

# MINUTES OF THE COUNCIL

Monday 25 July 2005

## PRESENT:

The Lord Mayor, Councillor Nicholson, in the Chair.  
The Deputy Lord Mayor, Councillor James.

Councillors Mrs Aspinall, Bray, Brotherton, Camp, Carter, Coleman, Dann, Evans, Finn, Fletcher, K. Foster, Mrs. Foster, J. Fox, M. Fox, Fry, Miss Gillard, Gordon, Haydon, Hiromeris, Hutchings, Jordan, Kerswell, King, Kirk, Martin Leaves, Michael Leaves, Lock, Mavin, Dr. Mahony, Miller, Mrs. Nelder, Pattison, Mrs. Pengelly, Purnell, Rennie, Santillo, Shears, Simmonds, Stevens, Stark, Vincent, Weekes, Viney, Wheeler, Nicky Wildy, Tom Wildy and Williams.

Apologies for absence: Councillors Mrs. Blackburn, Brookshaw, Mrs. Ford, Mrs. Nicholson, Dr. Salter, Savery, Smith and Wigans.

The meeting commenced at 2.30 pm and concluded at 8.05 pm.

## 15. MINUTES

Resolved that subject to the following amendment, the minutes of the meetings held on 9<sup>th</sup> and 20<sup>th</sup> May and 13<sup>th</sup> June 2005 be approved and signed as a correct record –

### Minute 6 of 20<sup>th</sup> May 2005

The list of Lead Members be amended by the addition of the following –

Area of Work	Name
Active learning and active citizenship	Councillor Nicky Wildy
Young People's Champion	Councillor Williams

## 16. DECLARATIONS OF INTEREST

The following Declarations of Interest were made in accordance with the Code of Conduct –

<i>Member</i>	<i>Interest</i>	<i>Item</i>
Lord Mayor	Personal (witness at the scrutiny review)	Woodford Traffic Calming Scheme – Cabinet minute 36 and Overview and Scrutiny Commission minute 12
	Prejudicial (wife is catering manager at Sir John Hunt Community College)	School Implementation plan 2005 – 2015 – Cabinet minute 22 (secondary school issues but only in so far as wife's school and not otherwise)
Councillor Camp	Prejudicial (wife is teacher at Ernesettle Infants School)	School Implementation plan 2005 – 2015 – Cabinet minute 22 but only in so far as wife's school and not otherwise

<b>Member</b>	<b>Interest</b>	<b>Item</b>
Councillor Hutchings	Personal (representations made by family members for the service)	Motion on Notice No. 2 – Bus Routes
Councillor Jordan	Prejudicial (children in school)	School Implementation plan 2005 – 2015 – Cabinet minute 22 but only in so far as children’s school and not otherwise
Councillor Weekes	Prejudicial (wife is a teacher at Estover Community College)	School Implementation plan 2005 – 2015 – Cabinet minute 22 but only in so far as wife’s school and not otherwise
Councillors Bray, Carter, Hiromeris, Pattison, Simmonds, Vincent and Wheeler	Personal (Director of Plymouth CityBus)	Motion on Notice No. 2 – Bus Routes

17. **ANNOUNCEMENTS**

**THE LORD MAYOR**

***Councillor Lock***

The Lord Mayor welcomed Councillor Lock back to Council business following his recent illness.

***Centenary of the Devon Junior Minor Football League***

The Lord Mayor advised the Council that the Devon Junior Minor Football League had presented to the Council a glass trophy to mark the centenary of the League.

***Vacancies on Committees, etc.***

Resolved that appointments to fill vacancies be made as on the schedule submitted and set out in the appendix to these minutes.

**THE LEADER**

***Bombings in London***

The Leader advised the Council that in accordance with minute 31 of Cabinet, a letter had been sent to the Mayor of London expressing the City’s support following the tragic events and referred to the second series of bombings that had been attempted subsequently.

The Shadow Leader concurred with the comments of the Leader and expressed sympathy to the families of victims and also to the witnesses of the events.

The Lord Mayor referred to a letter he had received from the Mayor of San Sebastian expressing the City’s sympathy and asking him to convey the letter to the Lord Mayor of London.

Resolved that Cabinet minute 33 be supported expressing the City’s solidarity with the people of London.

18. **QUESTIONS BY THE PUBLIC**

The following question was submitted and the Cabinet Member for Transport and Human Resources responded –

Mr J.C. Emery

Public Rights of Way

19. **TO DEAL WITH ANY BUSINESS FROM THE LAST COUNCIL MEETING, IF ANY**

**Constitutional Affairs Committee of 11<sup>th</sup> April 2005**

**Minute 48 – Review of the Full Council**

With the approval of the City Council, paragraph 15.3 of the Constitution (Method of Voting) was suspended to enable a direct vote on the options before the Council.

Upon a vote being taken,

Resolved that no change be made to the saying of prayers as part of the Full Council meeting.

*For Option 1 – (26)*

Councillors Mrs Aspinall, Brotherton, Carter, Coleman, Finn, K. Foster, Mrs Foster, J. Fox, Fry, James, Jordan, Kerswell, King, Kirk, Martin Leaves, Michael Leaves, Lock, Dr Mahony, Miller, Mrs Nelder, Mrs Pengelly, Santillo, Simmonds, Stark, Vincent and Viney.

*For Option 2 – (2)*

Councillors Fletcher and Purnell

*For Option 3 – (0)*

*For Option 4 – (16)*

Councillors Bray, Dann, Evans, M. Fox, Miss Gillard, Gordon, Haydon, Hutchings, Mavin, Rennie, Shears, Stevens, Weekes, Wheeler, Tom Wildy and Williams

*For Option 5 – (0)*

*Abstain – (4)*

Councillors Camp, Hiromeris, Pattison and Nicky Wildy.

*Absent – (8)*

Councillors Mrs Blackburn, Brookshaw Mrs Ford, Mrs Nicholson, Dr Salter, Savery, Smith and Wigen.

*The Lord Mayor did not vote.*

**QUESTIONS BY MEMBERS**

20. **General**

In accordance with the Council Procedures, the following questions were asked of the Leader, Cabinet Members, Committee Chairs and Lead Members covering aspects for their areas of responsibility and supplementary questions were asked in respect of questions 2, 3, 4, 7, 8,10, 12, 14, 15 and 24.

	<b>By</b>	<b>To</b>	<b>Subject</b>
1	Councillor Jordan	Cabinet Member for Children's Services	Fostering services – records on checks of children in care
2	Councillor Michael Leaves	Cabinet Member for Transport and Human Resources	Implementation of Traffic Orders
3	Councillor Stark	Leader	Principles of the Mackay Vision
4	Councillor Nicky Wildy	Cabinet Member for Strategic Planning Policy	Prioritisation of Area Action Plans
5	Councillor Fry	Cabinet Member for Strategic Planning Policy	Preparation of responses to questions and supplementary questions
6	Councillor Martin Leaves	Cabinet Member for Transport and Human Resources	Disabled parking bays
7	Councillor Mrs Foster	Leader	Playground improvements
8	Councillor Mrs Pengelly	Leader	North Plymstock Action Plan – sports facilities
9	Councillor Jordan	Cabinet Member for Children's Services	Criminal record bureau checks on fostering staff
10	Councillor Fry	Cabinet Member for Strategic Planning Policy / Deputy Leader	Locations of mobile phone masts
11	Councillor Martin Leaves	Cabinet Member for Strategic Planning Policy	Central Park Action Plan – housing development
12	Councillor Michael Leaves	Cabinet Member for Strategic Planning Policy	Policy on hotel space
13	Councillor Viney	Cabinet Member for Strategic Planning Policy	Consultation process for the Plymstock Action Plan and Local Development Framework
14	Councillor Stark	Chair of the Planning Committee	Endorsement of planning policy guidelines
15	Councillor Jordan	Cabinet Member for Children's Services	Training for foster carers
16	Councillor Martin Leaves	Leader	Skateboarders in the City Centre
17	Councillor Mrs Aspinall	Cabinet Member for Children's Services	Visit by the Fostering Panel

	<b>By</b>	<b>To</b>	<b>Subject</b>
18	Councillor Stark	Cabinet Member for Transport and Human Resources	Sequencing of traffic lights
19	Councillor Santillo	Leader	Skateboarders
20	Councillor Evans	Chair of the Resources and Performance Overview and Scrutiny Panel	Mackay Vision
21	Councillor Jordan	Cabinet Member for Children's Services	Responses to complaints relating to foster care services
22	Councillor Jordan	Cabinet Member for Children's Services	Support to foster carers by the Social Services Department
23	Councillor Nicky Wildy	Cabinet Member for Children's Services	Recruitment of foster carers in Devonport and support to existing carers
24	Councillor Pattison	Chair of the Overview and Scrutiny Commission	Scrutiny of Action Plans, policies, government reports and policy framework items

Resolved that written questions be submitted in respect of questions 1,7, 8, 11, 14 and 15 and written responses be provided subsequently by the appropriate Cabinet Members.

21. **Forward Plan**

In accordance with the Council Procedures, the Leader introduced the Forward Plan and questions were asked of the Leader and Cabinet Members on the following items –

	<b>By</b>	<b>To</b>	<b>Subject</b>
1	Councillor Mrs Pengelly	Cabinet Member for Strategic Planning Policy	A Charter for the Countryside around Plymouth (FP 20 05/06)
2	Councillor Stark	Leader	City Branding and Marketing Company Formation and Business Plan (FP 02 05/06)
3	Councillor Mrs Pengelly	Cabinet Member for Housing and Neighbourhood Services	Adoption of New Byelaws Regulating the Activities of Skin Piercing and Skin Colouring Activities (FP 18 05/06)
4	Councillor Viney	Deputy Leader	Waste Reduction Strategy (FP 04 05/06)
5	Councillor Fry	Deputy Leader	Waste Reduction Strategy (FP 04 05/06)
6	Councillor Mrs Aspinall	Deputy Leader	Waste Reduction Strategy (FP 04 05/06)

	<b>By</b>	<b>To</b>	<b>Subject</b>
7	Councillor K. Foster	Deputy Leader	Waste Reduction Strategy (FP 04 05/06)

**TO DETERMINE RECOMMENDATIONS ON ITEMS FROM CABINET, OVERVIEW AND SCRUTINY COMMISSION OR OTHER COMMITTEES**

22. **Cabinet Minute 22 - School Implementation Plan 2005 - 2015**

Upon a vote being taken,

Resolved that the following recommendations from Cabinet be approved –

- (1) **Primary Schools** (*\* indicates a wave 1 project*):
- (a) **Area 1 - City Centre, East End**
- 1.1 East End - develop a proposal to establish a new primary school as and when required;
- 1.2 Develop a new community primary school in Millbay.
- (b) **Area 2 - Stonehouse, Devonport, Stoke**
- 2.1 Stuart Road and Pilgrim Primary Schools - no amalgamation, in recognition that the two schools have a significantly different community focus to one another;
- 2.2 *\* Marlborough and Mount Wise Primary Schools - amalgamate to create a new extended primary school in the Devonport Stores Enclave.*
- 2.3 High Street – potential to expand in response to Millbay Regeneration;
- 2.4 Pilgrim, Cathedral RC, St Peter's CE, St Andrew's CE and St George's CE Primary Schools – consider options to merge current provision: further discussions to be held with relevant Diocesan Boards of Education.
- (c) **Area 3 – Morice Town, Ford, Keyham**
- 3.1 *\* Morice Town – develop further to establish a Children's Centre and extended school.*
- 3.2 College Road and Ford Primary Schools – amalgamate the two schools on either a new or extended site.
- (d) **Area 4 – Barne Barton, St Budeaux, Kings Tamerton, Weston Mill**
- 4.1 *\* Plaistow Hill Infant and St Budeaux Foundation Junior Schools - in partnership with the CE Diocese, amalgamate the two schools and negotiate the category of the new school;*
- 4.2 *\* Victoria Road Primary School – reduce capacity to 210 pupils and develop extended school and children's centre facilities.*
- 4.3 Barne Barton – rebuild extended primary school on new site through the PFI scheme (already underway).
- (e) **Area 5 – Ham, North Prospect, Beacon Park, Pennycross**
- 5.1 *\* Amalgamate North Prospect Primary and South Trelawny Primary to create a new full service extended school in a new building on a new site;*
- 5.2 Create a partnership federation with Ham Drive Nursery to extend and complement new school provision;
- 5.3 Montpelier Infant and Junior Schools' amalgamation.

Rebuild new, extended school under the PFI scheme (already underway).

- (f) **Area 6 – Ernesettle**  
6.1 Amalgamate Ernesettle Infants and Juniors and, through the PFI scheme (already underway), create an inclusive, extended school with Children's Centre facilities.
- (g) **Area 7 – Southway, Whitleigh, Tamerton Foliot**  
7.1 Establish a full federation of Langley Infant, Langley Junior, Southway Primary and Tamerton Vale Primary schools;  
7.2 Within the Federation amalgamate Langley Infant and Langley Junior Schools;  
7.3 Through the Federation rationalise the number of school sites from which the Federation operates;  
7.4 \* *Woodfield Primary School – merge with the Whitleigh Campus;*  
7.5 Whitleigh Primary School – federate with Sir John Hunt Community College and Woodlands Special School to create a full service, extended, inclusive 0-16+ Learning Campus through the PFI scheme (already underway).
- (h) **Area 8 – Honicknowle, Manadon**  
8.1 \* *Knowle Primary School – take up surplus capacity by developing early years and extended school provision;*  
8.2 Chaucer – reduce to a 1FE primary school and rebuild extended school on the same site through the PFI scheme (already underway);  
8.3 West Park – rebuild the primary school with maintained nursery provision on the same site through the PFI scheme (already underway).
- (i) **Area 9 – Efford, Lipson, Laira**  
9.1 \* *Highfield Primary School – rebuild as an extended school to support regeneration in the area;*  
9.2 Plym View Primary School – reduce to 1FE rebuild on existing site through the PFI scheme (already underway), working in partnership with the adjacent voluntary sector nursery and Children's Centre.
- (j) **Area 10 – Mount Gould, Mutley, Greenbank**  
10.1 Salisbury Road Infant and Junior Schools – amalgamate the two schools on the current site in line with Plymouth City Council policy.
- (k) **Area 11 – Peverell, Hartley, Compton**  
11.1 Compton Primary School – expand to ease overcrowding;  
11.2 Hyde Park Infant and Junior Schools – amalgamate the two schools to create a primary school in line with Plymouth City Council policy.
- (l) **Area 12 – Widewell, Glenholt**  
12.1 Widewell Primary School –  
a. involve with Southway federation (see area 7);  
b. consider expansion if required.
- (m) **Area 13 – Estover, Leigham**  
13.1 Develop a federation of Estover Community College, Estover Primary, Leigham Primary, Thornbury Primary and Plymbridge Nursery Schools;

- 13.2 Rebuild and relocate Estover Primary on the Estover Campus;
- 13.3 *\* Develop Plymbridge Nursery as a Children's Centre within the Estover Campus;*
- 13.4 *\* Develop Leigham Primary as an extended school.*

(n) **Area 14 - Crownhill, Eggbuckland**

- 14.1 Although no significant capacity related issues have arisen in this area, opportunities will nevertheless be taken to address premises condition and suitability issues through the City Council's capital programme.

(o) **Area 15 – Plympton**

- 15.1 Chaddlewood Infant and Junior and Glen Park Primary Schools -
  - a *\* amalgamate the Chaddlewood schools on their current site in line with Plymouth City Council policy;*
  - b *\* develop early years and extended school provision at Glen Park to take up surplus capacity;*
- 15.2 Plympton St Mary CE Infant, Old Priory Junior, St Maurice Primary Schools -
  - a. amalgamate Plympton St Mary CE Infant School and Old Priory Junior School;
  - b. develop Plympton St Maurice Primary as an *extended* school;
- 15.3 Woodford Infant and Junior Schools – amalgamate on the current site in line with Plymouth City Council policy;
- 15.4 Yealmpstone Farm Primary School – reduce the capacity of Yealmpstone Farm to 1FE and develop community/early years use to utilise surplus capacity;
- 15.5 Adjust and amend admission arrangements and secondary feeder status categories to reflect the above changes.

(p) **Area 16 – Plymstock**

- 16.1 Dunstone Primary School – relocate to a new building with extended school facilities, Children's Centre, library and other community facilities within the Plymstock Quarry development;
- 16.2 *\* Elburton, Hooe and Oreston Primary Schools – expand and enhance provision to meet the needs of new housing developments in Plymstock; establish early years/extended school provision as appropriate to meet the needs of the community;*
- 16.3 Adjust and amend admission arrangements and feeder status categories to secondary provision to reflect the above changes.

- (2) authorise the Officers to initiate consultations straight away on the amalgamation of the remaining 7 pairs of infant and junior schools in accordance with statutory procedures;

(3) **Secondary Phase Recommendations (Area 17)**

- 17.1 Officers are authorised over the next 6 months to explore further alternatives to retain secondary provision to serve Devonport, Stonehouse, Millbay, the City Centre and Cattdown areas. Options should include potential sites within the larger area because the proposed regeneration would require a new and larger secondary school. Current provision would be unable to expand and is also not well



sited - on the margins of what would be a new school community area - to cater for the new developments. Therefore, the amalgamation of Stoke Damerel and Parkside Community Colleges is not recommended.

17.2 Estover Community College – develop a federated campus as in *area 13*;

17.3 Coombe Dean and Plymstock Schools – develop appropriate admission arrangements in light of the *area 16* changes.

17.4 Sir John Hunt Community College - federate with Whitleigh Primary School and Woodlands Special School to create a full service, extended, inclusive 0-16+ Learning Campus through the PFI scheme (already underway), as in *area 7*.

- (4) the spatial planning implications of the proposals contained in the report be considered through the emerging Local Development Framework, including where appropriate, the identification of preferred options for new schools and alternative uses for existing sites;
- (5) authorise the Officers to make appropriate bids in support of the projects set out in the report to central government in accordance with the DfES timetable, the acceptance of any such funding being subject to separate approval in order to safeguard the Council's capital and revenue funding position;
- (6) the appreciation of Members be extended to the Officers for their efforts in bringing forward this work.

*For Recommendations (1) and (2) of the Motion – (37)*

Councillors Mrs Aspinall, Bray, Brotherton, Camp, Carter, Coleman, Dann, Evans, Fletcher, M. Fox, Fry, Miss Gillard, Gordon, Haydon, Hiomeris, Hutchings, James, Kerswell, King, Kirk, Lock, Mavin, Miller, Mrs Nelder, Pattison, Purnell, Rennie, Santillo, Shears, Stark, Stevens, Vincent, Weekes, Wheeler, Nicky Wildy, Tom Wildy and Williams.

*Against Recommendations (1) and (2) of the Motion – (0)*

*Abstain from Recommendations (1) and (2) of the Motion – (8)*

Councillors K. Foster, Mrs Foster, J. Fox, Jordan, Martin Leaves, Michael Leaves, Mrs Pengelly and Viney.

*Absent from the vote on Recommendations (1) and (2) – (11)*

Councillors Mrs Blackburn, Brookshaw, Finn, Mrs Ford, Dr Mahony, Mrs Nicholson, Dr Salter, Savery, Simmonds, Smith and Wiggins.

*The Lord Mayor did not vote on Recommendations (1) and (2)*

*For Recommendations (3) to (6) of the Motion – (42)*

Councillors Mrs Aspinall, Bray, Brotherton, Camp, Carter, Dann, Evans, Fletcher, K. Foster, Mrs Foster, J. Fox, M. Fox, Fry, Miss Gillard, Gordon, Haydon, Hiomeris, Hutchings, Jordan, Kerswell, King, Kirk, Martin Leaves, Michael Leaves, Mavin, Miller, Mrs Nelder, Pattison, Mrs Pengelly, Purnell, Rennie, Santillo, Shears, Stark, Stevens, Vincent, Viney, Weekes, Wheeler, Nicky Wildy, Tom Wildy and Williams.

*Against Recommendations (3) to (6) of the Motion – (0)*

*Abstain from Recommendations (3) to (6) of the Motion – (0)*

*Absent from the vote on Recommendations (3) to (6) – (13)*

Councillors Mrs Blackburn, Brookshaw, Coleman, Finn, Mrs Ford, Lock, Dr Mahony, Mrs Nicholson, Dr Salter, Savery, Simmonds, Smith and Wigans.

*The Deputy Lord Mayor did not vote on Recommendations (3) to (6)*

(The Lord Mayor having declared a prejudicial interest in recommendation (3), withdrew from the meeting and the Deputy Lord Mayor took the Chair for consideration of recommendations (3) to (6)).

(Councillors Camp, Jordan and Weekes declared prejudicial interests in respect of a particular school in the above item, but this did not, on the advice of the Head of Legal Services, preclude them from taking part in debate and voting on the recommendations as a whole).

23. **Cabinet Minute 23 and Report of the Overview and Scrutiny Commission - Youth Justice Plan**

On consideration of the Scrutiny Report of the Overview and Scrutiny Commission on the Youth Justice Plan and upon a vote being taken,

Resolved that –

- (1) the following recommendations contained in the Scrutiny Report of the Overview and Scrutiny Commission be approved -
  - (i) a position statement be provided to the Children and Young People's Overview and Scrutiny Panel by 1<sup>st</sup> January 2006 on the implementation of the Plan and the progress of the development of the draft Plan for 2006/07.

***For the attention of:*** Cabinet Member for Safer and Stronger Communities
  - (ii) the Children and Young People's Overview and Scrutiny Panel monitors the following potentially conflicting targets and priorities that directly impact on departments –
    - (a) ensuring that all young people of school age receive 25 hours education per week which potentially conflicts with school attainment targets;
    - (b) meeting a target to reduce the level of remands to secure accommodation. The Youth Offending Team is very dependent upon Social Services for good quality remand or other accommodation placements, at a time when Social Services are seeking to reduce the number of looked after children and the cost of accommodation placements;
    - (c) tackling anti-social behaviour which can lead to a negative portrayal of young people in the media and create pressures to utilise the range of anti-social behaviour legislation that potentially conflict with a Youth Offending Team target to reduce the level of custodial sentences.

**For the attention of:** Children and Young People's Overview and Scrutiny Panel

- (iii) the performance of the educational target of 25 hours for school age young people be referred for consideration as part of the 2005/06 scrutiny work programme to be undertaken by a task and finish group.

**For the attention of:** Head of Performance and Policy

- (iv) the Cabinet Member considers the funding of two posts within the Youth Offending Team (which had only been possible in 2005/06 because of a carry forward of an underspend within the budget) beyond 2005/06.

**For the attention of:** Cabinet Member for Safer and Stronger Communities

- (v) consideration of plans and strategies within the Policy Framework be programmed into the scrutiny work programme for the year.

**For the attention of:** Head of Performance and Policy

- (2) the following recommendations from Cabinet be approved -
- (i) approve the Youth Justice Plan as now submitted;
  - (ii) request the Officers to work with the Youth Offending Team to attempt to address the potentially conflicting targets.

*For the Motion – (41)*

Councillors Mrs Aspinall, Bray, Brotherton, Camp, Carter, Dann, Fletcher, K. Foster, Mrs Foster, M. Fox, Fry, Miss Gillard, Gordon, Haydon, Hiromeris, Hutchings, James, Jordan, Kerswell, King, Kirk, Martin Leaves, Michael Leaves, Mavin, Miller, Mrs Nelder, Pattison, Mrs Pengelly, Purnell, Rennie, Santillo, Shears, Stark, Stevens, Vincent, Viney, Weekes, Wheeler, Nicky Wildy, Tom Wildy and Williams.

*Against the Motion – (0)*

*Abstain – (0)*

*Absent – (15)*

Councillors Mrs Blackburn, Brookshaw, Coleman, Evans, Finn, Mrs Ford, J. Fox, Lock, Dr Mahony, Mrs Nicholson, Dr Salter, Savery, Simmonds, Smith and Wiggins.

*The Lord Mayor did not vote.*

24. **Cabinet Minute 36 and Overview and Scrutiny Commission Minute 12 - Woodford Traffic Calming Scheme**

Following consideration of Minute 12 of the Overview and Scrutiny Commission and upon a vote being taken,

Resolved that recommendation (3) from Cabinet be approved as follows –

to approve the following amended recommendation of the Overview and Scrutiny Commission –

*Whilst recognising that no evidence of Cabinet Member influence was substantiated during the Scrutiny process, the Commission feel it important to emphasise to Cabinet Members (recognising that the issues relevant to Woodford traffic calming arose under the previous administration) that they must avoid conflicts of interest arising between Cabinet Members' decision making (be it collectively or delegated) and ward interests (be it acting through Area Committee or otherwise)*

*For the Motion – (39)*

Councillors Mrs Aspinall, Bray, Brotherton, Camp, Carter, Dann, Evans, Fletcher, K. Foster, Mrs Foster, M. Fox, Fry, Miss Gillard, Gordon, Hiromeris, Hutchings, Jordan, Kerswell, King, Kirk, Martin Leaves, Michael Leaves, Mavin, Miller, Pattison, Mrs Pengelly, Purnell, Rennie, Santillo, Shears, Stark, Stevens, Vincent, Viney, Weekes, Wheeler, Nicky Wildy, Tom Wildy and Williams.

*Against the Motion – (0)*

*Abstain – (0)*

*Absent – (16)*

Councillors Mrs Blackburn, Brookshaw, Coleman, Finn, Mrs Ford, J. Fox, Haydon, Lock, Dr Mahony, Mrs Nelder, Mrs Nicholson, Dr Salter, Savery, Simmonds, Smith and Wigans.

*The Deputy Lord Mayor did not vote*

(The Lord Mayor having declared a personal interest in the above item, withdrew from the meeting and the Deputy Lord Mayor took the Chair)

**25. Cabinet Minute 40 - Local Transport Plan 2**

Upon a vote being taken,

Resolved that the following recommendations from Cabinet be approved –

- (1) approve the submission of the Provisional Local Transport Plan 2 in July 2005;
- (2) authorise the Portfolio Holder for Transport and Human Resources in consultation with the Director of Development to make any alterations to the current draft of the Provisional Local Transport Plan 2 considered necessary following consultation;
- (3) accept that the additional revenue implications of any proposed new/improved schemes be prioritised against existing services provided by the department and, prior to inclusion in the final LTP2 submission, the Departmental Management Team, jointly with the appropriate Cabinet Members, be requested to identify and agree the reallocation of departmental resources;
- (4) that the Transport Team be thanked for all their efforts in co-ordinating this complex area of work .

*For the Motion – (28)*

Councillors Mrs Aspinall, Bray, Brotherton, Camp, Carter, Dann, Evans, Fletcher, M. Fox, Miss Gillard, Gordon, Haydon, Hiromeris, Hutchings, King, Kirk, Mavin, Pattison, Purnell, Rennie, Santillo, Shears, Stevens, Weekes, Wheeler, Nicky Wildy, Tom Wildy and Williams.

*Against the Motion – (10)*

Councillors K. Foster, Mrs Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Pengelly, Stark and Viney.

*Abstain – (0)*

*Absent – (18)*

Councillors Mrs Blackburn, Brookshaw, Coleman, Finn, Mrs Ford, J. Fox, Kerswell, Lock, Dr Mahony, Miller, Mrs Nelder, Mrs Nicholson, Dr Salter, Savery, Simmonds, Smith, Vincent and Wiggins.

*The Lord Mayor did not vote.*

**26. Constitutional Affairs Committee Minute 54 - Changes to the Constitution**

Upon a vote being taken,

Resolved that the following recommendations from the Constitutional Affairs Committee be approved –

- (1) on page 37, Part 2, 15.3 Method of voting: the last sentence of the first paragraph be changed to –  
  
“Voting choices are for, against, abstention or other voting options as required”;
- (2) on Page 80-82, Part 4, Planning Committee numbers 20, 31, 39, 45-49, 52-59, 61-64 and 67 were deleted and re-numbered accordingly;
- (3) the following were added-
  - “To consider Public Path Orders with outstanding objections under The Highways Act 1980”;
  - “To consider Public Path Orders with objections under the Town and Country Planning Act 1990”;
  - “To determine all Modification Order applications under the Wildlife and Countryside Act 1981”;
- (4) number 65 on page 82 be amended to read “to designate cycle tracks”;
- (5) the items on pages 80-83 be renumbered accordingly.

*For the Motion – (38)*

Councillors Mrs Aspinall, Bray, Brotherton, Camp, Carter, Dann, Evans, Fletcher, K. Foster, Mrs Foster, M. Fox, Fry, Miss Gillard, Gordon, Haydon, Hiromeris, Hutchings, James, Jordan, King, Kirk, Martin Leaves, Michael Leaves, Mavin, Pattison, Mrs Pengelly, Purnell, Rennie, Santillo, Shears, Stark, Stevens, Viney, Weekes, Wheeler, Nicky Wildy, Tom Wildy and Williams.

*Against the Motion – (0)*

*Abstain – (0)*

*Absent – (18)*

Councillors Mrs Blackburn, Brookshaw, Coleman, Finn, Mrs Ford, J. Fox, Kerswell, Lock, Dr Mahony, Miller, Mrs Nelder, Mrs Nicholson, Dr Salter, Savery, Simmonds, Smith, Vincent and Wigans.

*The Lord Mayor did not vote.*

**27. Constitutional Affairs Committee Minute 57 - Terms of Reference**

With the permission of the Council, the Chair withdrew minute 57 of the Constitutional Affairs Committee as the matter was contained within the work programme of the Safer, Stronger Communities Overview and Scrutiny Panel.

**NOTICES OF MOTION**

**28. Motion on Notice No 1 05/06**

In accordance with the Rules of Procedure, the following Motion on Notice was moved by Councillor Stevens and seconded by Councillor Williams –

**2012 OLYMPICS AND PARALYMPIC GAMES**

*This Council notes –*

*The recent announcement made by the Olympic Committee that London will be the host city for the 2012 Olympic and Paralympic Games.*

*The Games will be a sporting celebration for the whole country, and one that will boost business and the overall economy of the United Kingdom as well as that of the host city.*

*This Council Resolves –*

*To send congratulations on the success of the bid to the London 2012 Team.*

*To consider how Plymouth can benefit from the success of the bid and investigate the possibility of Plymouth hosting some of the training for the teams in the three years leading up to the 2012 games, with a view to the provision of a lasting Olympic legacy in the City.*

At the conclusion of the debate, the Motion was put to the vote and declared carried and it was Resolved accordingly

*For the Motion – (38)*

Councillors Mrs Aspinall, Bray, Brotherton, Camp, Carter, Dann, Evans, Fletcher, K. Foster, Mrs Foster, M. Fox, Fry, Miss Gillard, Gordon, Haydon, Hiromeris, Hutchings, James, Jordan, King, Kirk, Martin Leaves, Michael Leaves, Mavin, Pattison, Mrs Pengelly, Purnell, Rennie, Santillo, Shears, Stark, Stevens, Viney, Weekes, Wheeler, Nicky Wildy, Tom Wildy and Williams.

*Against the Motion – (0)*

*Abstain – (0)*

*Absent – (18)*

Councillors Mrs Blackburn, Brookshaw, Coleman, Finn, Mrs Ford, J. Fox, Kerswell, Lock, Dr Mahony, Miller, Mrs Nelder, Mrs Nicholson, Dr Salter, Savery, Simmonds, Smith, Vincent and Wigans.

*The Lord Mayor did not vote.*

29. **Notice of Motion No 2 05/06**

In accordance with the Rules of Procedure, the following Motion on Notice was moved by Councillor Martin Leaves and seconded by Councillor Mrs Pengelly –

***BUS ROUTES***

*This Council notes –*

*The loss of various bus services around the city of Plymouth, which affects residents, many of whom are elderly who hold free or subsidised bus passes.*

*This Council Resolves –*

*That the Leader and Shadow Leader of Plymouth City Council, the Portfolio Holder for Transport and Human Resources meet directors of Plymouth City Bus and First National to look at ways in which the axed services could be re-instated or rationalised to assist residents of Plymouth especially the elderly and disabled with maintaining their quality of life.*

During the course of the debate, an amendment was moved by Councillor Dann and seconded by Councillor Kirk as follows –

*Delete all after Plymouth City Bus and insert –*

*First National and other public transport providers to look at ways in which, in the future, they can work in partnership with the Council to widen accessibility for residents of Plymouth.*

*This Council reaffirms its commitment to extend and encourage bus patronage in the City, recognising that the provision of public transport is essential for the elderly and disabled if they are to maintain their quality of life.*

The Head of Legal Services advised Members that in his opinion, Directors of City Bus would not have a conflict of interest with the proposed amendment.

During the debate and in accordance with Paragraph 14 of the Council Procedures, a Motion was moved and seconded that the vote be taken.

With the concurrence of the Council, the Motion was accepted and it was Resolved accordingly.

The amendment was put to the vote and declared carried.

*For the Amendment – (27)*

Councillors Mrs Aspinall, Bray, Brotherton, Camp, Carter, Dann, Evans, Fletcher, M. Fox, Miss Gillard, Gordon, Haydon, Hiromeris, Hutchings, King, Kirk, Mavin, Pattison, Purnell, Rennie, Shears, Stevens, Weekes, Wheeler, Nicky Wildy, Tom Wildy and Williams.

*Against the Amendment – (9)*

Councillors K. Foster, Mrs Foster, Fry, James, Martin Leaves, Michael Leaves, Mrs Pengelly, Santillo and Viney.

*Abstain – (1)*

Councillor Stark

*Absent – (19)*

Councillors Mrs Blackburn, Brookshaw, Coleman, Finn, Mrs Ford, J. Fox, Jordan, Kerswell, Lock, Dr Mahony, Miller, Mrs Nelder, Mrs Nicholson, Dr Salter, Savery, Simmonds, Smith, Vincent and Wigans.

*The Lord Mayor did not vote.*

The Motion, as amended, was put to the vote and declared carried, and it was Resolved accordingly.

*For the Motion (as amended) – (27)*

Councillors Mrs Aspinall, Bray, Brotherton, Camp, Carter, Dann, Evans, Fletcher, M. Fox, Miss Gillard, Gordon, Haydon, Hiromeris, Hutchings, King, Kirk, Mavin, Pattison, Purnell, Rennie, Shears, Stevens, Weekes, Wheeler, Nicky Wildy, Tom Wildy and Williams.

*Against the Motion (as amended) – (9)*

K. Foster, Mrs Foster, Fry, James, Martin Leaves, Michael Leaves, Mrs Pengelly, Santillo and Viney.

*Abstain – (1)*

Councillor Stark

*Absent – (19)*

Councillors Mrs Blackburn, Brookshaw, Coleman, Finn, Mrs Ford, J. Fox, Jordan, Kerswell, Lock, Dr Mahony, Miller, Mrs Nelder, Mrs Nicholson, Dr Salter, Savery, Simmonds, Smith, Vincent and Wigans.

*The Lord Mayor did not vote.*

(Councillors Bray, Carter, Hiromeris, Hutchings, Pattison, Simmonds, Vincent and Wheeler declared a personal interest in the above item)

30. **SUSPENSION OF PARAGRAPH 9.1 OF THE COUNCIL PROCEDURES  
(ADJOURNMENT OF COUNCIL)**

During the debate in minute 29 above, a Motion was moved and seconded that Paragraph 9.1 of the Council Procedures within the Constitutional Arrangements be suspended to enable the meeting to continue beyond 8.00 p.m..

With the concurrence of the Council, the Motion was accepted and it was Resolved accordingly

31. **CONSIDER ANY OTHER BUSINESS SPECIFIED IN THE SUMMONS TO THE MEETING,  
OR MATTERS TAKEN AS A MATTER OF URGENCY BY THE PERSON PRESIDING  
INCLUDING CONSIDERATION OF PROPOSALS FROM THE CABINET IN RELATION TO  
THE COUNCIL'S BUDGET AND POLICY FRAMEOWRK AND REPORTS OF THE  
SCRUTINY COMMITTEES FOR DEBATE**

**Best Value Performance Plan**

The Deputy Leader presented the Best Value Performance Plan to the City Council for approval.

During the debate and in accordance with Paragraph 14 of the Council Procedures, a Motion was moved and seconded that the vote be taken.



With the concurrence of the Council, the Motion was accepted and it was Resolved accordingly.

Upon a vote being taken,

Resolved that the Best Value Performance Plan be approved as submitted.

*For the Motion – (37)*

Councillors Mrs Aspinall, Bray, Brotherton, Camp, Carter, Dann, Evans, Fletcher, K. Foster, Mrs Foster, M. Fox, Fry, Miss Gillard, Gordon, Haydon, Hiomeris, Hutchings, James, King, Kirk, Martin Leaves, Michael Leaves, Mavin, Pattison, Mrs Pengelly, Purnell, Rennie, Santillo, Shears, Stark, Stevens, Viney, Weekes, Wheeler, Nicky Wildy, Tom Wildy and Williams.

*Against the Motion – (0)*

*Abstain – (0)*

*Absent – (19)*

Councillors Mrs Blackburn, Brookshaw, Coleman, Finn, Mrs Ford, J. Fox, Jordan, Kerswell, Lock, Dr Mahony, Miller, Mrs Nelder, Mrs Nicholson, Dr Salter, Savery, Simmonds, Smith, Vincent and Wigans.

*The Lord Mayor did not vote.*

