

# Public Document Pack



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## CITY COUNCIL ORDER OF PROCEEDINGS

**DATE: MONDAY 31 JANUARY 2011**  
**TIME: 2.00 PM**  
**PLACE: COUNCIL HOUSE, PLYMOUTH (NEXT TO THE CIVIC CENTRE)**

### Members –

The Lord Mayor, Councillor Mrs Aspinall, Chair  
Deputy Lord Mayor, Councillor Coker, Vice Chair  
Councillors Ball, Mrs Beer, Berrow, Bowie, Bowyer, Mrs Bowyer, Mrs Bragg, Brookshaw, Browne, Dann, Delbridge, Mrs Dolan, Drean, Evans, K Foster, Mrs Foster, Fox, Fry, Gordon, Haydon, James, Jordan, King, Martin Leaves, Michael Leaves, Sam Leaves, Lock, Lowry, Dr. Mahony, McDonald, Monahan, Murphy, Mrs Nelder, Nicholson, Mrs Nicholson, Mrs Pengelly, Rennie, Reynolds, Ricketts, Roberts, Dr. Salter, Smith, Stark, Mrs Stephens, Stevens, Thompson, Tuohy, Vincent, Mrs Watkins, Wheeler, Wigans, Wildy, Williams and Wright

**BARRY KEEL**  
CHIEF EXECUTIVE

**CITY COUNCIL**

**COUNCIL ORDER OF PROCEEDINGS 31.1.11**



**MEETING OF THE CITY COUNCIL  
31 January 2011**

**ORDER OF PROCEEDINGS**

***MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE LIST SITUATED AT THE REAR OF THE CHAMBER.***

Before the start of the meeting, prayers will be said by the Reverend Tim Smith, the Lord Mayor's Chaplain, Vicar of St Jude's Church, Beaumont Road.

The Lord Mayor will draw the attention of councillors and the public to the following including the new fire and emergency procedures as printed below -

**FIRE, EMERGENCY & OTHER PROCEDURES**

Would you please note that –

- Toilets are situated at the front of the Council House at the foot of the stairs.
- If the fire alarm sounds, make your way immediately out of the public gallery through the exit at the back (the door through which you entered). For those in the Council Chamber the exit is through the doors at the back of the Chamber and down the stairs to the front of the Council House. The assembly area is to the right as you exit the Council House. For the mobility impaired, the assembly point is directly in front of the Council House car park.
- If you are in need of first aid, please make yourself known to any Council officer and the designated first aiders will be contacted.
- unless the Chair agrees, mobile phones should be switched off and speech, video and photographic equipment should not be used during meetings.
- Smoking is not permitted within the Council House building.

**1 APOLOGIES FOR ABSENCE**

Councillors

## **2 DECLARATIONS OF INTEREST**

The Assistant Director for Democracy and Governance will invite councillors to make any declarations of interest relevant to today's meeting.

Councillors are reminded that interest may be personal or prejudicial, in accordance with the Local Government Code of Conduct, or in accordance with Section 106 of the Local Government Finance Act, 1992.

In declaring a personal interest, councillors are advised that they must also declare the nature of that interest.

## **3 MINUTES**

**PAGES 1 – 20**

The Lord Mayor will move that the minutes of the meeting of the Council held on 31 January 2011 are approved, subject to the amendment of minute 72 (page 13) relating to question no 6, to substitute Councillor Wildy for Councillor Williams in the second line relating to a written response.

## **4 ANNOUNCEMENTS**

### **(a) The Lord Mayor or the Chief Executive**

- **The late Alderman Peter Whitfeld**

Alderman Peter Whitfeld was born in Stonehouse in 1920. He served in the Navy for 45 years. He was first elected as a Council member in 1967 and served as Lord Mayor through 1984 into 1985.

He was nominated as a Council representative with the Plymouth Marketing Bureau, Enterprise Plymouth and the West Devon Advisory Committee. He also served as a school governor and was awarded for his work within his trade union.

The Council will be asked to stand in silence, for one minute, as a mark of respect.

### **(b) The Leader, Cabinet Members or Chairs of Committees**

*(Note: There is a limit of 3 minutes for each announcement at (b) above)*

## **5 QUESTIONS BY THE PUBLIC**

To receive questions from and provide answers to the public in relation to matters which, in the opinion of the Lord Mayor, are relevant to the business of the meeting in accordance with paragraph 10 of the Constitution.

There are no questions for today's meeting.

**ITEMS REFERRED FROM CABINET**

**6 Local Development Framework: Submission of Derriford and Seaton Area Action Plan PAGES 17 –1 22**

The Lord Mayor will invite Councillor Fry to present the Derriford and Seaton Area Action Plan pre submission draft for approval, for consultation purposes, as contained in Cabinet minute 95.

The Lord Mayor will invite the Council to vote on the recommendations to –

- (1) approve the Derriford and Seaton Area Action Plan Pre-Submission draft for consultation purposes;
- (2) delegate authority to the Assistant Director of Development and Regeneration (Planning Services), in consultation with the Cabinet Member for Planning, Strategic Housing and Economic Development, to agree the final pre-submission format of the Area Action Plan;
- (3) delegate authority to the Assistant Director of Development and Regeneration (Planning Services), in consultation with the Cabinet Member for Planning, Strategic Housing and Economic Development, to agree minor amendments to the Area Action Plan in response to the consultation process;
- (4) instruct the Assistant Director of Development and Regeneration (Planning Services) to formally submit the Area Action Plan to the Secretary of State after completion of the consultation process.

**7 Youth Justice Performance Improvement Framework PAGES 123 to 174 2010/11**

The Lord Mayor will invite Councillor Mrs Watkins to present the Youth Justice Performance Improvement Framework 2010/11 for approval (Cabinet minute 99 refers).

The Lord Mayor will invite the Council to vote on the proposal to adopt the Youth Justice Performance Improvement Framework Part 2 Capacity and Capability 2010/11.

**8 MOTIONS ON NOTICE**

**(1) Motion on Notice No 11 (10/11)**

**PAGE 3 of the supplement**

**REMOVAL OF EDUCATION MAINTENANCE ALLOWANCE**

Important Council and Local Strategic Partnership Priorities for Plymouth are 'Growth' and 'Raising Aspiration'.

1. The Council recognises that the Tory led Coalition Government has voted to remove the Educational Maintenance Allowance from students and will not allow any further applications. This will affect over 3000 young people in Plymouth who will therefore lose this support grant. Figures show that post-16 achievement in Plymouth is below what it should be. This underperformance affects Plymouth's ability to achieve its stated priorities.
2. Council therefore CALLS upon the Cabinet Member for Children and Young People (Cllr Watkins) and the Cabinet Member for Finance (Cllr Bowyer), working with the Directors for Corporate Support and Children's services to –
  - a) Bring forward proposals in the Council Budget (2010-2013) to provide financial help to ensure that those young people in Plymouth previously in receipt of Educational Maintenance Allowance are able to continue with their post-16 educational courses.
  - b) Make the strongest representations to their Government to rapidly replace or reinstate Educational Maintenance Allowance to ensure continued investment in young people in Plymouth, and nationally, so that that all young people have equal access to Further Education and the opportunities it brings.

**Proposed by Councillor Wildy  
Seconded by Councillor Evans**

**(2) Motion on Notice No 12 (10/11)**

**PAGE 5 of the supplement**

**SUPPORTING PEOPLE**

This Council notes

That as a result of cuts in funding by the Conservative led Government Cornwall Council has decided to cut its Supporting People budget by 40%. Plymouth City Council also faces significant budget pressures and will be reviewing its contracts with a view to making substantial savings. Given that several Housing Associations and other providers funded by the supporting peoples' budget have said that they do not have the capacity to maintain current levels of services on a reduced budget this Council resolves to –

Ask Overview and Scrutiny Management Board to arrange for an evaluation of the range of services funded by the Supporting People's budget with a view to identifying best practice and value for money and the possible affect of reduced funding across the Devon and Cornwall region on the capacity for providers to deliver in Plymouth. That the findings of the Overview and Scrutiny be used to inform the Executive when making decisions about the allocation of Supporting Peoples' funding.

**Proposed by Councillor Williams  
Seconded by Councillor McDonald**

**(3) Motion on Notice No 13 (10/11)**

**PAGE 7 of the supplement**

**PLYMOUTH ARGYLE STADIUM**

In the light of Plymouth Argyle's current financial predicament, Council CALLS UPON the Cabinet Member to offer to buy back the land at current market valuation from the present owners.

**Proposed by Councillor Evans  
Seconded by Councillor Wildy**

**(4) Motion on Notice No 14 10/11**

**PAGE 9 of the supplement**

**GLASS RECYCLING**

1. Council notes the Conservative Election Manifesto promise of 2007 to introduce doorstep glass recycling.
2. Council calls upon the Executive to bring forward a detailed implementation plan in time for inclusion in the 2011/12 budget.

**Proposed by Councillor Evans  
Seconded by Councillor Wildy**

**(5) Motion on Notice No 15 10/11**

**PAGE 11 of the supplement**

**PROPOSED INCINERATOR AT NORTH YARD**

Given the investment in the NDC area of Devonport by Plymouth City Council and Government, this Council resolves to ask the Cabinet Member for Street Scene and Environment to look carefully at any suggestions that South Yard should be used as an alternative entry point for lorries carrying waste to and from the site of the proposed incinerator.

Council further resolves to ask the Cabinet Member for Planning to make any Traffic Impact Assessment available to Members of Plymouth City Council in a timely manner so that it can be discussed by ward members prior to the relevant meeting of the planning committee.

**Proposed by Councillor Evans  
Seconded by Councillor Wildy**

**(6) Motion on Notice No 16 10/11**

**PAGE 13 of the supplement**

**POLICE NUMBERS**

It has been suggested that the number of serving police officers in the Plymouth BCU is to fall to levels unseen since 1983 due to the cuts imposed by the Conservative-led government on the Devon and Cornwall Police Authority.

The Council believe that this will inhibit the police in maintaining their excellent record of reducing crime in our city, and should be opposed.

**Proposed by Councillor Evans  
Seconded by Councillor Wheeler**



**(7) Motion on Notice No 17 10/11**

**PAGE 15 of the supplement**

**SUPPORT TO FAMILIES AND VULNERABLE GROUPS**

Council priorities in the Corporate Plan include 'Reducing Inequalities' and 'Value for Communities'.

1. Council notes that the proposed budget for 2011-2014 proposes restructuring or removing targeted support in many areas including school transport, family intervention services and the youth offending service.
2. The current impact assessment shows that this will affect Families and Vulnerable Groups and have the potential to widen inequalities.
3. Further, removing some of these services could result in increased costs for some services in the long run.
4. Council **resolves** that these cuts run contrary to the Corporate Plan and should not be pursued as part of the budget cost cutting delivery plans.

**Proposed by Councillor Wildy**

**Seconded by Councillor McDonald**

**(8) Motion on Notice No 18 10/11**

**PAGE 17 of the supplement**

**GRIT AND SALT**

Council notes that during the recent cold snap most pavements and bus stops were left ungritted and/or unsalted.

Council also notes that many areas of the city have few salt or grit bins, and those that exist were not re-filled.

Council resolves to request the portfolio holder to change policy and procedure before the winter is over so that pavements are cleared as well as roads, and grit provided to constituents.

**Proposed by Councillor Evans**

**Seconded by Councillor Vincent**

**TO CONSIDER ANY OTHER BUSINESS SPECIFIED IN THE SUMMONS  
TO THE MEETING, OR MATTERS TAKEN AS A MATTER OF URGENCY**

**9 Plymouth's Local Transport Plan – Extension to LTP2 PAGES 175 – 180**

The Lord Mayor will invite Councillor Wigens to present the report and recommendation on the proposed extension of the Local Transport Plan 2.

The Lord Mayor will invite the Council to vote on the proposal to approve the retention of Plymouth's Second Local Transport Plan as the transport strategy for the city until the Third Local Transport Plan is adopted.

**10 Devon and Severn Inshore Fisheries and Conservation Authority PAGES 181 – 230**

The Lord Mayor will invite the Assistant Director for Democracy and Governance to present the report and recommendations on Devon and Severn Inshore Fisheries and Conservation Authority. Councillor Fry will be invited to move the recommendations for approval.

The Lord Mayor will invite the Council to vote on the proposals to -

- (1) note the new duties imposed on the Council by the Devon and Severn Inshore Fisheries and Conservation Order 2010 (SI2010 No. 2212) including the requirement to contribute 4.70% of the budget for the Devon and Severn IFCA.
- (2) approve the Draft Code of Conduct; Declaration of Interests, Draft Standing Orders, Draft Financial Regulations and Draft Business Plan and Budget for the Devon and Severn IFCA. . Also that based on the outline budget, Plymouth City Council agrees to contribute up to £44,185 for 2011/12.
- (3) note the response submitted to the Department of Food and Rural Affairs consultation, as set out in the background paper. This consultation is on how best to allocate the New Burdens funding to local authorities for the new responsibilities for the Inshore Fisheries and Conservation Authorities (IFCAs).

**11 Electoral Arrangements****PAGES 231 – 234**

The Lord Mayor will invite the Assistant Director for Democracy and Governance to present the report and recommendation on electoral arrangements during the absence of the Chief Executive.

Councillor Mrs Pengelly will be invited to move the recommendation for approval.

The Lord Mayor will invite the Council to vote on the proposal to appoint the Monitoring Officer as the Council's electoral registration officer and returning officer under the Representation of the People Act 1983, during the absence of the Chief Executive.

**12 Appointment to Committees, Outside Bodies etc****PAGES 235 - 236**

	<b>Committee</b>	<b>Membership</b>	<b>Appointments</b>
1.	Lord Mayor's Selection Committee	6 Councillors (3 Conservative and 3 Labour Members)	Councillors Mrs Bowyer, Evans, Gordon, Mrs Pengelly, Roberts and Vincent

	<b>Organisation</b>	<b>No of Members</b>	<b>Appointments / Nominations</b>
2.	Ballard Trust	Seven representatives: Michael Foster, Betty Gray, Councillors Jordan, Dr Mahony, Stark, Rennie and Smith	Chaz Singh and John Smith to replace Councillors Rennie and Smith
3	Charles Plymouth Relief in Need Charity	Two representatives: Mr F Brimacombe to 6 March 2011 and Heather Binley to May 2015.	Mr F Brimacombe
4.	Mount Batten Sailing Water Sports Centre – Board of Directors.	Two Councillors – Councillor Ken Foster and one vacancy	Defer to the AGM

5. The City Council is also asked to note that the following bodies no longer meet and representation is not required –

a	Morley Centre Management Committee	existing vacancy
b	Rees Youth and Community Centre	Councillor Jordan is the Council's appointed representative.

**QUESTIONS BY MEMBERS**

**13 General Questions**

Questions to the Leader, Cabinet Members and Committee Chairs covering aspects for their areas of responsibility or concern by councillors in accordance with paragraph 12 of the Constitution on the basis of 1 minute for the question and 2 minutes for the reply. The same for supplementary questions.

*(Note: There is a 30 minute time limit on this item)*

**14 Forward Plan**

**PAGES 237 - 256**

Councillor Mrs Pengelly will introduce the Forward Plan.

*(Note: There is a 5 minute time limit on this introduction)*

Councillors may ask questions specific to the Forward Plan of the Leader / Cabinet Members on the basis of 1 minute for the question and 2 minutes for the reply. There are no supplementary questions.

*(Note: There is a 15 minute time limit on these questions)*