



Oversight and Governance

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CITY COUNCIL – MOTIONS ON NOTICE

Monday 27 March 2023
2.00 pm
Council House, Plymouth

Members:

Councillor Dann, Chair

Councillor Penberthy, Vice Chair

Councillors Allen, Mrs Aspinall, Mrs Beer, Bingley, Mrs Bowyer, Briars-Delve, Mrs Bridgeman, Carlyle, Churchill, Coker, Dr Cree, Cresswell, Dann, Darcy, Deacon, Drean, Evans OBE, Finn, Goslin, Harrison, Haydon, Hendy, Holloway, Hulme, Kelly, Laing, Loveridge, Lowry, Lugger, Dr Mahony, McDonald, McLay, Murphy, Nicholson, Noble, Partridge, Patel, Penberthy, Mrs Pengelly, Poyser, Reilly, Rennie, Riley, Salmon, Shayer, Singh, 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

13. Motions on Notice

To consider motions from councillors in accordance with Part B, paragraph 14 of the Constitution.

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MOTION ON NOTICE



Date of Council Meeting: 27 March 2023

Title of Motion:

Plymouth City Council To Treat Care Experience as if it were a Protected Characteristic

Motion Narrative and Action Required:

Plymouth City Council recognises:

- Every elected member and employee of this Council is a corporate parent to the children and care leavers in our care.
- We are all responsible for providing the best possible care, safeguarding and outcomes for the children who are looked after by us.
- That Councils have a duty to put the needs of vulnerable people at the heart of decision-making through co-production and collaboration.

Plymouth City Council notes:

- A UCL study which showed 70% of care experienced people die early. Over 50% of people who are in custody up to the age of 21 have been in care (Become Charity) and a quarter of the homeless population is care experienced (The Independent Review of Children's Social Care).
- The Government commissioned an independent national review of children's social care, chaired by Josh MacAlister, and one recommendation was to look at making care experience an additional protected characteristic; another was that all public bodies become corporate parents.
- That the Government has not responded to the independent review.

Plymouth City Council believes:

- Our children in care and those who have left care have the right to expect everything from a corporate parent that would be expected from a good and responsible parent. This includes how families continue their support, care, and ambition for their children after they leave home and gain independence including through employment opportunities.
- This authority has already taken important steps to support our care experienced children and care leavers better such as our work on the Care Leavers' Covenant but we can always do more.
- That we cannot wait until the government decides which recommendations to implement and therefore, here in Plymouth, we should act to be the best corporate parents we can be.
- That when making any decisions in relation to our policies or formulating our Corporate Plan that we should recognise care experienced people as a vulnerable group who face discrimination.

- That whilst we cannot change national legislation we can use our powers to ensure that the Council consider care experienced people as part of its decision making in order to seek to prevent discrimination and improve life chances, in doing this. This will mean that we treat people with care experience the same as those with a protected characteristic.

Plymouth City Council therefore resolves:

1. That the Chief Executive and Monitoring Officer ensure that all council making decision documentation has in it appropriate sections to allow for the impact upon 'care experienced people' to be considered in decision making, where relevant and that:
2. officers consider how information might be captured and reported upon in a similar way to that of the Public Sector Equality Duty Annual report; and
3. any publication of information relating to people who share a Protected Characteristic also includes 'care experienced people'
4. To proactively seek out and listen to the voices of care experienced people of all ages when developing new Council policies and plans and, where possible, those where the Council produces them in partnership with others.
5. To request that the Chief Executive, as Head of Paid Service, explore with the Director of HR how the Council could seek to guarantee all care experienced persons an interview where they meet the essential criteria of the post applied for.
6. That the Cabinet Member for Education, Skills, Children and Young People writes to all public bodies represented in the City, the Chamber of Commerce and the Federation of Small Businesses in Plymouth to make them aware of this motion and, where possible and within available resources, offer training on corporate parenting and issues facing care experienced people and to work with our partners and our care experienced population to understand what corporate parenting means for them.
7. That the Cabinet Member for Strategic Planning, Homes and Communities writes to Plymouth's MPs making them aware of this motion and asking them to press government to amend the law to include Care Experienced persons as a Protected Characteristic and for the extension of Corporate Parenting to all public bodies, following the recommendations of the MacAlister Report.
8. That the Chief Executive, Assistant Chief Executive, Monitoring Officer and Section 151 Officer attend the first Corporate Parenting Committee meeting in the next municipal year to report on the actions taken as a result of this motion on notice.

Proposer Email: Cllr Laing

Secunder Email: Cllr Tippetts

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MOTION ON NOTICE



Date of Council Meeting: 27 March 2023

Title of Motion:

Motion of No confidence in Leader and Cabinet

Following the actions of Councillor Richard Bingley Leader of the City Council and Councillor Jonathan Drea Cabinet Member for Transport, in pursuing an Urgent Decision to implement the unnecessary felling of trees in Armada Way, against the wishes of thousands of Plymouth residents and visitors, only hours after publishing the Executive decision, has resulted in the City Council now finding itself facing potentially lengthy and costly legal proceedings.

The inactivity of Cllr James Stoneman as the Cabinet Member for Climate Change and Governance and Councillor Bill Wakeham the Cabinet Member with responsibility for the City Council's Plan for Trees and Tree management, in failing to stand up for the City Centre's natural environment, is shameful.

The harm and reputational damage that these actions have caused to the City of Plymouth and its population are incalculable.

Council resolves that it has lost confidence in the ability of Cllr Richard Bingley and his Conservative Cabinet to manage the affairs of the City Council and seeks their immediate resignation.

Proposer Email: Cllr Nicholson

Seconder Email: Cllr Kelly

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MOTION ON NOTICE



Date of Council Meeting: 27 March 2023

Title of Motion:

Preservation of Local Democracy and Maintaining the impartiality of the Lord Mayor

The right of all Members of the City Council to advocate for their respective residents and communities is enshrined in the City Council's Constitution in 5.2.2 as a fundamental principle of local democracy and states:

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

At the Budget Meeting on 27th February 2023, Conservative Councillors voted for the closure of the debate after having had the opportunity to propose the budget and after only one Labour Amendment had been voted on. Labour Members having been given their opportunity to speak both in response to the budget but also in favour of their amendment, abstained from voting.

The budget meeting is one of the most important meetings of the City Council, as it affects everyone in Plymouth, and the actions of Conservative and Labour Members denied Independent and Green Members from proposing important amendments to the budget and contradicting the Constitution.

The Lord Mayor in fulfilling their duties, is expected to adhere to the policy guidelines approved by the City Council, to have a good understanding of the Council's Constitution in order to chair Council meetings, in their year of office to exercise impartiality in their decision making and refrain from party political activity.

Council resolve:

1. To record its disappointment at the suppression of local democracy at the Budget meeting on 27th February 2023 by voting to close down debate thereby preventing other City Councillors from speaking.

2. Reminds the Lord Mayor of the importance of maintaining the trust of Members of the City Council and the public by being seen to be impartial in her decision-making at meetings of Plymouth City Council.

Proposer Email: Cllr Kelly

Seconder Email: Cllr Nicholson

MOTION ON NOTICE



Date of Council Meeting: 27 March 2023

Title of Motion:

Motion of no confidence in the Leader and Election of New Leader

Motion Narrative and Action Required:

Noting the regrettable decision-making regarding the Armada Way project and the public furore that followed, this Council agrees –

1. to remove Councillor Richard Bingley from the position of Leader;
2. to elect a new leader at this meeting (27/03/23), subject to this motion being agreed, nominations to be proposed and seconded from the floor.

Proposer Email: Cllr George Wheeler

Seconder Email: Cllr Ian Poyser

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MOTION ON NOTICE



Date of Council Meeting: 27 March 2023

Title of Motion:

Full Independent Review of the Armada Way Project and Establishment of a Tree Panel

Motion Narrative and Action Required:

The Council notes:

1. The recent controversy surrounding the Armada Way Project, which has caused significant concerns.
2. The importance of transparency and accountability in local government decision-making.
3. The need for lessons to be learned from this situation, to ensure that the issues that have arisen are avoided in the future.
4. That the people of Plymouth deserve transparency and accountability from their elected representatives, and that the Armada Way Project has highlighted significant shortcomings in the planning process. We urge all councillors to support this motion, so that we can learn from the issues surrounding Armada Way and ensure that we do better in the future.

The Council therefore resolves:

1. To recommend to Cabinet that they establish an Independent Review, with an independent Chair supported by a panel of experts and stakeholders, including representatives from the local community, businesses and environmental groups.
2. That the review will examine the following issues, amongst others:
 - a. The decision making process followed including, but not limited to, full Council, cabinet and use of delegated powers.
 - b. The extent to which the council engaged with local communities, businesses and environmental groups throughout the process and how their feedback on the plans were incorporated.
 - c. The impact of the Armada Way Project on the local environment, including impact on local ecosystems, wildlife and biodiversity.
 - d. The financial implications of the Armada Way Project, including the cost to the council and to local taxpayers.
 - e. That the council will be provided regular updates on the progress of the review.
 - f. That the review will produce a comprehensive report to be considered by Cabinet and referred to Council.

3. To recommend to Cabinet the establishment of a multi-stakeholder Tree Panel as a cross party working group of Cabinet and including co-optees with expertise in the field, to act as a consultative forum on matters impacting trees in the City.

Proposer Email: Cllr Lauren McLay

Seconder Email: Cllr Ian Poyser

MOTION ON NOTICE



Date of Council Meeting: 27 March 2023

Title of Motion:

An assessment of the impact of the UK Government's Election Act 2022 on voting rights and voter suppression in Plymouth

Motion Narrative and Action Required:

The Council notes:

The requirement of the Elections Act 2022 for voters to provide accurate and specific types of photo identification at polling stations is a well-known cause of concern. It may disproportionately impact certain groups of voters, including young people, the elderly, those on low incomes, and those from ethnic minority backgrounds.

It is essential that this Council assesses the impact of this legislation following the May 2023 election and takes all possible measures to ensure that no Plymouth resident is disenfranchised from voting in the future as a result of this legislation.

The Council believes that it is essential to ensure that all Plymouth residents are able to exercise their right to vote and that no one is disenfranchised as a result of the Election Act 2022. We call on the Government to reconsider the provisions of this legislation and to take steps to encourage engagement with democracy.

The Council therefore resolves:

Therefore, this Council calls for officers to prepare a report for consideration at the Audit and Governance Committee concerning the impact of the Election Act 2022 on Plymouth's elections in May 2023. This report should set out:

1. An assessment of the impact of the Election Act 2022 on Plymouth residents and its election officials.
2. All actions being taken by the Council, the Returning Officer and the elections team to support people at future elections, including measures to provide information and support to those who may struggle to meet the new identification requirements.
3. Any additional resources and costs thereof that may be required to ensure that all Plymouth residents are able to exercise their right to vote in future local elections.
4. This report should be presented at the September 2023 meeting of Audit and Governance Committee, to allow sufficient time for the Council to take any necessary actions ahead of the May 2024 elections.

Proposer: Cllr Lauren McLay

Seconder: Cllr George Wheeler

MOTION ON NOTICE



Date of Council Meeting: 27 March 2023

Title of Motion:

Urging the UK Government to Provide Additional Funds and Support to Help Plymouth Achieve Its Net Zero 2030 Target

Motion Narrative and Action Required:

The Council notes:

Plymouth has set an ambitious but necessary target to reach net zero carbon emissions by 2030, which is faster than the UK Government's 2050 target. This demonstrates our city's strong commitment to tackle the climate emergency and to be a leader in the transition to a low carbon economy.

However, achieving this target will require significant and consistent investment and support from the UK Government. One of the main obstacles is the availability of funding to insulate homes, improve heating systems, and promote sustainable transport, to name a few examples.

The council further notes that achieving the net zero target will bring many benefits to Plymouth, including cleaner air, reduced energy bills, and job creation in the green economy.

The Council therefore resolves:

Therefore, this council calls on the relevant Cabinet member, following the May 2023 election, to write to the Secretary of State for the Environment, urging them to provide additional funds and support to help Plymouth reach its net zero 2030 target.

The letter should note that:

1. Plymouth's target is ambitious but achievable, if given appropriate investment and support from the UK Government.
2. One of the main obstacles to achieving this target is the availability of funding to insulate homes, improve heating systems, and promote sustainable transport, for example, and calls for the UK Government to provide additional funds and support to help address these obstacles.
3. The council also notes the importance of engaging with local communities and businesses in the transition to a low carbon economy and urges the UK Government to provide support for community-led initiatives and local businesses to help them transition to more sustainable practices.

Proposer Email: Cllr Ian Poyser

Seconder Email: Cllr George Wheeler

MOTION ON NOTICE



Date of Council Meeting: 27 March 2023

Title of Motion:

Reconsideration of proposed Car Parking Charges

Motion Narrative and Action Required:

At the Council's Budget meeting on 27th February 2023 Conservative Councillors approved, whilst cutting short the debate, a requirement for the 2023/24 revenue budget to increase income by an additional £423,000.00 from increased car parking charges and introducing new car parking charges.

On 8th March 2023 Councillor Jonathan Drean published his decision to increase On Street and Off Street car parking charges in addition to the increases implemented in October 2022 and to introduce new leisure car parking charges within Lawrence Road, at the Life Centre and Mountbatten, Devils Point, Jennycliff and Strand Street car parks.

Even though the Conservative Cabinet appears to have back peddled on increasing charges at these strategic leisure sites from recent media reports, the original delegated decision has yet to be rescinded or the requirement to find £423,000.00 been modified by Cabinet.

Council resolves to request the Cabinet Member for Transport to delay implementing further increases or the introduction of new car parking charges to raise an additional £423,000.00 of revenue in 2023/24.

Proposer Email: Patrick Nicholson

Seconder Email: Chaz Singh

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MOTION ON NOTICE



Date of Council Meeting: 27 March 2023

Title of Motion:

Addressing impacts of rising Houses in Multiple Occupation (HMOs) numbers in Plymouth

Motion Narrative and Action Required:

This council notes that certain parts of Plymouth have experienced a significant increase in the number of Houses in Multiple Occupation (HMOs) in recent years, placing additional burdens on parking, waste collection, street cleanliness, and other local infrastructure. This is felt particularly acutely in parts of Drake, Compton, and St Peter & The Waterfront wards.

This council wants to see rented housing supply, which meets the needs of the residents of Plymouth - with high quality housing which is properly regulated and with enforced standards.

This council also notes the challenges many families have in finding good and affordable homes, particularly given the hike in mortgage costs and interest rates following the disastrous decisions of former Conservative Prime Minister Liz Truss.

This council resolves to request that Cabinet:

1. outline a clear policy on how areas with high HMO rates approaching the 10% limit set by the Joint Local Plan will be supported and what guardrails are in place to ensure that areas do not exceed 10%
2. remind all property owners with an HMO licence of the standards required and their responsibilities towards their tenants and to their local area
3. addresses landlords with bad practices and publicise the penalties for not following the rules
4. Direct the waste and refuse team undertake additional efforts on meeting additional refuse collection needs on streets which have seen an increased number of HMOs in recent years
5. review whether the level of resourcing for enforcement of HMO standards is sufficient to meet the increase in HMO numbers across the city
6. through the Leader, write to the Housing Secretary to ask for new legislation which mandates platforms like Airbnb share their data on lets with local authorities and that medium and long term Airbnb lets are brought in scope of current HMO legislation (and do not serve as a potential loophole for landlords seeking to avoid HMO rules) as well as Bed and Breakfast legislation, noting the additional impact that unregulated airbnbs are having on Plymouth's hospitality industry

7. support community-led initiatives like "Love Greenbank" which seek to bring diverse communities together in areas with high HMO rates to help with community cohesion and tackling anti-social behaviour

Proposer Email: Cllr Charlotte Holloway

Seconder Email: Cllr Ian Tuffin