



Oversight and Governance

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CITY COUNCIL – SUPPLEMENT PACK (MOTIONS ON NOTICE)

Monday 29 January 2024
2.00 pm
Council House, Plymouth

Members:

Councillor Shayer, Chair

Councillor Ms Watkin, Vice Chair

Councillors Allen, Aspinall, Mrs Beer, Bingley, Blight, Briars-Delve, Mrs Bridgeman, Carlyle, Coker, Dr Cree, Cresswell, Dann, Darcy, Dingle, Evans OBE, Finn, Gilmour, Goslin, Harrison, Haydon, Hendy, Holloway, Hulme, Krizanac, Laing, Loveridge, Lowry, Lugger, Dr Mahony, McLay, McNamara, Moore, Murphy, Nicholson, Noble, Partridge, Patel, Penberthy, Penrose, Poyser, Raynsford, Reilly, Rennie, Ricketts, Salmon, Smith, Sproston, Stephens, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy and Wakeham.

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

You can watch any of our webcast meetings on [YouTube](#). 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

16. Motions on notice

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

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| 16.a Local Democratic Access | (Pages 1 - 2) |
| 16.b Excess Profits by Private Companies Providing Children's Social Care | (Pages 3 - 4) |
| 16.c Plymouth City Airport | (Pages 5 - 6) |
| 16.d Unauthorised Encampments | (Pages 7 - 8) |
| 16.e In lieu of loos | (Pages 9 - 10) |

MOTION ON NOTICE



Date of Council Meeting: 29 January 2024

Title of Motion:

Local Democratic Access

Council members are concerned by the increasing number of obstacles being put in the way of the democratic process - of voters inability to gain access to information about candidates; the council's ability to ensure that residents are on the electoral roll and the barriers to voting for some members of the electorate.

To ask the Leader of the Council -

- To write to the Electoral Commission and the Speakers Committee on the Electoral Commission with copies to the Minister responsible asking that this 21st Century democratic deficit is investigated and that rules are put in place, or legislation amended, to ensure that candidates are able to reach out in local elections in person without incurring postal costs which would be prohibitive for smaller parties and independent candidates and that councils are enabled and supported in attempts to register hard to reach voters.

Proposer: Cllr Alison Raynsford

Seconder: Cllr Sarah Allen

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MOTION ON NOTICE



Date of Council Meeting: 29 January 2024

Title of Motion:

Excess Profits by Private Companies Providing Children's Social Care

Motion Narrative and Action Required:

This Council notes the importance of providing the best possible care for our most vulnerable looked after children. As corporate parents we know how essential it is for our children in care to be suitably provided for and looked after. It is our legal duty as corporate parents to ensure that this happens. We are all corporate parents here; be we elected members or council officers and we take this responsibility very seriously.

This Council also notes that there has been an increase in demand for places in residential care in recent years. According to the National Children's Bureau there has been a 79% increase in children entering residential care since 2010-11. This presents a major strain on local authority budgets – including our own. It also means that money is drawn away from early interventions which in the long term would ensure better outcomes for children and families as well as saving money. Although local authorities across England increased their spending on children's services by £800 million for 2021-22, a substantial 8% surge from the previous year; early intervention services were in decline, witnessing a 46% drop in the last 12 years.

Against this backdrop a report commissioned by the LGA (Local Government Association) has revealed that the largest independent providers of children's social care services in England made profits of more than £300 million last year. The report found that the 20 largest providers collectively made profits of £310 million in 2021/22. This represents a 19% profit margin on their total income of £1.63 billion.

The Council also notes that spending on privately run children's homes has more than doubled in the past six years from £736.6 million in 2015/16 to £1.5 billion in 2021/22.

As well as the costs to Councils, including our own, this Council should note that the LGA report found there have been a significant amount of mergers and acquisitions in the children's social care sector in recent years. This has led to concerns about the impact of such activity on children living in care.

This Council believes that:-

- It is fundamentally wrong that some providers are making such large profits when that money should be invested in supporting our children. This would free up more resources to finance more early intervention programmes.

- That there should be a far greater financial oversight of the largest providers. It is clear that the current system is not fit for purpose and there needs to be a major overhaul. Children and families are not being best served, local authorities are not being best served as well as council tax payers as public money is being used to boost private profits.

This Council asks the Leader to write to the Parliamentary Under-Secretary of State (Minister for Children, Families and Wellbeing) David Johnston OBE MP (with a copy to the Chair of the Education Select Committee) to make him aware of the situation and its potential impact on our children and young people in care and on the overall budget impacts on Plymouth City Council. As well as how these profiteering companies are diverting money away from early intervention and thus further disadvantaging our most vulnerable children. This Council also requests that the Leader should ask Mr Johnston that his Department investigates the largest providers so that there is a far greater financial oversight. This is the least that should be done as a matter of urgency.

Proposer: Cllr Jemima Laing

Seconder: Cllr Sally Cresswell

MOTION ON NOTICE



Date of Council Meeting: 29 January 2024

Title of Motion:

Plymouth City Airport

The freehold title of Plymouth City Airport is registered to Plymouth City Council (Title No. DN466216) out of which a lease dated 27th April 2004 made between the Council of the first part and Plymouth City Airport Limited of the second part and Sutton Harbour Holdings Plc of the third part was granted and registered under Title No. DN497101(2)). This Lease was varied by a subsequent Deed dated 12 June 2009.

A landlord, such as Plymouth City Council, has a right of re-entry or forfeiture for breach of covenant or condition in a lease and this shall not be enforceable unless and until the landlord serves on the tenant a notice. This is known as a Notice of Forfeiture against a leaseholder.

In order to return control of the airport site to Plymouth City Council, the lease needs to be cleared off. This cannot be done until Notice of Forfeiture is served.

Council resolves to recommend to the Leader to instruct officers to immediately serve Notice of Forfeiture.

Proposer: Cllr Andy Luggar

Seconder: Cllr Bill Wakeham

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MOTION ON NOTICE



Date of Council Meeting: 29 January 2024

Title of Motion:

Unauthorised Encampments

Last year we saw across the City a number of unauthorised encampments resulting in considerable inconvenience to local residents and additional costs to the Street Services, Community Connections and Legal Services budgets of the City Council.

Council resolves:

1. To request the Cabinet Member for Finance to consider providing a dedicated budget, in the forthcoming 2024/25 Council Budget, to account for costs associated with dealing with unauthorised encampments in Plymouth.
2. To request the Cabinet Member for Housing, Co-operative Development and Community, to review the Council's policy for Unauthorised Encampments, learning from experiences in 2023 and sharing with Members of the City Council in due course, the Council's approach to mitigating the impact of unauthorised encampments in 2024.

Proposer: Cllr Patrick Nicholson

Seconder: Cllr Mrs Terri Beer

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MOTION ON NOTICE



Date of Council Meeting: 29 January 2024

Title of Motion:

In lieu of loos

This Council believes that...

1. The availability of public toilets is an equality issue, a public health issue and a human right;
2. Access to clean, accessible toilets with appropriate facilities, which meet the needs of people of all ages, genders and abilities is a basic requirement of health, hygiene and personal safety;
3. Adequate public toilet provision is a feminist issue with research showing women feel the lack of provision more acutely [1];
4. Access to a toilet is about social inclusion, being part of a community and being able to move around the city barrier free, taking advantage of our cities' green and blue spaces;
5. Having clean, well-situated and accessible public toilets would reflect positively on Plymouth with residents and visitors; and
6. Taking a strategic look at public toilet provision from a multi-service perspective would have a positive impact on many people's experiences of enjoying and taking advantage of Plymouth's public spaces. This could be particularly true for pregnant people, people with children, young people, disabled people, the elderly, the chronically ill and people with invisible and underlying health conditions, all of which may require more frequent use of a toilet.

This Council notes that...

1. Relieving oneself in public is a criminal offence in England (Public Order Act 1986 and Environmental Protection Act 1990) and as such, residents should be provided with abundant opportunities for avoiding this situation;
2. Plymouth is among the top 10 cities of women struggling to afford sanitary products. Many people in our city are hit by period poverty, with 26 per cent unable to pay for tampons, pads and menstrual cups [2];
3. Provision of public toilets is not evenly spread across the city; and
4. Current information regarding public toilets on the Council's website is inadequate and missing key information such as cost and payment methods accepted.

Additionally, this Council notes that budgets, and space, to build new public toilets is limited. As a consequence, this Council believes that where provision is currently lacking, a Community Toilet scheme (i.e. working with local businesses) could be introduced to cover demand.

A well thought out Community Toilet scheme would offer a mutually beneficial arrangement for the Council, public and local businesses. With participating businesses potentially benefiting from:

- a. Free publicity on Plymouth City Council's website and printed maps;
- b. Free window signs encouraging potential customers to enter the premises;
- c. Potential increase in trade from customers making purchases as a result of entering the premises to use the facilities;
- d. Potential inclusion in a public toilet awareness programme; and
- e. A financial contribution from the Council in exchange for providing clean, safe facilities.

Therefore, Council resolves to request that the relevant Cabinet Member

- **to develop a public toilet strategy within the next 12 months with the input of the relevant Scrutiny Committee, that includes but is not limited to:-**
 - An in-depth review of our existing public toilets
 - An assessment of public toilet opening hours, signage and potential use of technology at public toilet sites to increase opening hours
 - A feasibility assessment of a Community Toilet Scheme
 - A costed analysis of introducing free hygiene and menstrual products in Plymouth City Council buildings and public toilets
 - A plan for a public toilet awareness programme
 - Exploring options for developing a Comfort Scheme small grants fund, similar to Highland Council [3]
 - Engaging with vulnerable users, like women, children, disabled and elderly people on their experience of using public toilets
 - Outlining how Plymouth City Council are improving accessibility for people with mobility issues and people who care for young children who need changing facilities or larger cubicles
 - Investigating how the Joint Local Plan can play a part in increasing public toilet provision
 - Investigating that all public toilets in Plymouth be made free of charge

References

[1] No Place to Go - How Public Toilets Fail our Private Needs by Lezlie Lowe

[2] [Period poverty in Plymouth sees 26 per cent of women unable to afford sanitary products - Plymouth Live \(plymouthherald.co.uk\)](#)

[3] [Highland Comfort Scheme | Highland Council public toilets | The Highland Council](#)

Proposer: Cllr Lauren McLay

Seconder: Cllr Ian Poyser