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BEST ACHIEVING
COUNCIL OF THE YEAR



Barry Keel
Chief Executive

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Civic Centre
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Date 5 December 2011

Please ask for: Nicola Kirby, Senior Democratic Support Officer (Cabinet)
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CITY COUNCIL

Date: Monday 5 December 2011

Time: 2.00 pm

Venue: COUNCIL HOUSE, PLYMOUTH (next to the Civic Centre)

Members:

Councillor Brookshaw, Chair

Councillor Delbridge, Vice Chair

Councillors Mrs Aspinall, Ball, Mrs Beer, Berrow, Bowie, Bowyer, Mrs Bowyer, Mrs Bragg, Browne, Casey, Churchill, Coker, Davey, Mrs Dolan, Drean, Evans, K Foster, Mrs Foster, Fry, Gordon, Haydon, James, Jordan, Martin Leaves, Michael Leaves, Sam Leaves, Lock, Lowry, Dr. Mahony, McDonald, Monahan, Murphy, Mrs Nelder, Nicholson, Mrs Nicholson, Penberthy, Mrs Pengelly, Rennie, Reynolds, Ricketts, Dr. Salter, Singh, John Smith, Peter Smith, Stark, Stevens, Thompson, Tuffin, Tuohy, Vincent, Wheeler, Wiggins, Wildy, Williams and Wright.

The order of proceedings for the meeting is attached.

Barry Keel
Chief Executive

CITY COUNCIL

ORDER OF PROCEEDINGS

CITY COUNCIL MEETING ORDER OF PROCEEDINGS

5 December 2011



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 Lord Mayor's Chaplain, Reverend Karl Freeman, Vicar of Emmanuel Church, Compton Avenue.

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

FIRE, EMERGENCY AND 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

Councillors Mrs Aspinall, Mrs Bragg and Williams.

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 an 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 – 23

The Lord Mayor will move that the minutes of the meetings of the Council held on 10 October and the Extraordinary General Meeting on 18 October 2011 are approved.

4 ANNOUNCEMENTS

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

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

(Note: There is a limit of three 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 two questions for today’s meeting.

Question No	Question By	Relevant Cabinet Member	Subject
6 (11/12)	Madeline Bridgeman	Councillor Fry, Cabinet Member for Planning, Strategic Housing and Economic Development	Inward Investment
<p>As a mother I would like to ask the Councillors with the imminent closure, demolition, and loss of our Airport, how do they propose to attract and encourage overseas investment and employment into Plymouth and protect and secure a future for our children and their children?</p>			
<p>Response:</p> <p>The loss of the airport is not something anybody would wish for Plymouth and I can assure you we did everything in our power as the Local Authority to preserve its future. The bottom line, as you now know, is that it was not commercially viable and no one organisation could continue to absorb the losses it was occurring. At the end of the day, the routes provided were limited and the patronage low. It was not being used sufficiently.</p> <p>So it is closing but we have to look to the future and even without an airport in the city I strongly believe we have an excellent offer to the right kind of investors. Inward investment to the city was and is only partly considered on accessibility.</p> <p style="text-align: right;">cont'd.....</p>			

There are a number of factors which drive the decisions of investors, including land values, workforce characteristics, the housing market, supply chains and business support mechanisms. In recent years, overall levels of Foreign Direct Investment have declined significantly due to changes in the global economy and increased competition elsewhere in the world. It was those types of foreign investment where accessibility was sometimes proportionately more important as a “deal-breaker” but even then the use of technological advances has meant traditional use of air travel for business purposes has declined. Plymouth can, therefore, play on other strengths that we have.

We need to build upon and promote our strengths. Plymouth does have an enviable depth of skills, talent and expertise in areas of growing importance to global industry – such as (but not exclusively) marine and renewable engineering. It is this talent base and supply chain that will be the reason for investors decisions to invest and less about convenience.

We will use events and festivals like the Marine City Festival next year to help attract new investment to the city based on these unique attributes and our experiences of promoting the city for inward investment during the America’s Cup shows what a strong offer we have, regardless of Airport connectivity.

Of course we do still have to invest in our connectivity and we are working hard to ensure we have regular three hour train times to London, improved car links, quicker public transport links to Exeter Airport, which is less than an hour away, and better quality broadband. We are investing in our marine skills with the Marine Academy and the recent announcement of the University Technical College that will focus on marine skills.

So we are focusing on what we do best and we are making sure that we are going to keep on producing the talent to ensure Plymouth is well positioned to continually exploit the strength of its offer.

Question No	Question By	Relevant Cabinet Member	Subject
7 (11/12)	Malcolm Naylor	Councillor Bowyer, Cabinet Member for Finance, Property and People	Use of proceeds from the airport development
<p>Would the Council confirm that proceeds from Airport development, in excess of £12 Million, made available to Sutton Harbour as a result of the ‘Deal’ authorised by PCC Cabinet (25/9/07), have been used entirely in accordance with the recommendations discussed and endorsed at that meeting.</p>			

Response:

The Council entered into a Commercial Development Agreement with Plymouth City Airport Limited and Sutton Harbour Holdings PLC, in March 2008, as a result of the resolutions made by Cabinet on 25th September 2007.

That agreement set out how the receipts from the proposed sale of airport surplus land could be applied to the airport business and its infrastructure. It is extremely important that the Council accounts for all public monies invested in major projects in line with its legal agreements.

Both the Council and its independent auditors, Grant Thornton, have received initial figures from Plymouth City Airport/Sutton Harbour Holdings concerning the application of net-of-tax funds received from the disposal of the surplus land. Those figures show that the receipts have or will be used entirely for the purposes specified in the agreement.

However before the Council sign off the expenditure as provided for by the legal agreement and given that the figures received to date in some cases have been based on estimated costs, Grant Thornton are now undertaking further detailed due diligence to ensure the proceeds are and have been applied in line with the Commercial Development Agreement.

TO DETERMINE RECOMMENDATIONS FROM CABINET AND THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD

6 Capital Programme Approvals

PAGES 25 – 28

The Lord Mayor will invite Councillor Bowyer (Cabinet Member for Finance, Property and People) to propose the new capital schemes for investment (Cabinet minute 80a (of the Cabinet meeting held on 15 November 2011) refers).

The Lord Mayor will invite the Council to vote on the recommendation to approve the new capital schemes for investment as detailed below, amounting to £1.454m additional capital spend for 2011/12 and £3.069m for 2012/13 -

£000	£000	£000	£000	Schemes to be Approved at December Council
11/12	12/13	13/14	14/15	
-	1,571	-	-	Academies – additional funding from Central Gov't
74	-	-	-	Prospect Row Play Area
30	-	-	-	Environmental Survey Works
-	50	-	-	St Budeaux Multi Use Games Area (MUGA)
24	-	-	-	Bretonside & Notte St Improvement Works
-	174	-	-	Traffic Improvements
26	1,274	-	-	ICT Data Centre at Windsor House
1,300	-	-	-	Road repairs in the city
1,454	3,069	0	0	Total of new Schemes for approval Dec 2011

7 History Centre and University Technical College

PAGES 29 - 31

The Lord Mayor will invite Councillor Jordan (Cabinet Member for Community Services (Safer and Stronger Communities and Leisure, Culture and Sport)) to propose the amendments to the second phase of the Accommodation Strategy. (Cabinet minute 86 refers).

The Lord Mayor will invite the Council to vote on Cabinet recommendation (2) below -

- (1) subject to the amendment of the Accommodation Strategy Phase 2, approval is given to -
 - (a) the development of proposals to locate the history centre at the Factory Cooperage building within the Royal William Yard. This requires that the £2m funding presently allocated to the History Centre scheme remains allocated to the scheme and in its new location;
 - (b) the use of Parkside Community College as a University Technical College;
- (2) the City Council is Recommended to amend the second phase of the Accommodation Strategy to reflect the proposals in (1)(a) and (b) above.

MOTIONS ON NOTICE

There are three motions on notice today.

**8 BBC Local Radio
Motion on Notice No 13 (11/12)**

PAGE 33

BBC LOCAL RADIO

Council believes that the proposals made by the BBC to curtail its Plymouth specific local radio programming are wrong and should be withdrawn.

Proposed by Councillor Evans
Seconded by Councillor Rennie

**9 Boundary Committee Proposals
Motion on Notice No 14 (11/12)**

PAGE 35

BOUNDARY COMMITTEE PROPOSALS

This Council objects in the strongest terms to the Boundary Commission proposals for the redrawing of Parliamentary Boundaries in so far as they affect wards in the city of Plymouth.

The proposals as they stand diminish Plymouth and should be reconsidered.

Proposed by Councillor Evans
Seconded by Councillor Mrs Pengelly

**10 Youth Unemployment
Motion on Notice No 15 (11/12)**

PAGE 37

YOUTH UNEMPLOYMENT

Council notes that youth unemployment has risen to over one million in the UK. Here in Plymouth, unemployment for 18 – 24 year olds has risen by 116 per cent since the coalition came to power.

Council believes that a ‘worklessness strategy’ is not enough.

Plymouth needs a plan for jobs but urgently needs a plan to tackle youth unemployment.

Proposed by Councillor Evans

Seconded by Councillor Wildy

11 Any other motions on notice

There are no further motions on notice for today’s meeting.

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

12 REVISED CITY COUNCIL CONSTITUTION

PAGES 39 – 300

The Lord Mayor will invite the Assistant Director for Democracy and Governance to present the revised City Council Constitution and will seek a proposal from the Council.

The Lord Mayor will invite the Council to vote on the proposals set out in the written report (if moved and seconded) to –

- (1) Adopt the revised Constitution and its associated documents as attached, to be effective from the 3 January 2012;
- (2) Designate the following:
 - (a) The Head of Policy, Performance and Partnerships as the Council’s Scrutiny Officer
 - (b) The Assistant Director for Democracy and Governance as the Council’s proper officer for the registration service
- (3) Set up a standing constitution working group to meet as and when required;
- (4) Instruct the Monitoring Officer to report on the operation of the revised constitution after six months.

13 APPOINTMENTS TO COMMITTEES, OUTSIDE BODIES ETC**PAGES 301 - 304**

The City Council is asked to consider the following vacancies -

	Committee	Membership	Appointments
1.	Incinerator Liaison Committee	Councillor Bowyer and one vacancy	To confirm the appointment of Councillor Bowyer and consider the following nominations to fill the vacancy - Councillors Coker, Evans and Wheeler
2.	Plymouth Citizens Advice Bureau Trustee Board	Cessation of membership of Mrs Joan Watkins (two representatives – current member: Cllr Thompson)	Councillor Berrow
3.	Plymouth Schools Forum	Three councillors: Cllrs Dr Mahony, Stark and Wildy	Councillor Wildy to be replaced by Councillor Williams
4.	South West Devon Waste Partnership	Resignation of Councillor Bowyer (two Cabinet members – current member Cllr Michael Leaves)	Councillor Ball
5.	South West Regional Flood and Coastal Committee New composition with effect from 1 January 2012	There is no change to the number of the Council's representatives. Current membership: Councillor Lock Councillor Vincent (Deputy)	To confirm the current membership: Councillor Lock Councillor Vincent (Deputy)

Since publication of the agenda, the following change of membership is proposed -

5a.	Neighbourhood Board for Devonport	Current membership: Cllrs Mrs Dolan and Wildy	Councillor Wildy to be replaced by Councillor Coker
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The City Council is asked to note –

(6) the following nominations notified to the Assistant Director for Democracy and Governance –

Panel	Membership
Appointments Panel	Councillors Mrs Pengelly, Fry, Ball, Bowyer, Evans, Smith, Lowry (substitute members: Councillors Monahan and Wildy)

(7) that, the following changes of Committee membership have been notified to the Monitoring Officer -

Committee	Change of Membership
Overview and Scrutiny Management Board	Councillor Mrs Dolan has replaced Councillor Mrs Nicholson as the nominated substitute for the Children and Young People Overview and Panel
Children and Young People Overview and Scrutiny Panel	Councillor Thompson has replaced Councillor Mrs Bowyer
Customer and Communities Overview and Scrutiny Panel	Councillor Browne has replaced Councillor Mrs Bowyer

(8) that Mr Richard Clarke, Independent Member on Audit Committee, has been re-appointed for a further four year period.

14 SENIOR MANAGEMENT RESTRUCTURE

PAGES 305 – 306

The Lord Mayor will invite the Chief Executive to present the written report on the Senior Management Restructure and will seek a proposal from the Council.

The Lord Mayor will invite the Council to vote on the proposals in the written report (if moved and seconded) to -

- (1) designate Adam Broome, Director of Corporate Services as the Council's chief finance officer under section 151 of the Local Government Act 1972 and Section 6 of the Local Government and Housing Act 1989;
- (2) note the appointments of the director positions by the Appointments Panel.

QUESTIONS BY MEMBERS

15 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 one minute for the question and two minutes for the reply. The same for supplementary questions.

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

16 Forward Plan

PAGES 307 to 329

Councillor Mrs Pengelly will introduce the Forward Plan.

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

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

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

17 JOINT PERFORMANCE AND FINANCE REPORT PAGES 331 – 335
DEPARTMENTAL DELIVERY PLANS AND BUDGETS

The Lord Mayor will invite Councillor Bowyer (Cabinet Member for Finance, Property and People) to present the extract from the Joint Performance and Finance Report (including capital programme update) for Quarter 2 to 30 September 2011.

The Lord Mayor will invite the Council to note the information.

18 EXEMPT BUSINESS

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

19 SENIOR MANAGEMENT RESTRUCTURE (EI) PAGES 337 – 342

The Lord Mayor will invite the Chief Executive to present his written report on the Senior Management Restructure.

The Lord Mayor will invite the Council to note the structure set out by the Chief Executive as Head of Paid Service.