Acting as proper officer for all the responsibilities in the Local Government Act 2000 and subordinate legislation	Monitoring Officer
Localism Act 2011	Section 33	To receive written requests and grant dispensations	Monitoring Officer
Freedom of Information Act 2000	Section 36	Qualified Person	Monitoring Officer
Public Health Act 1936	Section 84	Cleansing of filthy and verminous articles	Director of Public Health Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit
Public Health Act 1936	Section 85(2)	Cleansing of filthy and verminous persons and their clothing	Director of Public Health Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit
Public Health Act 1961	Section 37	Controlling verminous things	Strategic Director of Public Health Consultant in Communicable

			Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit
Public Health (Aircraft) Regulations 1979	Regulation 5 and including all subsequent reference to medical officers		Director of Public Health Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit (as Medical Officer of Health)
Public Health (Ships) Regulations 1979	Regulation 5 and including all subsequent reference to medical officers		Director of Public Health Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit (as Medical Officer of Health)
Public Health (Control of Disease Act) 1984 as amended	Section 61 and 62	Powers to enter premises for health protection purposes, and supplementary powers of entry	Director of Public Health Consultant in Communicable

			Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit
Public Health (Control of Disease Act) 1984 as amended	Section 48	Certification for removal of bodies to mortuary or for burial.	Director of Public Health Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit
Health Protection (Local Authority Powers) Regulations 2010	Regulations 8 (1) and 8 (2)		Director of Public Health Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit
Health Protection (Notification Regulations) 2010	Regulations 2, 3, and 6	Receipt and disclosure of notification of suspected notifiable disease, infection or contamination in patients and dead persons	Director of Public Health Consultant in Communicable Disease Control (CCDC), and any equivalently medically qualified

			officer as designated by the Devon, Cornwall and Somerset Public Health England Centre or by any successor agency or unit
Health Protection (Part 2A Orders) regulations 2010		Preparation of application for Part 2A Order	Director of Public Health
Building Act 1984	Section 78	Power to authorise action in relation to dangerous structures	Service director for Strategic Planning and Infrastructure
Food Safety Act 1990	Section 49	Form and authentication of documents	Strategic Director of Public Health
Registration Services Act 1953		Power to act as proper officer for the registration service	Service Director for Customer Services
National Assistance Act 1948	Section 47	Taking people in need of care and attention to a suitable place	Head of Strategic Commissioning
National Assistance (Amendment) Act 1951	Section 1	Certifying the need for immediate action	Head of Strategic Commissioning
Money Laundering Regulations 2003	Regulation 7	Being told about suspected money laundering	Responsible Finance Officer
Local government data handling guidelines under the Data Protection Act		Manage information risk within the Council's risk management framework	Responsible Finance Officer
Local Democracy, Economic Development and Construction Act 2009	Sections 31 and 32	Promote the role of and provide support to the overview and scrutiny committees; provide support and guidance to members and officers in relation to the scrutiny function.	Head of Governance, Performance and Risk
Registration Services Act		Proper officer for registration of births, marriages and deaths	Service Director for Customer Services
Regulation of Investigatory Powers Act 2000	Section 21, 22, 27, 28 and 29	Designation of officers empowered to grant authorisation for the carrying out of directed surveillance, to	Information Governance Manager

		authorise the use of covert human intelligence sources, and communications data checks. The RIPA Monitoring Officer	
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* In relation to appointments of Proper Officers under section 234 of the Local Government Act 1972 the appointments shall be to each of the officers to sign any notice, order or other document required to be made, given or issued to give effect to the powers delegated to them only where:

- a. they or one of their staff has budgetary or management responsibility for that function; and
- b. the officer appointed is qualified to carry out the functions of a Proper Officer; and
- c. the Council's standing orders or the law does not require the function to be carried out by someone else.

City Council



Date of meeting:	20 May 2022
Title of Report:	Committees, Memberships and Chairs/Vice-Chairs
Lead Strategic Director:	Giles Perritt (Assistant Chief Executive)
Author:	Ross Jago (Head of Governance, Performance and Risk)
Contact Email:	Ross.jago@Plymouth.gov.uk
Your Reference:	AGM2022
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

The purpose of this report is to propose for approval the committee structure, membership of committees, including the appointment of Chairs and Vice-Chairs, in accordance with articles 7 and 8 of the constitution.

Recommendations and Reasons

Approve the appointments to committees, including the Chairs and Vice-Chairs as set out in this report.

Reason: For clarity of the committee structure and committee leadership.

Alternative options considered and rejected

None – the committees are essential to democratic decision-making at the Council.

Relevance to the Corporate Plan and/or the Plymouth Plan

Clarity on appointments to committees ensures that key projects and activities can be progressed in line with the Corporate and Plymouth Plans

Implications for the Medium Term Financial Plan and Resource Implications:

Special responsibility allowances for committee chairs and, where relevant, vice-chairs, are already built into the members' budgets. There are no additional resource implications of the recommendation of this report.

Carbon Footprint (Environmental) Implications:

Committee appointments ensure that carbon reduction and environmental measures are suitably supported by the democratic process.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.

Appendices

*Add rows as required to box below

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7

Background papers:

*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

Sign off:

Fin	Click here to enter text.	Leg	EJ/38 623/0 522/2	Mon Off	EJ/38 623/0 522/2	HR		Assets		Strat Proc	
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Originating Senior Leadership Team member: Giles Perritt (Assistant Chief Executive)

Please confirm the Strategic Director(s) has agreed the report? Yes

19/05/2021

COMMITTEE APPOINTMENTS AND PROPORTIONALITY MAY 2022



1. PURPOSE

- 1.1. This paper follows the Local Election held on the 5 May 2022 and subsequent changes to political groups.

2. PROPOSED CHANGES TO PROPORTIONALITY CALCULATIONS

- 2.1. Removal of the **Devon and Cornwall and Isles of Scilly Police and Crime Panel** as the requirement for proportionality is the responsibility of the panel and not the appointing authority. In addition the number of appointments is below three and therefore is not required to form part of proportionality calculations.
- 2.2. As the appointments to the **Heart of the South West Local Enterprise Partnership Scrutiny Committee** is below two members it is not required to be part of proportionality requirements.
- 2.3. We have a statutory requirement to include **Devon and Somerset Fire and Rescue Authority** within proportionality calculations as it is a prescribed body (Sch.1 para.2(1)), appointed under a local Act and a joint committee appointed under the 1972 Act s.102(1)(b)
- 2.4. **Lord Mayor Selection Committee** and the **Standards Advisory Group** are committees of the Council and therefore should also be included in the proportionality calculations.

3. LEGISLATIVE REQUIREMENTS OF PROPORTIONALITY

- 3.1. Section 15 (5) of the Local Government and Housing Act 1989 imposes a duty on Councils to review the representation of different political groups on bodies to which the Council makes appointments. The Act requires that the review should be held at the Annual General Meeting or as soon as practicable after that meeting or when the membership of the Council changes.
- 3.2. The Act provides four principles concerning political representation that must be observed when conducting a review. These are:
- a) that not all the seats on committees are allocated to the same political group;
 - b) that the majority of the seats on each committee are allocated to a particular political group if the number of persons belonging to that group are a majority of the authority's membership;
 - c) subject to (a) and (b), that the number of seats on committees which are allocated to each group bears the same proportion to the total of all the seats on committees of the council as is borne by the number of members of that group to the membership of the authority, and
 - d) Subject to (a) to (c) above, that the number of seats on each committee which are allocated to each political group bears the same proportion to the number of all the seats on that committee as is borne by the number of members of that group to the membership of the authority.
- 3.3. The legislation provides that the Council may make alternative arrangements to the 'proportionality' principles only by a unanimous vote, with no member voting against.

3.4. The Committees and Panels to which the provisions of Section 15 of the Act apply, and the recommended allocation of seats on each, applying the principles of the Act as closely as is reasonably practicable, are shown in Section 2 below. The recommended allocation of seats reflects the four proportionality principles so far as reasonably practicable.

4. OVERALL PROPORTIONALITY 2021/2022 - NUMBER OF SEATS ON COUNCIL

Group	February 2022
Conservative	29 (50.8%)
Labour	24 (42.1%)
Green	2 (3.5%)
Independent #1	1 (1.75%)
Independent #2	1 (1.75%)

* There are 57 members on Plymouth City Council. The Local Government and Housing Act 1989, which sets out how seats should be allocated to members on a Council, describes the distribution of seats between the political Groups into which the Council has divided itself. There is no seat entitlement to members who are not in a Group. The definition of what constitutes a group on a Council is covered in The Local Government (Committees and Political Groups) Regulations 1990 and can be found in the following link <https://www.legislation.gov.uk/ukssi/1990/1553/part/III/made>

A single representative does not constitute a Group which is defined as a number of persons bound together by common interests. As such, a single Member is not entitled to any Committee seats. This is consistent with practice previously employed by the Council in similar circumstances.

4.1. The application of the legislative principles is set out below:

Local Government Act 1989 – Principles	Is this principle met?
a. that not all the seats on committees are allocated to the same political group	Principle Met
b. that the majority of the seats on each committee are allocated to a particular political group if the number of persons belonging to that group are a majority of the authority's membership;	Principle Met
c. subject to (a) and (b), that the number of seats on committees which are allocated to each group bears the same proportion to the total of all the seats on committees of the council as is borne by the number of members of that group to the membership of the authority;	Principle met - as far as reasonably practicable due to the requirement to ensure that the majority party holds the majority of committee seats.
d. Subject to (a) to (c) above, that the number of seats on each committee which are allocated to each political group bears the same proportion to the number of all the seats on that committee as is borne by the number of members of that group to the membership of the authority.	Principle met - as far as reasonably practicable due to the requirement to ensure that the majority party holds the majority of committee seats.

5. 2022/23 ALLOCATION ACROSS COMMITTEES

	Con	Prop	Lab	Prop	Green	Prop	Total
Councillors	29	50.8%	24	42.1%	2	3.5	55 (of 57)
Seat Allocation as % membership	67		55		5		
Planning Committee	7		6				13
Taxi Licensing Committee	4		3				7
Licensing Committee	7		6				13
Chief Officer Appointments Panel	4		3				7
Chief Officer Disciplinary Panel	4		3				7
Chief Officer Appeals Panel	4		3				7
Audit and Governance Committee	3		2				5
Tamar Bridge and Torpoint Ferry JC	3		2				5
Devon and Somerset Fire Authority	3		1				4
Growth and Infrastructure Scrutiny Committee	7		5		1		13
Performance Scrutiny Committee	7		5		1		13
Children's Scrutiny Committee	7		5		1		13
Health Scrutiny Committee	7		5		1		13
Standards Advisory Board	4		2				6
Lord Mayors Selection Committee	4		3				7
Seats allocated	75 (+8)		54 (-1)		4 (-1)		132

Other Committees (not included in political balance calculations)				
	Conservative	Labour	Green	
Devon Audit Partnership (not proportional)	2	0	0	2
Joint Health Scrutiny (not proportional)	2	1	0	3
Health and Wellbeing Board (not proportional)	2	2	0	4
Devon and Cornwall Police and Crime Panel	1	1	0	2

Corporate Parenting Group (political equality by convention)	4	4	0	8
Mount Edgcumbe Joint Committee	4	3	0	7
South West Devon Joint Waste Partnership	2	1	0	3
Child Poverty Working Group	3	3	0	6
Equalities Working Group	3	2	0	5

Regulatory Committees

Planning Committee	
13 councillors (proportional)	
Seven Conservative Councillors, Six Labour Councillors	
Councillor Ian Darcy	Chair
Councillor Kathy Watkin	Vice Chair
Councillor Lee Finn	
Councillor Philip Partridge	
Councillor Patrick Nicholson	
Councillor James Stoneman	
Councillor Rebecca Smith	
Councillor Jeremy Goslin	
Councillor Zoë Reilly	
Councillor Bill Stevens	
Councillor Ian Tuffin	
Councillor Tina Tuohy	
Councillor <i>Labour Councillor TBC</i>	
Substitutes	
Councillor Vivien Pengelly	
Councillor Andrea Loveridge	
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed planning training	

Taxi Licensing Committee	
Seven councillors (proportional)	
Four Conservative Councillors, Three Labour Councillors	
Councillor Nigel Churchill	Chair
Councillor David Salmon	Vice Chair
Councillor Philip Partridge	
Councillor Lee Finn	
Councillor Sally Haydon	
Councillor Eddie Rennie	
Councillor Ian Tuffin	
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed planning training	
Substitutes	
Councillor Andy Luggier	
Councillor Dan Collins	

Licensing Committee	
Thirteen councillors (proportional)	
Seven Conservative Councillors, Six Labour Councillors	
Councillor Philip Partridge	Chair
Councillor Chip Tofan	Vice Chair
Councillor Lee Finn	
Councillor Nigel Churchill	
Councillor Stephen Hulme	
Councillor James Stoneman	
Councillor Vivien Pengelly	
Councillor Sarah Allen	
Councillor Dr Charlotte Cree	
Councillor Neil Hendy	
Councillor Sue McDonald	
Councillor Eddie Rennie	
Councillor Dylan Tippets	
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed planning training	
Substitutes	
Councillor Pat Patel	
Councillor Dr John Mahony	

Audit and Governance Committee	
Five councillors (proportional)	
Three Conservative Councillors, two Labour Councillors	
Councillor Andy Lugger	Chair
Councillor Mark Lowry	Vice Chair (Labour)
Councillor Lee Finn	
Councillor Chip Tofan	
Councillor Tudor Evans OBE	
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed training	
Councillor Philip Partridge	
Councillor Jemima Laing	

Scrutiny Committees

Performance, Finance and Customer Focus Overview and Scrutiny Committee	
Thirteen councillors (proportional)	
Seven Conservative Councillors, Five Labour Councillors and one Green Councillor	
Councillor Chris Penberthy	Chair
Councillor Lee Finn	Vice Chair
Councillor Mark Lowry	
Councillor Bill Stevens	
Councillor Brian Vincent	
Councillor <i>Labour Councillor TBC</i>	
Councillor <i>Green Councillor TBC</i>	
Councillor Dan Collins	
Councillor David Salmon	
Councillor Chip Tofan	
Councillor Kathy Watkin	
Councillor Pat Patel	
Councillor Nick Kelly	
With the exception of Cabinet Members, any councillor may act as a substitute member	

Health and Adult Social Care Overview and Scrutiny Committee	
Thirteen councillors (proportional)	
Seven Conservative Councillors, Five Labour Councillors and one Green Councillor	
Councillor Mary Aspinall	Chair
Councillor Mark Deacon	Vice Chair
Councillor Pauline Murphy	
Councillor Zoë Reilly	
Councillor Ian Tuffin	
Councillor <i>Green Councillor TBC</i>	
Councillor <i>Labour Councillor TBC</i>	
Councillor Natalie Harrison	
Councillor Nick Kelly	
Councillor Patrick Nicholson	
Councillor Vivien Pengelly	
Councillor Lee Finn	
Councillor David Salmon	
With the exception of Cabinet Members, any councillor may act as a substitute member	

Education and Children's Social Care Overview and Scrutiny Committee	
Thirteen councillors (proportional)	
Seven Conservative Councillors, Five Labour Councillors and one Green Councillor	
Councillor Jemima Laing	Chair
Councillor Vivien Pengelly	Vice Chair
Councillor Sarah Allen	
Councillor Tom Briars-Delve	
Councillor Sally Cresswell	
Councillor <i>Labour Councillor TBC</i>	
Councillor <i>Green Councillor TBC</i>	
Councillor Andrea Loveridge	
Councillor <i>Conservative Councillor TBC</i>	
Councillor Mark Deacon	
Councillor Phil Partridge	
Councillor Stephen Hulme	
Councillor Natalie Harrison	
With the exception of Cabinet Members, any councillor may act as a substitute member	

Growth and Infrastructure Overview and Scrutiny Committee	
Thirteen councillors (proportional)	
Seven Conservative Councillors, Five Labour Councillors and one Green Councillor	
Councillor John Riley	Chair
Councillor Mark Coker	Vice Chair
Councillor David Salmon	
Councillor Chip Tofan	
Councillor Lee Finn	
Councillor Andy Lugger	
Councillor Phillip Partridge	
Councillor <i>Green Councillor TBC</i>	
Councillor <i>Conservative Councillor TBC</i>	
Councillor <i>Labour Councillor TBC</i>	
Councillor Jeremy Goslin	
Councillor Charlotte Holloway	
Councillor Dylan Tippets	
With the exception of Cabinet Members, any councillor may act as a substitute member	

Chief Officer Panels

Chief Officer Appointments Panel	
Seven councillors (proportional)	
Four Conservative Councillors, Three Labour Councillors	
Councillor Richard Bingley	Chair
Councillor Jonathan Drean	Vice Chair
Councillor Vivien Pengelly	
Councillor Andy Lugger	
Councillor Mary Aspinall	
Councillor Tudor Evans OBE	
Councillor Jemima Laing	
Cabinet Members must not be in the majority on the panel	
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed personnel training	
Chief Officer Disciplinary Panel	
Seven councillors (proportional)	
Four Conservative Councillors, Three Labour Councillors	
Councillor Richard Bingley	Chair
Councillor Bill Wakeham	Vice Chair
Councillor John Riley	
Councillor Nigel Churchill	
Councillor Sally Haydon	
Councillor Mark Lowry	
Councillor <i>Labour Councillor TBC</i>	
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed personnel training	
Chief Officer Appeals Panel	
Seven councillors (proportional)	
Four Conservative Councillors, Three Labour Councillors	
Councillor Dan Collins	Chair
Councillor Vivien Pengelly	Vice Chair
Councillor Patrick Nicholson	
Councillor Lee Finn	
Councillor Chris Penberthy	
Councillor Pauline Murphy	
Councillor <i>Labour Councillor TBC</i>	

Joint Committees / Authorities

Tamar Bridge and Torpoint Ferry Joint Committee	
Five councillors (proportional)	
Three Conservative Councillors, two Labour Councillors	
Councillor Jonathan Drean	Chair
Councillor Pat Patel	
Councillor Lee Finn	
Councillor Neil Hendy	
Councillor Mark Coker	

Devon and Somerset Fire and Rescue Authority	
Four councillors (proportional)	
Three Conservative Councillors, one Labour Councillors	
Councillor Mark Shayer	
Councillor Jonathan Drean	
Councillor Philip Partridge	
Councillor Neil Hendy	

Joint Health Scrutiny	
Three councillors (not proportional)	
Councillor Patrick Nicholson	
Councillor Mark Deacon	
Councillor Mary Aspinall	

Devon and Cornwall Police and Crime Panel	
Two councillors (not proportional)	
Councillor Vivien Pengelly	
Councillor Chris Penberthy	

Heart of the South West Local Enterprise Partnership Joint Scrutiny Committee	
Two councillors (not proportional)	
Councillor Andy Lugg	

Councillor Chris Penberthy

Other Committees

Lord Mayor Selection Committee

Seven councillors (proportional)

Four Conservative Councillors, Three Labour Councillors

Councillor Richard Bingley	Chair
Councillor Mark Shayer	Vice Chair
Councillor Bill Wakeham	
Councillor Rebecca Smith	
Councillor Mary Aspinall	
Councillor Tudor Evans OBE	
Councillor Pauline Murphy	

Standards Advisory Group

Six councillors (proportional)

Four Conservative Councillors, two Labour Councillors

Councillor John Mahony	Chair
Councillor Chip Tofan	Vice Chair
Councillor John Riley	
Councillor Rebecca Smith	
Councillor <i>Labour Councillor TBC</i>	
Councillor <i>Labour Councillor TBC</i>	

Devon Audit Partnership

Two councillors (not proportional)

Councillor Andy Luggar
Councillor Lee Finn

Health and Wellbeing Board

Four councillors (not proportional)

Councillor Dr John Mahony
Councillor Patrick Nicholson
Councillor Mary Aspinall
Councillor Sue McDonald

Cabinet Committees / Advisory Groups

Corporate Parenting Group
Eight councillors (political equality by convention)
Councillor Vivien Pengelly
Councillor Lynda Bowyer
Councillor Philip Partridge
Councillor Charlotte Carlyle
Councillor Sarah Allen
Councillor Sally Cresswell
Councillor Jemima Laing
Councillor Dylan Tippets
Substitute
Councillor Lee Finn

South West Devon Joint Waste Partnership
Two councillors (Cabinet Members) One observer
Councillor Bill Wakeham
Councillor Jonathan Drean
Councillor <i>Labour Councillor TBC</i>
Observer

Mount Edgcumbe Joint Committee
Seven councillors
Councillor Mark Shayer
Joint Chair
Councillor David Salmon
Councillor Charlotte Carlyle
Councillor Nick Kelly
Councillor Tom Briars-Delve

Councillor Sue McDonald
Councillor Eddie Rennie
Substitutes
Councillor Lee Finn
Councillor Philip Partridge

Child Poverty Working Group	
Six councillors (political equality by convention)	
Chair to be relevant Cabinet member	
Councillor Charlotte Carlyle	Chair
Councillor Natalie Harrison	
Councillor Andrea Loveridge	
Councillor Sally Cresswell	
Councillor Jemima Laing	
Councillor Chris Penberthy	
Substitutes	
Councillor Lee Finn	
Councillor Philip Partridge	

Equalities Working Group	
Five Councillors	
Councillor Rebecca Smith Cabinet Member with responsibility for Welcoming Plymouth, equalities and diversity	Chair
Councillor Vivien Pengelly	
Councillor Pat Patel Cabinet Member with responsibility for Customer Services, Culture Leisure and Sport	
<i>Labour Councillor TBC</i>	
<i>Labour Councillor TBC</i>	

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City Council



Date of meeting:	20 May 2022
Title of Report:	Appointments to outside bodies 2021-22
Lead Strategic Director:	Giles Perritt (Assistant Chief Executive)
Author:	Ross.jago (Head of Governance, Performance and Risk)
Contact Email:	Ross.jago@Plymouth.gov.uk
Your Reference:	AGM2022.OB
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

The purpose of this report is to propose nominations of councillors to outside bodies for the 2022-23 municipal year.

Recommendations and Reasons

That Council approve the nominations to outside bodies as set in the appendix.

Reason: For clarity on membership of outside bodies of relevance to the Council.

Alternative options considered and rejected

None – appointments to outside bodies is an annual action undertaken at the AGM and subsequently updated where relevant at future meetings of Council.

Relevance to the Corporate Plan and/or the Plymouth Plan

Clarity on appointments to outside bodies helps to facilitate key projects and activities relevant to the Corporate and Plymouth Plans.

Implications for the Medium Term Financial Plan and Resource Implications:

No implications arising directly from the recommendations in this report.

Carbon Footprint (Environmental) Implications:

Clarity on appointments to outside bodies helps to facilitate key projects and activities relevant to carbon reduction (environmental).

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.

Appendices

*Add rows as required to box below

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Appointments to outside bodies 2021-22							

Background papers:

*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

Sign off:

Fin	N/A	Leg	EJ/38 623/0 522/3	Mon Off	EJ/38 623/0 522/3	HR	N/A	Assets	N/A	Strat Proc	N/A
Originating Senior Leadership Team member: Giles Perritt (Assistant Chief Executive)											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 19/05/2022											

APPOINTMENTS TO OUTSIDE BODIES

2022/23



Continuing membership until such time as the Councillor/Representative resigns or is replaced by Council

NB: If noted that a representative (a Rep) is required, this does not have to be a Councillor. Council may appoint a non-councillor as its representative on these outside bodies.

Organisation	No. of Cllrs/ reps	Term of Office	Appointed 2021/22	Appointments / Nominations 2022/23
Academy - All Saints Academy Plymouth – Governor	1 Rep	*	Cllr Stephen Hulme	Cllr Stephen Hulme
Academy – Marine Academy Plymouth – Governor	1 Rep	*	Cllr Pat Patel	Cllr Pat Patel
Access Plymouth	2 Cllrs	Fixed terms of office for four years (to be reviewed annually)	Cllr Jonathan Drean Cllr Mary Aspinall	Cllr Jonathan Drean Cllr Mary Aspinall
Ballard Youth Activity Trust	7 Reps	Fixed terms of office for three years (to be reviewed annually)	Cllr Pat Patel Cllr Charlotte Carlyle Cllr Mark Deacon Cllr Chris Penberthy	Cllr Charlotte Carlyle Cllr Mark Deacon Cllr Pat Patel Cllr Chris Penberthy Cllr Zoë Reilly Cllr Jemima Laing <i>Nomination TBC</i>
Dartmoor National Park Authority	2 Cllrs and 2 Substitutes	*	Cllr Charlotte Carlyle Cllr Mark Shayer <i>Cllr Richard Bingley (sub)</i> <i>Cllr Patrick Nicholson (sub)</i>	Cllr Patrick Nicholson Cllr Mark Shayer <i>Cllr Pat Patel (Sub)</i> <i>Cllr Lee Finn (Sub)</i>
Devon and Severn Inshore Fisheries and Conservation Authority	1 Cllr	*	Cllr Nick Kelly	Cllr Richard Bingley
Devon Investment and Pension Fund	1 Cllr & 1 named substitute	*	Cllr Dr John Mahony Cllr Nick Kelly (Sub)	Cllr Andy Luggar Cllr Nick Kelly (Sub)
Devonport Community Leisure LTD	1 Cllr	*	Cllr Dr Charlotte Cree	Cllr Dr Charlotte Cree
Devonport Local Liaison Committee	3 Cllrs	*	Cllr Pat Patel Cllr Stephen Hulme Cllr Stevens	Cllr Pat Patel Cllr Stephen Hulme Cllr Bill Stevens
East End Development Trust	2 Cllrs	*	Cllr Eddie Rennie Cllr Sue Dann	Cllr Eddie Rennie Cllr Sue Dann

Organisation	No. of Cllrs/ reps	Term of Office	Appointed 2021/22	Appointments / Nominations 2022/23
Elize Hele and John Lanyon Education Foundations	3 Reps	Fixed term of office for three years (reviewed annually)	Cllr Dave Downie Cllr Dr John Mahony Cllr Sarah Allen	Cllr Charlotte Carlyle Cllr Dr John Mahony Cllr Sarah Allen
Erle Trust Fund	2 Cllrs	*	Cllr Terri Beer Cllr Andrea Loveridge	Cllr Andrea Loveridge Cllr Natalie Harrison
<i>Cllrs to be from the Plympton Erle Ward</i>				
Estover / Leigham / Mainstone Management Committee	1 Cllr	Annual Appointment	Cllr John Riley	Cllr John Riley
Four Green Community Trust CIC Board	2 Cllrs	*	Cllr Dave Downie Cllr Mark Shayer	Cllr Phil Partridge Cllr Mark Shayer
<i>Above Cllrs must not sit on the Millfields or Wolseley CEDTs</i>				
Incinerator Liaison Committee	2 Cllrs	*	Cllr Pat Patel Cllr Stephen Hulme	Cllr Pat Patel <i>Nomination TBC</i>
<i>Cllrs from St Budeaux, Ham or Devonport Wards</i>				
Gdynia Twinning Panel	2 Cllrs	Reviewed annually	(A new body)	Cllr Chip Tofan Cllr Tina Tuohy
Local Government Association: General Assembly	1 Cllr	*	Cllr Nick Kelly	Cllr Richard Bingley
<i>The Leader (Exercises 5 votes on behalf of the Council)</i>				
Market Forum	3 Cllrs	*	Cllr Glenn Jordan Cllr Stephen Hulme Cllr Dr John Mahoney	Cllr Stephen Hulme Cllr Dr John Mahoney Cllr Chip Tofan
Millfields CEDT	2 Cllrs	*	Cllr Glenn Jordan Cllr Penberthy	Cllr Lee Finn Cllr Chris Penberthy
<i>One Cllr to be from the St Peter and the Waterfront ward. Above Cllrs must not sit on the Four Greens or Wolseley CEDTs.</i>				
Mount Batten Sailing and Water Sports Centre – Board of Directors	2 Cllrs	Fixed terms of office for 3 years (reviewed annually)	Cllr Charlotte Carlyle Cllr Bill Wakeham	Cllr Charlotte Carlyle Cllr Pat Patel
Municipal Charities of Plymouth	3 Reps	Fixed term of office for three years (reviewed annually)	Kyle Lewis Jon Hill P. Bunkin	Kyle Lewis Tim Lever <i>Nomination TBC</i>
North Yard Community Trust	4 Cllrs	Annual Appointment	Cllr Stephen Hulme Cllr Pat Patel Cllr Sally Haydon Cllr Mark Coker	<i>Nominations TBC</i>

Organisation	No. of Cllrs/ reps	Term of Office	Appointed 2021/22	Appointments / Nominations 2022/23
Two Cllrs from the St Budeaux ward, one from the Ham ward and one from the Devonport Ward.				
Olford Bequest	2 Reps	Fixed terms of office for five years (reviewed annually)	Cllr Dr John Mahony Cllr Mrs Aspinall	Cllr Dr John Mahony Cllr Mary Aspinall
Pembroke Street Estate Management Board	1 Cllr	Annual Appointment	Cllr Stevens	Cllr Bill Stevens
Devonport ward Cllr				
Plymouth and Devon Racial Equality Council	1 Cllr	*	Cllr Pat Patel	Cllr Pat Patel
Plymouth Area Disability Action Network	2 Cllrs – One from the majority group and one from the largest minority group	*	Jon Hill	Cllr Jonathan Drea Cllr Mary Aspinall
Plymouth Arts Cinema	1 Rep	Annual Appointment	Cllr Glenn Jordan	<i>Nominations TBC</i>
Plymouth Centre for Faiths and Cultural Diversity – Board of Trustees	1 Cllr	Annual Appointment	Cllr Mark Deacon	Cllr Mark Deacon
Plymouth Citizens' Advice Bureau Trustee Board	2 Reps	*	Cllr Dan Collins	Cllr Dan Collins <i>Nominations TBC</i>
Plymouth Community Homes – Board of Directors	2 Cllrs	3 years (Reviewed Annually)	Cllr Maddi Bridgeman Cllr I. Tuffin	Cllr Richard Bingley Cllr Sally Haydon
Plymouth Drake Foundation – The Community Charity	2 Cllrs	*	Cllr Nick Kelly Cllr Penberthy	Cllr Mark Shayer Cllr Chris Penberthy
Plymouth Energy Community Limited	1 Cllr	*	Cllr Maddi Bridgeman	Cllr James Stoneman
Plymouth Foyer	1 Rep	*	Jon Hill	Jon Hill
Plymouth Local Access Forum	3 Cllrs	*	Cllr Patrick Nicholson Cllr Philip Partridge Cllr Pat Patel	Cllr Pat Patel Cllr Patrick Nicholson Cllr Jonathan Drea

Organisation	No. of Cllrs/ reps	Term of Office	Appointed 2021/22	Appointments / Nominations 2022/23
Plymouth Senior Citizens' Forum	2 Cllrs	*	Cllr Jeremy Goslin Vacancy	Cllr Jeremy Goslin <i>Nomination TBC</i>
Plymstock United Charity	2 Reps	Fixed terms of office for 4 years (reviewed annually)	Cllr Bill Wakeham Cllr Rebecca Smith	Cllr Bill Wakeham Cllr Vivien Pengelly
Plymouth Waterfront Partnership Advisory Panel	4 Cllrs	*	Cllr Bill Wakeham Cllr Rebecca Smith Cllr Sue Dann Cllr Chris Penberthy	Vacancy Cllr Rebecca Smith Cllr Sue McDonald Cllr Chris Penberthy
Four ward Cllrs from across St Peter and the Waterfront, Sutton and Mount Gould, and Plymstock Radford wards.				
Relate Plymouth	1 Rep	Fixed terms of office for 4 years (reviewed annually)	Cllr Natalie Harrison	Cllr Natalie Harrison
SACRE Standing Advisory Council for Religious Education	6 Reps	*	Cllr Rebecca Smith Cllr Jonathan Drean Cllr Dr John Mahony Cllr Mary Aspinall Cllr Margaret Corvid Cllr Jonny Morris	Cllr Jonathan Drean Cllr Chip Tofan Cllr Dr John Mahony Cllr Mary Aspinall Cllr Tina Tuohy Cllr Sally Haydon
South West Councils	1 Cllr	*	Cllr Nick Kelly	Cllr Richard Bingley
South West Employers' Panel	1 Cllr	*	Cllr John Riley	Cllr John Riley
South West Ports Welfare Committee	1 Rep	*	Cllr Philip Partridge	Cllr Philip Partridge
South West Regional Flood and Coastal Committee	1 Cllr & 1 Deputy (Cllr)	Fixed term of office for 4 years (reviewed annually)	Cllr Maddi Bridgeman Cllr Jonathan Drean	Cllr James Stoneman Cllr Jonathan Drean
Tamar Estuaries Consultative Forum	2 Cllrs	*	Cllr Pat Patel Cllr Mark Shayer	Cllr Pat Patel Cllr Mark Shayer
Tamerton Foliot United Charities	1 Cllr <i>Southway Ward Cllr</i>	Fixed Term of office for 4 years (reviewed annually)	Cllr Mark Deacon	Cllr Mark Deacon
Wessex Reserve Force and Cadet Association	1 Cllr	Annual Appointment	Cllr Mark Shayer	Cllr Mark Shayer
Wolseley CEDT	2 Cllrs	*	Cllr Stephen Hulme Cllr Gareth Derrick	Cllr Stephen Hulme Cllr Tom Briars-Delve

Organisation	No. of Cllrs/ reps	Term of Office	Appointed 2021/22	Appointments / Nominations 2022/23
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Two Councillors who must be from 'within the area of benefit' i.e. the Devonport, Ham, Peverell and Stoke wards and who must not sit on the Four Greens or Millfields CEDT. One Cllr should represent the political party with a majority membership; and one, the main party of opposition. Should there be Cllrs of only one political party represented in these wards, only one Cllr may be appointed.

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City Council



Date of meeting:	20 May 2022
Title of Report:	Correction to the Hackney Carriage and Private Hire Licensing Policy
Lead Member:	Councillor John Riley
Lead Strategic Director:	Ruth Harrell (Director of Public Health)
Author:	Rachael Hind
Contact Email:	Rachael.hind@plymouth.gov.uk
Your Reference:	Taxi Policy amendment 2022
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

The Council approved the Hackney Carriage and Private Hire Licensing Policy (Taxi Policy) on 21 March 2022.

Unfortunately, there was an error within the Taxi Policy that was brought to officers' attention after 21 March 2022.

The City Council report dated 21 March, which can be found in Appendix B, advises in section 3.5.1, that after considering the responses, the requirement for all drivers to complete this pre-requisite will remain in the Taxi Policy. The wording was however left in the policy in error. Therefore Chapter 2 paragraph 4.1 (c) of the Taxi Policy needs to be amended to ensure that the Policy requires the Knowledge Test to be completed by private hire and hackney carriage applicants.

If approved by Council, the amended policy at Appendix A will come into force as amended on the 21 May 2022 and all pending applications still to be determined will fall to be considered under the amended policy.

The policy forms part of the Policy Framework, a matter that is reserved to Council and which officers must comply with when exercising their delegated functions. As such a clear date on which the policy, and therefore the Policy Framework, is amended and effective from is required.

Recommendations and Reasons

It is recommended that the Council resolves to:

1. Adopt the corrected Hackney Carriage and Private Hire Licensing Policy attached at Appendix A of this report with effect from 21 May 2022.

Reason – to ensure the policy reflects the intentions of the report to Council of the 21 March 2022 which was based upon the outcome of extensive consultation.

Alternative options considered and rejected

The consultation responses were considered and it was decided that the Knowledge Test should remain for both Hackney Carriage and Private hire applicants. Therefore this error needs to be corrected.

Relevance to the Corporate Plan and/or the Plymouth Plan

This report links to the delivery of the City and Council priorities. In particular:

Unlocking the city's potential: By ensuring Plymouth: is a clean and tidy city and a green and sustainable city that cares for its environment; has a vibrant economy offering quality jobs and skills; and has a varied, efficient and sustainable transport network.

Caring for people and communities: By ensuring Plymouth is a friendly, welcoming city, making sure people feel safe in the city, protecting children, young people and adults.

Implications for the Medium Term Financial Plan and Resource Implications:

None

Financial Risks

None. Any amendments to the Taxi Policy should have no financial impact to the general account.

Carbon Footprint (Environmental) Implications:

The amendment has no impact on the carbon footprint.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

[Click here to enter text.](#)

Appendices

**Add rows as required to box below*

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Briefing report title							
B	Equalities Impact Assessment (if applicable)							

Background papers:

**Add rows as required to box below*

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable)
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	If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.						
	1	2	3	4	5	6	7

Sign off:

Fin	pl.22. 23.1 4.	Leg	37623/a g/10.5.2 2	Mon Off	Click here to enter text.	HR	Click here to enter text.	Asset s	Click here to enter text.	Strat Proc	Click here to enter text.
Originating Senior Leadership Team member: Rob Nelder											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 10/05/2022											
Cabinet Member approval: <i>[electronic signature (or typed name and statement of 'approved by email/verbally')]</i>											
Date approved: Date.											

Appendix A: Briefing Note

1.0 Background

- 1.1 The Hackney Carriage and Private Hire Licensing Policy (Taxi Policy) and associated guidance documents and conditions were approved by the City Council on 21 March 2022.
- 1.2 Unfortunately there was an error within the Taxi Policy that was brought to officers' attention after 21 March 2022. This paragraph is reproduced below and the amendment that is required is to delete the words "for Hackney Carriage applications only":

Chapter 2 Drivers

4.1 Pre-requisites

Before an application for a drivers licence can be approved, the individual must have passed the:

- a) Medical (see 5.0)
- b) Submit an Enhanced DBS and Certificate of Good Conduct (if required) (see 6.0)
- c) Topographical Knowledge of Plymouth (KOP) test (~~for Hackney Carriage applications only~~),
- d) Driving Standard's Test (DST),
- e) Spoken English Test (if applicable)
- f) Safeguarding training
- g) Plymouth Ambassador training

- 1.3 The City Council report dated 21 March, which can be found in Appendix B, advises in section 3.5.1, that after considering the responses, the requirement for all drivers to complete the pre-requisite will remain in the Taxi Policy. Therefore the Policy needs to be amended to ensure the Knowledge Test is required for private hire driver and hackney carriage driver applicants.

2.0 Amendment required

2.1 It is therefore recommended that the City Council resolves to:

- I. Adopt the corrected Hackney Carriage and Private Hire Licensing Policy attached in Appendix A of this report with effect from 21 May 2022