

Public Document Pack



Bob Coomber
Interim Chief Executive

Plymouth City Council
Civic Centre
Plymouth PL1 2AA

www.plymouth.gov.uk/democracy

Date 30 July 2012

Please ask for: Nicola Kirby, Senior Democratic Support Officer (Cabinet)
T: 01752 304867 E: nicola.kirby@plymouth.gov.uk

CITY COUNCIL

Date: Monday 30 July 2012

Time: 2pm

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

Members:

The Lord Mayor, Councillor Wright, Chair

The Deputy Lord Mayor, Councillor Singh, Vice Chair

Councillors Mrs Aspinall, Ball, Mrs Beer, Bowie, Bowyer, Mrs Bowyer, Browne, Casey, Churchill, Coker, Damarell, Darcy, Philippa Davey, Sam Davey, Mrs Dolan, Drean, Evans, K Foster, Mrs Foster, Fox, Fry, Gordon, Haydon, James, Jarvis, Jordan, Martin Leaves, Michael Leaves, Sam Leaves, Lowry, Dr. Mahony, McDonald, Monahan, Murphy, Mrs Nelder, Nicholson, Mrs Nicholson, Parker, Penberthy, Mrs Pengelly, Rennie, Ricketts, Dr. Salter, John Smith, Peter Smith, Stark, Stevens, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent, Wheeler, Wiggins and Williams.

The Order of Proceedings for this afternoon's meeting is attached.

Bob Coomber
Interim Chief Executive

This page is intentionally left blank

CITY COUNCIL MEETING ORDER OF PROCEEDINGS

30 July 2012



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, Father Sam Philpott, Priest-in-charge of St Peter's Church.

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.
- This meeting is being broadcast live to the internet.
- Smoking is not permitted within the Council House building.

1 APOLOGIES

Councillors Jordan, Nicholson and Ricketts.

2 MINUTES

PAGES 1 – 14

The Lord Mayor will move that the minutes of the meetings of Council held on 25 June 2012 are approved.

3 DECLARATIONS OF INTEREST

The Head of Legal Services will invite councillors to make any declarations of interest relevant to today's meeting.

Councillors are reminded that an interest may be personal, prejudicial or a disclosable pecuniary interest in accordance with the Localism Act 2011 and the Council's Code of Conduct.

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

4 APPOINTMENTS TO COMMITTEES, OUTSIDE BODIES ETC

PAGES 15 - 16

1. Following the resignation of Councillor Mrs Dolan from the Conservative Group, the Council is asked to note that –
 - (a) the Conservative Group has agreed to give up a seat on the Licensing Committee which will be offered to Councillor Mrs Dolan;
 - (b) Councillor Mrs Pengelly will take the seat (previously held by Councillor Mrs Dolan) on the Mount Edgcumbe Joint Committee;
 - (c) Councillor Nicholson will take the seat on the Tamar Bridge and Torpoint Ferry Joint Committee;
 - (d) Councillor Mrs Dolan will continue to represent the Council on the Olford Bequest (an outside body).
2. The City Council is asked to consider the following change of membership –

Committee	Membership	Change to Membership
Devon Audit Partnership	Cabinet Member and Chair of Audit Committee	Any elected member and Chair of Audit Committee Subject to approval, Councillor Stevens will replace Councillor Lowry.

3. The City Council is asked to consider the following appointments -

Outside Body	Membership/ Appointments
Wolseley Trust	Councillor Martin Leaves

4. Additional appointments to be considered are as follows -

Outside Body	Membership/ Appointments
Ballard Trust	Councillor Mrs Nicholson
Plymouth City Centre Company	Councillor Lowry to replace Councillor Evans

5 ANNOUNCEMENTS

(a) The Lord Mayor

- **Recent death of Len Hill CBE, former Deputy Lord Mayor**

- **Awards:**

George House homeless hostel

Howard League award relating to Youth Offending Service allotments

LGBT archive award

Green Flag Awards

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

Olympics (diving)

6 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 is one question for today's meeting.

Question No	Question By	Cabinet Member	Subject
Q3/12-13	Mr Sharpe	Councillor Smith, Deputy Leader	Plymstock Swimming Pool – consultation with residents
<p>Please could it be disclosed when Plymstock residents were consulted by the City Council regarding having a possible Plymstock Swimming Pool connected to Sherford?</p> <p>A suggestion Councillors view comments on web site http://www.petition.co.uk/plymstock-swimming-pool-site/</p>			
<p>Response:</p> <p>1) The local planning policy document for this area clearly sets out the need for Sherford to provide a Sports Hub north of Elburton incorporating a swimming pool and the policy document was the subject of extensive public consultations for three years between 2005 and 2007 during which a range of public comments were carefully considered.</p> <ul style="list-style-type: none"> • The local planning policy is the North Plymstock Area Action Plan and the issues and Options public consultation on the required planning policies for the area took place between the 7th March and 18th April 2005. • Having considered public comments the next stage was to invite public comment on the Preferred Options version This took place in the period July- September 2005. The result of the public response to the question relating to the possible provision of the sports centre/swimming pool, outdoor pitches etc here to meet needs of Sherford residents and to offset any loss of playing field land due to transport proposals was 20% Strongly agree, 6% agree, 59% nil response or no opinion, 4% disagree and 11% strongly disagree. • An Elburton EDRA public presentation and exhibition took place on 19th May 2006 and the public consultation on the Action Plan ran for a period of 6 weeks from 22 August and ending on 3 October 2006. 			

- The planning policy was adopted in August 2007, following public examination. Hearings held on the 13 February and 28 March 2007.

It is evident that the local planning policy was adopted following consideration of public opinion and following extensive public consultations.

- 2) The planning applications for the development of this area with a Sports Hub north of Elburton incorporating a swimming pool was the subject of extensive public consultations for five years between 2006 and 2011 during which a range of public comments were carefully considered by the relevant Planning Committees.

- The planning applications for the Sherford development submitted in 2006 reflected the need for the Sports Hub north of Elburton. All the statutory publicity and public notices required for an application accompanied by an Environmental Statement were carried out in association with the two local planning authorities (SHDC and PCC). In addition 3 local public exhibitions on the applications were held in October 2007.
- In 2008/2009/2012 The applicant's submitted additional information and these were the subject of public consultation and comment. The Planning Committees of both authorities considered the public views and the merits of the planning applications in 2008 and 2009. The PCC Planning Committee again met to consider the latest situation in March 2012 when the views of local people were again considered together with those of consultees (the report is available to see on the PCC planning website for 06/02036).
- The Planning Committees of the two local planning authorities (together with Devon County Council) have agreed the framework for a possible legal agreement –a Section 106 Agreement. The required S106 would ensure (amongst other things) that there would be the phased delivery of community facilities including the sports centre (of a minimum of 2,140 square metres) north of Elburton and this would incorporate a 4 lane heated swimming pool.

It is evident that the Planning Committee's decision was made following consideration of public opinion and following extensive public consultations.

7 TO DEAL WITH ANY BUSINESS FROM THE LAST COUNCIL MEETING. IF ANY.

There are no outstanding items of business from the last meeting.

TO DETERMINE RECOMMENDATIONS FROM CABINET

8 Revised Corporate Plan 2012 – 2015

PAGES 17 – 70

The Lord Mayor will invite Councillor Evans (Council Leader) to present the Council's revised Corporate Plan 2012 – 2015 (Cabinet minute 22 refers).

The Lord Mayor will invite the Council to vote on the recommendation to adopt the revised Corporate Plan 2012 – 2015 subject to the following agreed scrutiny recommendations –

- (1) that the progress of the task force for jobs is subject to a six month evaluation by the Growth and Prosperity Overview and Scrutiny Panel;
- (2) that the Council produces an action plan for increased voter registration, including joint work with the University, other higher education institutions and with schools;
- (3) that the Cabinet seek and publish partners' agreed approaches to the Co-operative Council ethos, including those of service delivery partners, such as Amey;
- (4) that Cabinet provide clarity about how the city will balance the needs of the night time economy against the health impacts of alcohol misuse;
- (5) that Cabinet agree with the Overview and Scrutiny Management Board a brief for its input into the development of the city's Child Poverty Strategy;
- (6) that within nine months child poverty in Plymouth will be defined by Cabinet, following appropriate consultation, including referral to the Children's Trust Board and brought to Council;
- (7) that the Cabinet provide clarity that the Older People's Charter is a cross service, rather than a social care initiative;
- (8) that stronger impetus is given to the energy supply company initiative, to provide the earliest possible relief to those in fuel poverty;
- (9) Cabinet will bring forward proposals as to how unfunded capital investment priorities can be considered in a transparent way prior to funding becoming available;
- (10) Cabinet will demonstrate that plans are in place to ensure a smooth and seamless transition for vulnerable children to adulthood.

9 Local Development Framework: Adoption of Shopping Centres Supplementary Planning Document PAGES 71 - 154

The Lord Mayor will invite Councillor Vincent (Cabinet Member for Environment) to present the Local Development Framework: Adoption of Shopping Centres Supplementary Planning Document. (Cabinet minute 24 refers).

The Lord Mayor will invite the Council to vote on the recommendation to formally adopt the Shopping Centres Supplementary Planning Document First Review.

10 Local Development Framework: Adoption of Planning Obligations and Affordable Housing Supplementary Planning Document PAGES 155 to 198

The Lord Mayor will invite Councillor Vincent (Cabinet Member for the Environment) to present the Local Development Framework Planning Obligations and Affordable Housing Supplementary Planning Document (Cabinet minute 25 refers).

The Lord Mayor will invite the Council to vote on the recommendation to formally adopt the Planning Obligations and Affordable Housing Supplementary Planning Document.

11 MOTIONS ON NOTICE

(a) Motion on Notice No 1 (12/13) PAGE 199

Combined Heat and Power Plants

In view of the on-going, serious and deeply felt concerns of many residents regarding the location of the proposed waste plant at North Yard, the Council should fully investigate the options available which would prevent the plant being constructed in its current location. To this end the Council instructs the Interim Chief Executive to seek independent legal advice on the implications of the Council terminating the current contractual arrangements and revoking the current planning consent and for this advice to be considered by Cabinet and the Planning Committee respectively as a matter of urgency.

Irrespective as to the outcome of this review, the Council remains committed to acting in the best long term interests of all our residents – particularly where public health and the environment is concerned. We, therefore, ask that scrutiny should undertake a review of all the most recent evidence regarding the health and environmental impact of CHP plants on local communities in built up areas with the aim of advising the Cabinet on any action which might be appropriate.

Proposed by Councillor Evans

Seconded by Councillor Damarell

Regional Pay

Plymouth City Council notes the announcement by George Osborne of plans to widen the system of local public sector pay structures and his request to pay review bodies to report on the issue from June 2012.

The Chancellor has stated that public sector pay should mimic the private sector and be more reflective of local economies.

Plymouth City Council believes that a move to regional or local pay schemes will lead to a large reduction in pay and spending power and ultimately a skills drain out of Plymouth. For highly skilled people Plymouth will become a less attractive destination and this will inevitably make it more difficult for local organisations to recruit the talent required to lead and overcome the huge and immediate challenges facing the public sector.

With Plymouth highly dependent on the public sector for employment, any attempt to drive down wages in local public sector organisations can only be considered counter productive and will have profound consequences for the local economy. Limiting people's spending power will reduce demand in the economy and will come as a bitter blow to local businesses.

Plymouth City Council therefore resolves to resist any attempts to introduce local or regional pay schemes and ask the Leader of the Council to write to the Prime Minister, the Chancellor, Plymouth's MPs, pay review bodies and local public sector employers setting out the council's opposition to a regionalised pay and the severe consequences that any such scheme will have on the economy of Plymouth.

Proposed by Councillor Peter Smith

Seconded by Councillor Jon Taylor

12 APPOINTMENT OF THE CHIEF EXECUTIVE

PAGES 203 - 206

The Lord Mayor will invite Councillor Evans (Chair of the Chief Officer's Appointment Panel) to present the recommendations of the Chief Officer Appointments Panel to appoint the Chief Executive and designate her as Head of Paid Service.

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

- (1) Appoint Tracey Lee as Chief Executive of Plymouth City Council.
- (2) Designate Tracey Lee as Head of Paid Service on commencing her employment with the Council.
- (3) Designate Tracey Lee as the electoral registration officer and returning officer with effect from 16 November 2012.

**13 PROBITY IN PLANNING: PLANNING COMMITTEE PAGES 207 - 236
CODE OF PRACTICE AND MATTERS SPECIFICALLY
DELEGATED TO PLANNING COMMITTEE**

The Lord Mayor will invite Councillor Peter Smith (Deputy Leader) to present the report of the Monitoring Officer on Probity in Planning: Planning Committee code of practice and matters specifically delegated to Planning Committee.

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

- (1) The City Council incorporates the “Probity in Planning” Code of Practice within Part G of the City Council Constitution as set out in Appendix 1.
- (2) Paragraph 2.2.2 (d) in Planning and the Planning Committee Part E of the City Council Constitution be amended as set out in Appendix 2

14 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, on the basis of one minute for the question and two minutes for the reply. The same for supplementary questions.

(Note: There is a 45 minute time limit on this item)

15 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.

This page is intentionally left blank