

**Oversight and Governance**

Chief Executive's Department
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CITY COUNCIL

Monday 27 March 2023
2.00 pm
Council House, Plymouth

Members:

Councillor Dann, Lord Mayor

Councillor Penberthy, Deputy Lord Mayor

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, Luggar, 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

5. Questions by the Public

(Pages 1 - 48)

To receive questions from and provide answers to the public in relation to matters which are about something the council is responsible for or something that directly affects people in the city, in accordance with Part B, paragraph 11 of the Constitution.

Questions, of no longer than 50 words, can be submitted to the Democratic Support Unit, Plymouth City Council, Ballard House, West Hoe Road, Plymouth, PL1 3BJ, or email to democraticsupport@plymouth.gov.uk. Any questions must be received at least five complete working days before the meeting.

CITY COUNCIL MEETING ORDER OF PROCEEDINGS

27 March 2023



Please will councillors and members of the public note the below information, including the fire and emergency procedures -

FIRE, EMERGENCY AND OTHER PROCEDURES

Would you please note that –

- Plymouth City Council believes in openness and transparency. Anyone who wishes to report on our public meeting is welcome and the meeting may be filmed, recorded or photographed, provided that doing so does not disturb the good order or conduct of the meeting.
- The meeting is being webcast, and your image may be captured by the cameras and broadcast. A recording will be available on-line immediately following the meeting. If you do not wish to be filmed please inform a council officer before the start of the meeting.
- In the event of a fire alarm, please use the nearest available exit. For those in public gallery please make your way through the exit at the back (the door through which you entered). The fire muster point is located by the Café on Civic Square.
- During the meeting, please ensure any mobile phones are switched to silent mode or turned off.

Extraordinary General Meeting – Freedom of the City

1. Apologies

2. Declarations of Interest

3. FREEDOM OF THE CITY

To consider and if thought fit pass the following resolution –

1. CONFERMENT OF THE FREEDOM OF THE CITY

Resolved, in pursuance of its powers under Section 249(5) of the Local Government Act 1972, that, in appreciation of: **Lewis Pugh OIG**, and **Heather Knight OBE**.

And as an expression of the admiration of the Citizens of Plymouth for their great and glorious achievements in the Service of this Country and of their long association with the City, the Council DO CONFER upon them the HONORARY FREEDOM OF THE CITY OF PLYMOUTH.

(Section 249 of the Local Government Act 1972 provides that the foregoing honour may be conferred by resolution of the Council passed by not less than two thirds of the members voting thereon at the meeting specially convened for the purpose)

Ordinary Meeting

1. Apologies

The Lord Mayor's Advisor will report apologies received for the meeting.

2. Minutes

To approve and sign the minutes of the meeting held on 27 February 2023 as a correct record.

3. Declarations of Interest

The Lord Mayor's Advisor will invite Members to declare any interests they may have in relation to items on the agenda.

4. Appointments to Committees, Outside Bodies etc

The Assistant Chief Executive will submit a schedule of vacancies on committees, outside bodies etc and of changes notified to us.

5. Questions by the Public

To receive questions from and provide answers to the public in relation to matters which are about something the council is responsible for or something that directly affects people in the city, in accordance with Part B, paragraph 11 of the Constitution.

(Questions and answer will be circulated following the meeting).

6. Announcements

- To receive announcements from the Lord Mayor, Chief Executive, Service Director for Finance or Head of Legal Services;
- To receive announcements from the Leader, Cabinet Members or Committee Chairs.

7. Plymouth City Council Net Zero Action Plan 2023 - 2026

It is recommended that City Council support and endorse the Plymouth City Council Net Zero Action Plan 2023-2026.

8. Council Tax Discounts and Premiums

It is recommended that City Council approve:

1. Subject to the Levelling Up and Regeneration Bill receiving Royal Assent, from 1 April 2024 the current 100% premium for dwellings which are unoccupied and substantially unfurnished will be levied after a period of one year.

2. Subject to the Levelling Up and Regeneration Bill receiving Royal Assent from 1 April 2024 a premium of 100% will be levied on all dwellings which are unoccupied and substantially furnished (second homes).

9. Scrutiny Annual Report

It is recommended that City Council notes the Scrutiny Annual Report 2022/2023

10. Lord Mayoralty 2023/24

It is recommended that City Council approves the recommendation from the Lord Mayor Selection Committee to appoint Councillor Jonathan Drean as Lord Mayor for 2023/24.

11. Audit and Governance Chair Annual Report

It is recommended that City Council note the report.

12. Senior Management Structure and Organisational Design

It is recommended that City Council:

1. Approves the changes to the Chief Officer structure as set out at section 3 of the report;
2. Approves the approach to Deputy Chief Officer designations as set out at section 7 of the report;
3. Approves the extension of the appointment of David Northey as the Interim Service Director for Finance (s151 Officer) from 1 April 2023 for a further 6 months;
4. Notes the changes to service functions and responsibilities as set out at appendix 3 of the report;
5. Notes that amendments will be made to Proper Officer delegations within the Council's Constitution as a result of the changes, set out in section 9 of the report.

13. Motions on Notice

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

13a Plymouth City Council To Treat Care Experience as if it were a Protected Characteristic

13b Motion of No confidence in Leader and Cabinet

13c Preservation of Local Democracy and Maintaining the impartiality of the Lord Mayor

13d Motion of no confidence in the Leader and Election of New Leader

13e Full Independent Review of the Armada Way Project and Establishment of a Tree Panel

I3f An assessment of the impact of the UK Government's Election Act 2022 on voting rights and voter suppression in Plymouth

I3g Urging the UK Government to Provide Additional Funds and Support to Help Plymouth Achieve Its Net Zero 2030 Target

I3h Reconsideration of proposed Car Parking Charges

I3i Addressing impacts of rising Houses in Multiple Occupation (HMOs) numbers in Plymouth

I4. Urgent Decisions to be reported

Council is requested to note the following decisions taken in line with due process:

1. L22 22/23 – Home Upgrade Grant 2;
2. L34 22/23 - Better Places Programme: Armada Way Scheme;
3. L35 22/23 – Local Authority Housing Fund (LAHF) grant and Memorandum of Understanding.

I5. Questions by Councillors

Questions to the Leader, Cabinet Members and Committee Chairs covering aspects for their areas of responsibility or concern by councillors in accordance with Part B, paragraph 12 of the constitution.

QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Jon Hill

To the Cabinet Member or Chair for: Councillor Pat Patel (Cabinet Member for Customer Services, Culture, Leisure & Sport)

To be asked at the next (Council, Cabinet or Planning Committee) Meeting: City Council

Date: 27th March 2023

Question (to be no longer than 50 words):

"When will the Council fully repair Firestone Bay Pool and create a sea-based diving board pontoon?"

Will you be attending the meeting in person to ask your question?

Response: (for completion by City Council officers and Cabinet Members / Chairs)

A repairs programme has been developed to repair and ensure the longevity of Firestone Bay Pool, otherwise known as Devil's Point Pool. Subject to funding agreement, the repairs will take place in the next season of 2024 with interim works undertaken this current spring to ensure it is available for users until this time.

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QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Mr Christopher Wood

To the Cabinet Member or Chair for: Councillor Jonathan Drean (Cabinet Member for Transport)

To be asked at the next Cabinet Meeting: Full Council, 27th March 2023

Question (to be no longer than 50 words):

Many residents are concerned about the road surfaces in the Compton Ward, they are frustrated that when they report potholes their submissions are often rejected and that when a pothole is repaired, others nearby are left untreated. What measures are the council taking to improve our highway network?

Will you be attending the meeting in person to ask your question?

Yes

Response: (for completion by City Council officers and Cabinet Members / Chairs)

Highways inspectors follow up on all reported defects and work within the council approved guidelines to determine if an intervention is justified. These guidelines reflect national standards and are in place to enable the service to meet statutory (legal) obligations.

We are currently trialling an alternative treatment process that would enable emerging and classified potholes to be treated concurrently. If successful, we intend to bring into use in 2023/24.

Last year we have introduced a variety of remedial processes, which include:

- 1) Traditional resurfacing
- 2) Micro Asphalt – thin coat treatment
- 3) Surface dressing

These prolong service life expectancy of affected section of Highway, offer a cost effective process and increase volume of repair across the City.

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QUESTION BY MEMBER OF THE PUBLIC



Question submitted by: Mrs Lois Lloyd BSc (Hons)

To the Cabinet Member or Chair for: Councillor Richard Bingley (The Leader of the Council)

To be asked at the next (Council, Cabinet or Planning Committee) Meeting: Council

Date: 27 March 2023

Question (to be no longer than 50 words): Plymouth's reputation has been irreparably damaged worldwide by shocking Armada Way tree mismanagement, which inexplicably avoided formal Planning Application scrutiny, transparent equitable consultation accessibility and clear public information site signage. Are urgent governance improvements planned to prevent a repetition of exposing councillors and uninvolved planning officers to public outrage?

Will you be attending the meeting in person to ask your question? Yes

Response: (for completion by City Council officers and Cabinet Members / Chairs)

Thank you for your question. I read this on behalf of Councillor Bingley.

It is clear that the national coverage of the Armada Way scheme has been skewed by a lack of appreciation of the wider sustainability and regeneration benefits of this project.

However, I must emphasise again that improvements to the tired public realm of the city centre has been a longstanding policy commitment of this Council under both Labour and Conservative Administrations. Consultations have taken place in 2018, 2022 and 2023 and as Leader, I inherited a design approach and the fact that it had already been confirmed that planning permission was not required for the scheme.

I remain of the view that this was the right thing to do and that the final scheme I agreed will result in a wonderful tree-lined zone whereby businesses and cafes and people feel safe. In time I am sure it will be appreciated as a vibrant piece of city centre regeneration.

As required by the resolution of the City Council on 30th January 2023, we have conducted a thorough review of the consultation and engagement on the Armada Way project, which has been published on our web site and we will be working with key partners to implement the recommendations of that review.

QUESTION BY MEMBER OF THE PUBLIC



Question submitted by: Kate Prettyjohns

To the Cabinet Member Councillor James Stoneman (Cabinet Member for Climate Change and Governance)

To be asked at the next Council Meeting: 27th March 2023

Question (to be no longer than 50 words):

The Devon Carbon Plan, section 12.2 puts the costs of net-zero primarily onto private companies and individuals. How much is this going to cost each individual in Plymouth on a yearly basis? When annually it's likely to cost £50 Billion nationwide. How do you plan to impose these costs?

Will you be attending the meeting in person to ask your question? No.

Response: (for completion by City Council officers and Cabinet Members / Chairs)

Thank you for your question.

The Devon Carbon Plan has been produced by the Devon Net Zero Task Force, and not by the City Council, although we do endorse its principles.

The Plan states that:

'Achieving net-zero by 2050 at the latest will require a major nationwide investment programme, led by national government, but largely funded and delivered by private companies and individuals.'

This is in recognition that net zero can only be achieved through the actions of the whole of society. The Devon Carbon Plan is a partnership plan that invites - but doesn't impose - participation from local authorities, businesses and residents.

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QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Colin Joce

To the Cabinet Member or Chair for: Cabinet Member for Climate Change and Governance – Councillor James Stoneman

To be asked at the next (Council, Cabinet or Planning Committee) Meeting: City Council
Date: 27th March

Question (to be no longer than 50 words):

In the growth and infrastructure overview and scrutiny committee on March 1st, James Stoneman stated "they (the people of Plymouth) want to see the council leading the way in the net zero action on the net zero action policy ".(1:10-1:11).
 I ask for unequivocal proof that supports this statement.

Will you be attending the meeting in person to ask your question?

Yes

Response: (for completion by City Council officers and Cabinet Members / Chairs)

Thank you for your question.

In the 2021 Plymouth Residents survey 85% of respondents were very, or fairly, concerned about the impact of climate change.

In addition, the survey also highlighted that 85% of respondents said they were very, or fairly, active in reducing their impact on the environment.

It remains my view that most people in Plymouth would wish to see the council responding to the existential issues we face as a society in relation to climate change.

Not that I do - but if I needed any further proof on this point – over and above the unequivocal latest science from the IPCC report published last week – it would come from listening to young people and other Climate Advisors who I meet regularly to discuss these issues.

As a City Council, we need to be exercising leadership in relation to climate change and certainly not denying its existence. We need to be working with businesses, partners and local people to make meaningful reductions in carbon emissions across all sectors to reflect the ambitious and unanimous decision of this City Council on 18th March 2019 to declare a climate emergency.

QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Gary Wood

To the Cabinet Member or Chair for: Cabinet Member for Transport – Councillor Jonathan Drean (Cabinet Member for Transport)

To be asked at the next (Council, Cabinet or Planning Committee) Meeting: City Council
Date: 27th March 2023

Question (to be no longer than 50 words):

Has the portfolio holder had any enquiries from Cllr Goslin about parking restrictions on match days, as outlined in his election manifesto a year ago? Does the portfolio holder think that it was ever a feasible scheme?

Will you be attending the meeting in person to ask your question?

No.

Response: (for completion by City Council officers and Cabinet Members / Chairs)

The Portfolio Holder has not received any requests from Cllr Goslin in relation to parking restrictions on match days. Any request would be considered in accordance with relevant policy and alongside any other requests made to the Portfolio Holder.

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QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Ann Lannin

To the Cabinet Member or Chair for: Leader of the Council – Councillor Richard Bingley
(Leader of the Council)

To be asked at the next (Council, Cabinet or Planning Committee) Meeting: City Council

Date: 27th March

Question (to be no longer than 50 words):

As part of the Devon Carbon Plan Plymouth is proposing to adopt Quiet Neighbourhoods. These proposals indicate that there will be changes and restrictions to movement around our city. Could you tell me when and where public consultations will take place.

Will you be attending the meeting in person to ask your question?

Yes

Response: (for completion by City Council officers and Cabinet Members / Chairs)

Thank you for your question. I read this on behalf of Councillor Bingley.

The Devon Carbon Plan is not a Plymouth City Council plan. It does not contain our own proposals, which were developed by Councillor Coker and the previous Labour Administration, for 'Quiet Neighbourhoods: Connected Communities'.

In any case, the guiding principles for the creation of 'Quiet Neighbourhoods: Connected Communities' is about healthier and safer communities not actions to unduly restrict movement around our city.

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QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Wayne Crow

To the Cabinet Member or Chair for: Councillor Jonathan Dreaan (Cabinet Member for Transport)

To be asked at the next (Council, Cabinet or Planning Committee) Meeting: Council
Date: 27 March 2023

Question (to be no longer than 50 words): There is an increased number of devices, which are varied in appearance, on public structures (eg, lampposts). What is their purpose/function? Who is paying the support/management of them? What data is being stored and how it is being used and how do I request access to that data?

Will you be attending the meeting in person to ask your question? Yes

Response: (for completion by City Council officers and Cabinet Members / Chairs)

‘Devices’ mounted upon our Street Lighting Columns are kept to a minimum due to our commitment in reducing street clutter and their impact on maintenance of the asset. We do have a number of ANPR and Bus Lane enforcement cameras that supports enforcement of Bus Lane restrictions, There are cameras that enable enforcement of speed restrictions and periodically, the police and PCC mount CCTVs on columns for surveillance activity. If you are able to identify particular locations we would be please to clarify their function and data capture arrangements.

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QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Lisa Jeffery

To the Cabinet Member or Chair for: Councillor Jonathan Drean (Cabinet Member for Transport)

To be asked at the next (Council) Meeting:

Date: 27 March 2023

Question (to be no longer than 50 words):

Were plans ever considered to include the existing trees & if so why the decision was made, which has been overwhelmingly opposed, to fell healthy trees at great expense just to replace them with trees which will take 20+ years to mature to anything like the ones that were felled?

Will you be attending the meeting in person to ask your question?

Yes

Response: (for completion by City Council officers and Cabinet Members / Chairs)

Thank you for your question.

Yes, we did look at including as many of the existing trees in Armada Way as possible. This is why I announced the pause to the project in November 2022.

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QUESTION BY MEMBER OF THE PUBLIC



Question submitted by: Peter McCorry

To the Cabinet Member or Chair for: Councillor Mark Shayer (Deputy Leader and Cabinet Member for Finance and Economy)

To be asked at the next (Council) Meeting:

Date: 27 March 2023

Question (to be no longer than 50 words):

How much has Plymouth City Council spent on barristers and other legal costs challenging the interim injunction granted in order to prevent further tree felling and couldn't these costs have been avoided if this administration had taken on board the overwhelming opposition to the proposed scheme incorporating widespread tree felling?

Will you be attending the meeting in person to ask your question?

Response: (for completion by City Council officers and Cabinet Members / Chairs)

Thank you for your question.

As the High Court hearing only took place last Friday, these costs have not yet been finalised.

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QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Carole Joce

To the Cabinet Member or Chair for: Councillor James Stoneman (Cabinet Member for Climate Change and Governance)

To be asked at the next (Council, Cabinet or Planning Committee) Meeting: City Council
Date: 27th March

Question (to be no longer than 50 words):

Has a cost benefit analysis been conducted for the climate emergency action plan, the corporate carbon reduction plan as well as for the proposed net zero action plan 2023-2026, and if so, what are the detailed results.

Will you be attending the meeting in person to ask your question?

Yes

Response: (for completion by City Council officers and Cabinet Members / Chairs)

Thank you for your question.

No, these plans have not had a formal cost-benefit analysis, but this would not be expected for plans of this nature.

However, the actions delivered and proposed not only realise climate-related benefits in reducing carbon emissions; many also bring co-benefits such as improving the efficiency of council services, helping with the cost-of-living crisis, improving biodiversity, and improving public health outcomes.

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QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Fi Smart

To the Cabinet Member or Chair for: Leader of the Council – Councillor Richard Bingley (Leader of the Council)

To be asked at the next (Council, Cabinet or Planning Committee) Meeting: City Council
Date: 27th March

Question (to be no longer than 50 words):

Considering the amount of heavy machinery and workforce needed to both fell the trees and implement security measures as well as time needed to mobilise such a large police presence during the tree felling process, how long before the felling had planning for this "urgent decision" been in place for?

Will you be attending the meeting in person to ask your question?

Response: (for completion by City Council officers and Cabinet Members / Chairs)

Thank you for your question. I read this on behalf of Councillor Bingley.

The Armada Way scheme has been a longstanding commitment of this Council. It has transcended various political administrations and the designs and project business cases have been developed for over 6 years, again under both Labour and Conservative Cabinet Members and Leaders under both Labour and Conservative Administrations. There have also been extensive consultations on our ambitions and vision for the city centre going back to 2003 through to the scheme consultations in 2018, 2022 and 2023.

When the City Council met on 30th January 2023, the resolution was quite clear. Full Council asked us to undertake a community engagement process during February, which we did. It also resolved that once that engagement process was completed, and the results and final design published, Full Council wanted us to implement the scheme quickly to avoid on-going disruption to city centre businesses from the construction works. That is what we have done through the Executive Decision, which was prepared by officers during March and published at 17:54 on Tuesday 14th March 2023.

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QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Dr Kayla Parker

To the Cabinet Member or Chair for: Councillor Pat Patel (Cabinet Member for Customer Services, Culture, Leisure & Sport)

To be asked at the next (Council) Meeting:

Date: 27 March 2023

Question (to be no longer than 50 words):

Prior to the current works on Armada Way, there were two carved lions' heads in the Sensory Garden area adjacent to the Copthorne Hotel. What has been done to preserve these historic artefacts? Will the lion gargoyles be re-sited; and if so, where will they be located?

Will you be attending the meeting in person to ask your question?

NO

Response: (for completion by City Council officers and Cabinet Members / Chairs)

The Lion Heads have been preserved and reconditioned by local stonemasons. They are currently in place on display outside Ballard House.

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QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Suzanne Baronin Von Engelhardt

To the Cabinet Member or Chair for: Councillor Bill Wakeham (Cabinet Member for Environment and Street Scene)

To be asked at the next (Council, Cabinet or Planning Committee) Meeting: Council
Date: 27 March 2023

Question (to be no longer than 50 words): Will the Council be investigating the multiple incidences of reckless endangerment of Plymouth residents through the repeated breaches of minimum tree felling distances being ignored which was widely documented throughout the barbaric tree felling operation that took place on the evening of Tuesday 14th March?

Will you be attending the meeting in person to ask your question? Yes

Response: (for completion by City Council officers and Cabinet Members / Chairs)

Thank you for your question.

The area of the Armada Way works is a Construction Design, Management (CDM) regulated site, and therefore all matters of public safety are the responsibility of the contractor.

If there were, as suggested, 'multiple incidences of reckless endangerment of Plymouth residents' then evidence should be provided to the City Council immediately for investigation of such serious health and safety allegations.

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QUESTION BY MEMBER OF THE PUBLIC



Question submitted by: Alex Sampson

To the Cabinet Member or Chair for:

Councillor Richard Bingley (The Leader of the Council)

To be asked at the next Cabinet Meeting:

City Council 27th March

Question (to be no longer than 50 words):

You used an executive order to ignore public consultation results and bypass scrutiny of elected Councillors. Executive orders concentrate power in your hands alone. Do you believe that executive orders are a democratic and appropriate process for decisions of such consequence as the removal of trees on Armada Way?

Will you be attending the meeting in person to ask your question?

No.

Response: (for completion by City Council officers and Cabinet Members / Chairs)

Thank you for your question. I respond on behalf of Councillor Bingley.

I did not use an Executive Decision to ignore public consultation on Armada Way. The detailed report I considered set out all previous consultations including those supporting the scheme and those against it with a detailed consideration of all the issues with the project. There have been consultations in 2018, 2022 and 2023. It is a simple fact that whilst some object to the loss of the existing trees many local people, businesses and national and local agencies strongly support the scheme. I sought to balance all of these views in coming to a decision about the future of the project.

The Armada Way project has been a longstanding commitment of both Labour and Conservative administrations, and is a specific commitment in our Joint Local Plan, a point strongly acknowledged by the Judge in the High Court last week.

The Better Places Programme which includes Armada Way has transcended various political administrations and the designs and project business cases have been developed for over 6 years, again under both Labour and Conservative Cabinet Members and Leaders. The overall design approach and philosophy was set out well before I became Leader and in considering all the issues in the Executive Decision I had to decide whether we should proceed with a final design which made

further changes, including planting even more trees - not just in Armada Way, but throughout the City Centre and the St. Peter and Waterfront ward.

It is also the case that the decision that this scheme did not require planning permission and was permitted development also preceded me becoming Leader.

Executive Decisions are a normal part of the democratic decision-making process in local government. In some cases, Executive Decisions need to be urgently made. Where that is the case, the reasons for urgency have to be agreed by the Chair of the relevant scrutiny panel to ensure independent oversight of the executive. Again, this is the normal part of democratic decision-making process.

In the case of my Armada Way Executive Decision published on 14th March 2023, the 6 reasons for urgency were approved by the Chair of the Growth and Infrastructure Overview and Scrutiny Panel after very careful consideration at 11.01 on 14th March 2023. I also understand he discussed the process for urgency with Councillor Penberthy.

Last week, the High Court Judge said that there were points of public law that needed to be argued regarding the grounds of urgency in the report. We will be presenting our case on those reasons for urgency at a forthcoming court hearing.

QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Paul MacNamarra

To the Cabinet Member or Chair for: Councillor Rebecca Smith, Cabinet Member for Strategic Planning, Homes and Communities

To be asked at the next (Council, Cabinet or Planning Committee) Meeting: Council

Date: 27 March 2023

Question (to be no longer than 50 words): Drake residents liked the Conservative promise to “stop further intensification of HMOs in the streets around Plymouth University and go further by buying up properties and converting these back to single family homes”. How many Drake HMOs have been given planning permission since May 2021? How many have been purchased?

Will you be attending the meeting in person to ask your question?

Response: (for completion by City Council officers and Cabinet Members / Chairs)

Since May 2021, the Local Planning Authority (LPA) granted planning permission for one new HMO within Drake Ward (planning reference: 22/01870/FUL).

During the same timeframe, the LPA approved one planning application to remove a student-only restriction on an existing HMO (planning reference: 22/01162/FUL), approved one planning application for a single storey extension to an existing HMO (planning reference: 22/02069/FUL) and authorised 43 lawful use certificates for existing HMOs within Drake Ward.

Plymouth City Council has not purchased any HMO's to convert back into single-family dwellings in this period.

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QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Penny Tarrant

To the Cabinet Member or Chair for: Councillor Jonathan Drear (Cabinet Member for Transport)

To be asked at the next (Council, Cabinet or Planning Committee) Meeting: Council
Date: 27 March 2023

Question (to be no longer than 50 words): Will you commit to saving the trees that you unsuccessfully managed to fell on Tuesday 14th March after the interim injunction came into effect?

Will you be attending the meeting in person to ask your question?

Response: (for completion by City Council officers and Cabinet Members / Chairs)

Thank you for your question.

The position with the remaining 19 trees must be considered in light of the decision of the High Court on the injunction and any subsequent judicial review.

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QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Lynn Sears

To the Cabinet Member or Chair for: Councillor Mark Shayer (Deputy Leader and Cabinet Member for Finance and Economy)

To be asked at the next (Council, Cabinet or Planning Committee) Meeting: Council
Date: 27 March 2023

Question (to be no longer than 50 words): Explain how alternative public seating to all those in the fenced compound areas and under piles of felled logs will be provided for all shoppers, but especially the elderly and disabled residents and visitors.

Will you be attending the meeting in person to ask your question? No

Response: (for completion by City Council officers and Cabinet Members / Chairs)

Thank you for your question.

Following the court hearing on 24 March 2023, the Council will be making arrangements to clear the site in accordance with the terms ordered by the Court.

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QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Mike Sheaff

To the Cabinet Member or Chair for: Councillor John Riley (Chair of Growth and Infrastructure Overview and Scrutiny Committee)

To be asked at the next (Council) Meeting:

Date: 27 March 2023

Question (to be no longer than 50 words):

The “Better Places: Armada Way Scheme” report describes decision-making. Cabinet Members’ consultation (23 February); Corporate Management Team consultation (1st March); Equality Impact Assessment (2 March); and your determination that it constituted an “urgent” decision (14 March). When did you first see this report, and how did you involve OSC members?

Will you be attending the meeting in person to ask your question? Yes

Response: (for completion by City Council officers and Cabinet Members / Chairs)

I first saw the draft report and the reasons for urgency when the Monitoring Officer emailed it to me at 10:57 on 8th March 2023.

I spoke to Councillor Penberthy in his role as Chair of the Scrutiny Management Board to discuss the process for any urgent decision, this was a theoretical discussion as he had not seen the decision paperwork. I gave detailed consideration of the reasons for urgency, including considering the City Council’s rules and guidance as well as that of the Local Government Association for Members.

On 14th March 2023 at 11.01 I confirmed in writing, via email, to the Monitoring Officer that I was content to remove call in relation to the proposed decision.

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QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Ryan Aldred

To the Cabinet Member or Chair for: Councillor Richard Bingley

To be asked at the next (Council) Meeting:

Date: 27 March 2023

Question (to be no longer than 50 words):

Why have the Council gone ahead with tree felling without fully taking into consideration results of the so-called meaningful; engagement process which “demonstrate an overwhelming majority of respondents are opposed to the scheme” and are you not alarmed by the precedent for democratic deficit your administration has now set?

Will you be attending the meeting in person to ask your question?

Response: (for completion by City Council officers and Cabinet Members / Chairs)

Thank you for your question. I read this on behalf of Councillor Bingley.

I can confirm that I fully took into account the results of the Armada Way Engagement Programme 2023, both those for the scheme and those who opposed the scheme. The factual Armada Way Engagement Report was published on 14th March 2023.

I also fully took into account the results of the 2018 and 2022 consultation and engagement debates as well as the letters of support for the scheme from:

- the Environment Agency
- South West Water
- Sustrans
- Historic England
- the Twentieth Century Society
- Devon Gardens Trust
- Homes England
- the City Centre Company
- the Devon and Plymouth Chamber of Commerce
- PADAN

- Destination Plymouth
- Visit Plymouth
- Plymouth Against Retail Crime
- and the High Streets Task Force.

I also considered carefully the case for change and the policy context including the fact that improvements to city centre public realm has been a longstanding commitment of both Labour and Conservative Administrations. I also considered the resolution of the City Council on 30th January 2023.

Finally, I considered the various suggestions to change the design, considered alternative designs, and in agreeing the final scheme recommended by officers issues of climate change and environmental resilience.

On this basis, balancing everything in the round, I decided the right thing to do was to press on with the scheme with some further improvements including significant more tree planting and the retention of the one existing Category 'A' tree.

QUESTION BY MEMBER OF THE PUBLIC

Question submitted by: Mark Thomas

To the Cabinet Member or Chair for: Councillor Jonathan Drean (Cabinet Member for Transport)

To be asked at the next (Council, Cabinet or Planning Committee) Meeting: Council
Date: 27 March 2023

Question (to be no longer than 50 words): Revising a new plan for Armada Way was rejected because funding COULD have been clawed back. We can assume then that Cllr Drean did not contact the DfT for a funding extension despite a recommendation by a scrutiny committee. We recorded Cllr Drean saying he would, why did he not?

Will you be attending the meeting in person to ask your question?

Response: (for completion by City Council officers and Cabinet Members / Chairs)

First of all, if a recording was made at a meeting I held with 'STRAW' on 23rd February 2023 - specifically at their request - this was done covertly and without my knowledge or agreement.

Secondly, the City Council has already told 'STRAW' in other correspondence following the meeting of the Performance, Finance and Customer Focus Overview and Scrutiny Committee held on 22nd February, which recommended that I write to the Department for Transport, that I was still considering this matter - and I continue to do so.

This is because there is already an Assurance Review process being undertaken by the Department of Transport, which will consider the future timescales for the delivery of all TCF projects across the whole country.

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