

# Public Document Pack



**BARRY KEEL**  
Chief Executive  
Floor 1 - Civic Centre  
Plymouth  
PL1 2AA

[www.plymouth.gov.uk/democracy](http://www.plymouth.gov.uk/democracy)

Date: 24/06/10 Telephone Enquiries 01752 304867 Fax 01752 304819  
Please ask for Nicola Kirby, Senior Democratic Support Officer (Cabinet) e-mail [nicola.kirby@plymouth.gov.uk](mailto:nicola.kirby@plymouth.gov.uk)

## CITY COUNCIL

**DATE: MONDAY 5 JULY 2010**  
**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, Viney, Mrs Watkins, Wheeler, Wogens, Wildy, Williams and Wright

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

***Members are requested to sign the attendance list at the meeting.***

**BARRY KEEL**  
CHIEF EXECUTIVE

## **CITY COUNCIL**

### **AGENDA**

#### **PART I – PUBLIC MEETING**

**1. APOLOGIES**

To receive apologies for non attendance submitted by councillors.

**2. DECLARATIONS OF INTEREST**

Councillors will be asked to make declarations of interest in respect of items on this agenda.

**3. MINUTES**

**(Pages 1 - 18)**

To approve and sign as a correct record the minutes of the meeting held on 26 April and 21 May 2010.

**4. ANNOUNCEMENTS**

- (a) To receive announcements from the Lord Mayor or the Chief Executive;
- (b) To receive announcements from the Leader, Cabinet Members or Committee Chairs.

**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.

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

**6. Terms of Reference - Standards Hearing Sub Committee (Pages 19 - 20)**

CMT Member: Monitoring Officer  
Cabinet Member: Councillor Bowyer

**TO DETERMINE RECOMMENDATIONS FROM CABINET, OVERVIEW AND SCRUTINY MANAGEMENT BOARD OR OTHER COMMITTEES**

**7. Annual Report on Treasury Management Activities for 2009/10 TO FOLLOW**

Audit Committee Chair: Councillor Berrow  
CMT Lead Officer: Director for Corporate Support

## **8. MOTIONS ON NOTICE**

To consider motions from Members in accordance with paragraph 13 of the Constitution.

**TO 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 FRAMEWORK AND REPORTS OF THE SCRUTINY COMMITTEES FOR DEBATE**

## **9. Report on key decision taken by Cabinet under special urgency provisions (Pages 21 - 24)**

Agency staff procurement – contract extension.

### **QUESTIONS BY MEMBERS**

## **10. 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.

## **11. Forward Plan (Pages 25 - 42)**

The Leader will introduce the Forward Plan.

Councillors may ask questions specific to the Forward Plan of the Leader/Cabinet Members.

## **12. 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 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

### **PART II – PRIVATE MEETING**

#### **MEMBERS OF THE PUBLIC TO NOTE**

That, under the law, the City Council is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

NIL

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## City Council

Monday 26 April 2010

### PRESENT:

Councillor K Foster, in the Chair.

Councillor Drean, Vice Chair.

Councillors Mrs Aspinall, Ball, Mrs Beer, Berrow, Bowie, Bowyer, Mrs Bowyer, Mrs Bragg, Brookshaw, Browne, Coker, Dann, Delbridge, Mrs Dolan, Evans, M Foster, Mrs Foster, Fox, Fry, Gordon, James, Jordan, Kerswell, King, Michael Leaves, Sam Leaves, Lock, Lowry, Dr. Mahony, McDonald, Monahan, Mrs Nelder, Nicholson, Mrs Nicholson, Mrs Pengelly, Purnell, Rennie, Reynolds, Ricketts, Roberts, Dr. Salter, Smith, Stark, Mrs Stephens, Stevens, Thompson, Tuohy, Vincent, Viney, Mrs Watkins, Wheeler, Wiggins and Wildy.

Apology for absence: Councillor Martin Leaves

The meeting started at 2.00 pm and finished at 6.05 pm.

*Note: At a future meeting, the Council will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.*

### 112. DECLARATIONS OF INTEREST

The following declarations of interest were made in accordance with the Code of Conduct from Members in relation to items under consideration at this meeting –

Name	Item	Interest	Reason
Councillor Mrs Aspinall	Motion on Notice no. 10 (Contracts for Community Equipment Provision) Minute 129 refers	Dealings with PLUS as trustee of South West Institute for the Blind	Personal
Councillor Browne	Motion on Notice no. 10 (Contracts for Community Equipment Provision) Minute 129 refers	Director of PLUS	Personal
Councillor Dann	Motion on Notice no. 11 (Guaranteed work at Devonport Dockyard and Naval Base for 15 Years) Minute 130 refers	Husband is Devonport Dockyard employee	Personal
Councillor M Foster	Motion on Notice no. 11 (Guaranteed work at Devonport Dockyard and Naval Base for 15 Years) Minute 130 refers	In receipt of pension from Babcock International Group plc	Personal

Councillor Kerswell	Motion on Notice no. 10 (Contracts for Community Equipment Provision) Minute 129 refers	Dealt with PLUSS on behalf of the South West Institute for the Blind	Personal
Councillor Lowry	Motion on Notice no. 11 (Guaranteed work at Devonport Dockyard and Naval Base for 15 Years) Minute 130 refers	Employee of Babcock at Devonport Dockyard	Personal
Councillor Nicholson	Motion on Notice no. 11 (Guaranteed work at Devonport Dockyard and Naval Base for 15 Years) Minute 130 refers	Employee of Babcock at Devonport Dockyard	Personal and prejudicial
Councillor Roberts	Motion on Notice no. 10 (Contracts for Community Equipment Provision) Minute 129 refers	Director of PLUSS	Personal
Councillor Smith	Motion on Notice no. 11 (Guaranteed work at Devonport Dockyard and Naval Base for 15 Years) Minute 130 refers	Employee of Babcock at Devonport Dockyard	Personal

113. **MINUTES**

The minutes of the meeting held on 1 March 2010 were signed as a correct record.

**ANNOUNCEMENTS****LORD MAYOR**114. **Michael Foot**

The Lord Mayor referred to the recent death of Michael Foot, Freeman of the City of Plymouth, former politician, journalist and author, on 3 March 2010, at his home in London after a long period of ill health.

The Lord Mayor indicated that Michael Foot was born at Lipson Terrace in Plymouth, on 23 July 1913 and was educated at Plymouth College Preparatory School, later going on to read Philosophy, Politics and Economics at Oxford.

In November 1935, only a few months after joining the Labour Party, he stood as a candidate in a by-election at Monmouth and became a Member of Parliament for Plymouth Devonport in 1945.

His father, Isaac Foot, was himself a Liberal MP for Bodmin and Lord Mayor of Plymouth.

During the Plymouth campaign, he met his future wife, Jill Craigie, who was making a film in the city about the rebuilding of heavily bombed Plymouth. She died in 1999.

As MP for Plymouth, he fought for cash to rebuild the blitzed centre of the city and lost his seat in Plymouth Devonport in 1951 to Joan Vickers. However throughout his life he retained a connection with the City through his passion for Plymouth Argyle.

He rose to Deputy Leader of the Labour Party from 1976 to 1980, becoming Leader of the Party in 1980 to 1983, and remained MP for Ebbw Vale until 1992.

Members of the Council stood, in silence, for one minute as a mark of respect.

115. **Former Councillor Miller MBE**

The Lord Mayor also informed the Council of the resignation of former Councillor Miller due to ill health.

Councillor Miller was born on 23 March 1915 in Stonehouse and served as a JP for 17 years from 1968 to 1985. He successfully stood for election in the Efford Ward in 1981, as a Labour Co-operative Councillor for Devon County Council, and was re-elected for many years. He served on Plymouth City Council from 1997 when Plymouth became a Unitary Authority and was Lord Mayor of Plymouth from 2004 – 2005.

The Lord Mayor, on behalf of the Council, thanked Claude Miller for his outstanding service over so many years, in particular, for his services to the City Council and it was Resolved that the Council's best wishes are sent to him.

116. **City Council Elections**

The Lord Mayor referred to the forthcoming City Council elections on 6 May and indicated that a number of councillors would be standing for re-election but that Councillor Purnell was standing down.

Councillor Purnell had served on the City Council since 1995, representing the Honicknowle Ward. She was Cabinet member for performance, personnel and best value from 2003 to 2005 and then Cabinet member for children's services from 2005 to 2007.

The Lord Mayor, on behalf of the Council, thanked Councillor Purnell for her services to the Council and in particular for her work on children's services. The Council's best wishes were also extended to her for the future.

Councillor Purnell thanked the Council for their good wishes and wished everyone well.

**LEADER**117. **West End Scheme**

The Leader advised the Council that the West End scheme had been short listed for an award which recognised outstanding street scenes. She thanked all those who had been involved in the scheme, with particular reference to the Council's highways and transportation teams, and wished everyone success for the final stage of judging.

118. **Municipal Journal Awards: Best Achieving Council of the Year Award**

The Leader advised the Council that Plymouth was one of six finalists for the Municipal Journal's prestigious "Best Achieving Council of the Year Award". She extended sincere thanks to all staff working for the City Council and its partners, acknowledging the tremendously hard work by everyone in order to achieve this result.

119. **QUESTIONS BY THE PUBLIC**

The Lord Mayor indicated that there were two public questions to be considered at the meeting in accordance with paragraph 10 of the Constitution. Mr Cook was in attendance and asked the following question, to which Councillor Bowyer responded as set out below -

<b>Question No</b>	<b>Question By</b>	<b>Cabinet Member</b>	<b>Subject</b>
13 09/10	Mr R Cook	Councillor Bowyer	Contributions to voluntary organisations /registered charities
I request, under the requirements of the FOIA, that Plymouth City Council name the voluntary organizations / registered charities to which it contributed in the last financial year.			
<p><b>Response:</b>            The Council has made contributions to the following not-for-profit organisations in 2009/10;</p> <p>Help the Heros            Rotary District Conference</p> <p>'Contributions' has been defined as donations made by the council where there is no contract in place or specific conditions attached to the payment.</p> <p>The Council uses many other voluntary organisations/registered charities (along with private organisations) for the provision of services. However, we do not classify these organisations by type i.e. charity, private organisation etc.</p>			



In the absence of Mr Sharpe, the following question and response was circulated -

<b>Question No</b>	<b>Question By</b>	<b>Cabinet Member</b>	<b>Subject</b>
14 09/10	Mr Sharpe	Councillor Jordan	Swimming pool in the Dunstone district
<p>According to the Dunstone Ward election material it is anticipated that a swimming pool for public use will start this year in the Dunstone district. Is it true or false, and does Dunstone district include outside the Dunstone Ward and into the South Hams.</p>			
<p><b>Response:</b>                      The Sherford development is due to commence in 2010, with the swimming pool provision due for completion in phase one.</p> <p>The swimming pool facility within the development will be located in Dunstone ward, Plymstock , and not in the South Hams.</p>			

Resolved that a written response is sent to Mr Sharpe.

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

There was no business outstanding.

**TO DETERMINE RECOMMENDATIONS FROM CABINET, OVERVIEW AND SCRUTINY MANAGEMENT BOARD OR OTHER COMMITTEES**

121. **Lord Mayoralty 2010/11**

In accordance with Article 5.1.1 of the constitution, Councillor Mrs Pengelly submitted minute 3 of the Lord Mayor Selection Committee, prior to the Annual Meeting. The motion was seconded by Councillor Evans.

Following a vote, it was Resolved that the recommendation is accepted.

Councillor Mrs Aspinall (Lord Mayor designate) responded and thanked councillors for their support.

122. **Local Development Framework: Adoption of City Centre and University Area Action Plan**

Councillor Fry submitted the City Centre and University Area Action Plan (Cabinet minute 152 referred) for adoption. The motion was seconded by Councillor Ball.

Following a vote, it was Resolved that the City Centre and Area Action Plan is adopted.

123. **Local Development Framework: Adoption of Development Guidelines Supplementary Planning Document**

Councillor Fry submitted the Development Guidelines Supplementary Planning Document (Cabinet minute 153 referred) for adoption. The motion was seconded by Councillor Lock.

Following a vote, it was Resolved that the Development Guidelines Supplementary Planning Document is adopted.

124. **Councillor Call for Action Toolkit**

Councillor James submitted the Councillor Call for Action toolkit (Overview and Scrutiny Management Board minute 105 referred) for approval. The motion was seconded by Councillor Mrs Watkins.

Following a request by 10 Members for a recorded vote, there voted –

*For the motion (35)*

Councillors Ball, Mrs Beer, Berrow, Bowyer, Mrs Bowyer, Bragg, Brookshaw, Browne, Delbridge, Mrs Dolan, Drean, Michael Foster, Mrs Foster, Fox, Fry, James, Jordan, Michael Leaves, Sam Leaves, Lock, Dr Mahony, Monahan, Mrs Nicholson, Nicholson, Mrs Pengelly, Reynolds, Ricketts, Roberts, Dr Salter, Stark, Mrs Stephens, Thompson, Viney, Mrs Watkins and Wigans.

*Against the motion (17)*

Councillors Mrs Aspinall, Bowie, Coker, Dann, Evans, Gordon, Kerswell, Lowry, McDonald, Mrs Nelder, Purnell, Rennie, Smith, Stevens, Tuohy, Wheeler and Wildy.

*Abstentions (1)*

Councillor Vincent

*Absent (2)*

Councillors King and Martin Leaves

The Lord Mayor did not vote.

The Lord Mayor declared the motion carried and it was Resolved that the Councillor Call for Action toolkit is approved and included in the Council's Constitution.

125. **Terms of Reference - Standards Hearing Sub-Committee**

Councillor Dr Mahony submitted the terms of reference of the Standards Hearing Sub-Committee (Standards Committee minute 14 referred) for adoption. The motion was seconded by Councillor Mrs Stephens.

Councillor Evans subsequently moved the following amendment –

***Final paragraph: page 18 (of the Council agenda)***

***Line 1:*** Delete ‘, where possible’

***Line 2:*** Delete ‘three’. Insert ‘five’

***Line 3:*** Insert after ‘members’, ‘of whom four shall be elected members’

*Amended paragraph will read:*

*‘Membership of the Hearings Sub Committee is to comprise five members from the Standards Committee and have a quorum of five members of which four shall be elected members. The Chair will be an independent member of the Standards Committee. In line with guidance from the Standards for England, members who previously sat on the Assessment or Review Sub Committee of the same complaint are able to sit on the Standards Hearing Sub Committee.’*

It was proposed, seconded and agreed that the meeting was adjourned in order to give members and officers an opportunity to consider the amendment.

Following the adjournment, the Chief Executive advised the Council that there was a potential issue relating to the proposed ratio of elected members in the amendment and recommended that the Council defer consideration of the item to enable officers to give further consideration to the issue.

The Chief Executive also reminded all members that he and his officers were always available to discuss any proposals or amendments, in advance of Council meetings.

Councillor Dr Mahony, subsequently withdrew his original motion and proposed that the matter was deferred for cross party discussion. This motion was seconded by Councillor Mrs Stephens.

Councillor Evans requested that formal legal advice was circulated, in writing, in advance of the cross party discussions.

Resolved that consideration of the proposed terms of reference of the Standards Hearing Sub-Committee (Standards Committee minute 14 refers) is deferred, pending cross party discussion, following written legal advice.

126. **Annual Review of Financial Regulations**

Councillor Sam Leaves submitted the updated Financial Regulations for approval (Audit Committee minute 54, as amended by the decision by the Director for Corporate Support, referred). The motion was seconded by Councillor Stark.

Following a vote, it was Resolved that the updated Financial Regulations are approved.

127. **MOTIONS ON NOTICE**

The Lord Mayor indicated that there were three motions on notice and with the agreement of Council, indicated that the motion on the incinerator proposal for Plymouth would be considered first.

128. **Motion on Notice No 12 09/10: Incinerator Proposal for Plymouth**

Councillor Gordon proposed, and Councillor Bowie seconded, the following motion -

**Motion on Notice No 12 09/10**

**Incinerator Proposal for Plymouth**

Council resolves to hold a public enquiry **before** a decision on the location of a waste incinerator is made.

Following a debate and a request by 10 Members for a recorded vote, there voted –

*For the motion (18)*

Councillors Mrs Aspinall, Bowie, Coker, Dann, Evans, Gordon, Kerswell, Lowry, McDonald, Mrs Nelder, Purnell, Rennie, Smith, Stevens, Tuohy, Vincent, Wheeler and Wildy.

*Against the motion (32)*

Councillors Ball, Bowyer, Mrs Bowyer, Brookshaw, Browne, Delbridge, Mrs Dolan, Drean, Michael Foster, Mrs Foster, Fox, Fry, James, Jordan, Michael Leaves, Sam Leaves, Lock, Dr Mahony, Monahan, Mrs Nicholson, Nicholson, Mrs Pengelly, Reynolds, Ricketts, Roberts, Dr Salter, Stark, Mrs Stephens, Thompson, Viney, Mrs Watkins and Wigans.

*Abstentions (0)*

*Absent (5)*

Councillors Mrs Beer, Berrow, Mrs Bragg, King and Martin Leaves

The Lord Mayor did not vote.

The Lord Mayor declared the motion lost.

Councillor Evans subsequently requested a transcript of the debate on this item.

129. **Motion on Notice No 10 09/10: Contracts for Community Equipment Provision**

Councillor Evans proposed and Councillor Wildy seconded the following motion -

**Motion on Notice No 10 09/10**

**Contracts for Community Equipment Service**

This Council notes the awarding of new contracts for community equipment provision, replacing those previously awarded to PLUSS.

It further notes that these contracts failed to offer guarantees of continued employment to employees with disabilities and will result in the closure of the linked facility at Belliver.

Council therefore requests the Overview and Scrutiny Management Board to investigate why no satisfactory Equalities and Disabilities Impact Assessment relating to current employees was undertaken.

Following a debate, the motion was put to the vote and declared lost.

(Councillor Kerswell declared a personal interest in the above item and withdrew from the meeting)

(Councillors Mrs Aspinall, Browne and Roberts declared personal interests in the above item).

130. **Motion on Notice No 11 09/10: Guaranteed Work at Devonport Dockyard and Naval Base for 15 Years**

Councillor Evans proposed, and Councillor Stevens seconded, the following motion -

**Motion on Notice No 11 09/10**

**Guaranteed Work at Devonport Dockyard and Naval Base for 15 Years**

Plymouth City Council welcomes the announcement of the signing of the ToBA (Terms of Business Agreement) between the M.O.D. (Ministry of Defence) and Babcock International Group PLC.

The agreement confirms Babcock as the MOD's key support partner in the maritime sector and underpins the delivery of key aspects of the MOD's Defence Industrial Strategy.

Under the ToBA, Devonport is confirmed as the UK centre of

excellence for deep maintenance of major surface warships. This is in addition to its existing role as the sole site for the refitting of the Royal Navy's nuclear powered submarines, which the ToBA recognises by designating Babcock as its primary submarine support partner. The ToBA covers the fifteen year period between 2010 and 2025 and also extends Babcock's management roles at the Clyde and Devonport Naval Bases.

Council thanks the local MP's for the hard work they have put in to secure the ToBA, thus guaranteeing the Dockyard and the Naval Base a 15 year period of stability.

Councillor Fry subsequently moved the following amendment –

**Final Paragraph**

**Insert the words** "Council officers, members and' after the words 'Council thanks'

**So that the amended final paragraph would read:**

Council thanks Council officers, members and the local MP's for the hard work they have put in to secure the ToBA, thus guaranteeing the Dockyard and the Naval Base a 15 year period of stability.

The amendment was seconded by Councillor Ball and subsequently accepted by Councillor Evans.

The motion, as amended, was put to the vote and the Lord Mayor declared the motion, as amended, carried.

(Councillors Dann, M Foster, Lowry and Smith declared personal interests in the above item and withdrew from the meeting).

Councillor Nicholson declared a personal and prejudicial interest in the above item).

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

131. **Final Minutes of Area Committee Meetings for Approval**

Before the item was considered, the Lord Mayor reminded the Council that the minutes of the Area Committees were before Members for confirmation as a correct record only and matters referred to in the minutes were not open for discussion.

Councillor Bowyer submitted the final minutes of the Area Committees for approval as a correct record as follows -

<b>Area Committee</b>	<b>Date of Meeting</b>
Budshead, Honicknowle and Southway Area Committee	10 March 2010

Compton and Peverell Area Committee	22 March 2010
Devonport, Stoke and St Peter and the Waterfront	30 March 2010
Drake, Efford and Lipson, Sutton and Mount Gould	18 March 2010
Eggbuckland and Moorview	23 March 2010
Ham and St Budeaux	31 March 2010
Plympton Area Committee	8 March 2010
Plymstock Area Committee	15 March 2010

Councillor Mrs Dolan seconded the motion.

Councillor Wildy referred to the minutes of the Devonport, Stoke and St Peter and the Waterfront Area Committee, and proposed the following amendments –

(i) **Minute 59 - Policing Issues**

To substitute ‘Inspector Ian Milligan’ for ‘Inspector Ian Mulligan’ appearing in the first line of the minute.

(ii) **Minute 60 – Locality Working**

As the Area Committee had accepted that lead members were yet to be determined, it was proposed to delete the final sentence in paragraph (vii) of the preamble, so that the paragraph reads –

- (vii) issues regarding the format of the report were noted and the committee was advised that there were no changes from the proposals put forward at full council.

Councillor Mrs Dolan, Chair of the Devonport, Stoke and St Peter and the Waterfront Area Committee, indicated that she agreed with Councillor Wildy’s proposal.

Councillor Dr Salter referred to the minutes of the Plympton Area Committee, and proposed the following amendment –

**Minute 59 – Langage Power Station**

To substitute ‘Sparkwell’ for ‘Sparkwood’ appearing in paragraph (vii) of the preamble.

Councillor Nicholson, Chair of the Plympton Area Committee, indicated that he agreed with the proposal.

Following a vote, it was Resolved that the proposed amendments were agreed and the minutes of the Area Committees, as listed above and amended, were approved as a correct record.

At the conclusion of the item, Councillor Wildy indicated that she had received correspondence about street naming and numbering proposals, indicating that comments would be submitted to the next Area Committee, and asked that officers were advised of the revised arrangements as soon as possible.

132. **Housing Tenancies Appeals Committee**

Councillor Bowyer submitted the recommendations in the report of the Assistant Director for Democracy and Governance proposing the deletion of the Housing Tenancies Appeals Committee.

The proposal was seconded by Councillor Brookshaw.

Following a vote, it was Resolved that the Housing Tenancies Appeals Committee is deleted.

133. **Programme of Ordinary Meetings of the Council and Committees etc. for the Period up to the Next Annual Meeting**

Councillor Bowyer submitted the draft programme of meetings for the City Council and Committees 2010/2011 for approval subject to the amendments set out in the appendix circulated and the deletion of the Licensing Sub (Miscellaneous) on 3 May 2010.

The proposal was seconded by Councillor Fry.

Following a vote, it was Resolved that the programme of meetings for the City Council and Committees 2010/2011 was approved, as amended.

**QUESTIONS BY MEMBERS**

134. **General Questions**

In accordance with paragraph 12 of the constitution, the following questions were asked of the Leader, Cabinet Members and Committee Chairs covering aspects of their areas of responsibility -

	<b>From</b>	<b>To</b>	<b>Subject</b>
1	Councillor Wheeler	Councillor Wiggins	Go Ahead registration changes to bus services at Woodford
2	Councillor Smith	Councillor Jordan	Further to the public question from Mr Sharpe, location of the swimming pool was queried
3	Councillor Purnell	Councillor Monahan	Announcement by Conservative Party on potential closure of teacher training facilities



4	Councillor Coker	Councillor Mrs Dolan	Responses to matters arising from Devonport, Stoke and St Peter and the Waterfront Area Committee – risk assessment / planters at Stoke Village
5	Councillor McDonald	Councillor Fry	Phase 3 (secondary glazing) of the private sector housing improvements at Stonehouse
6	Councillor Wheeler	Councillor Mrs Pengelly	Sale of CityBus to Go Ahead and undertaking not to withdraw services for six months
7	Councillor McDonald	Councillor Fry	Section 106 agreement relating to Royal William Yard for provision of bus service when 75% occupied

With regard to question (4) above, Councillor Mrs Dolan undertook to pursue the responses.

With regard to question (7) above, Councillor Fry undertook to ask officers to respond.

135. **Forward Plan**

The Leader introduced the Forward Plan.

Questions were asked of the Leader and Cabinet Members as follows –

<b><i>From</i></b>	<b><i>To</i></b>	<b><i>Subject</i></b>
Councillor Wildy	Councillor Mrs Pengelly	Format of Forward Plan

The Leader undertook to review the format of and public accessibility to the Forward Plan, in consultation with the opposition party.

136. **VOTE OF THANKS**

The Lord Mayor thanked Council members for their co-operation during the municipal year and also thanked officers for their help and advice.

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## City Council

Friday 21 May 2010

### PRESENT:

The Lord Mayor, Councillor Foster, in the Chair.

Councillor Mrs Aspinall in the Chair subsequently.

The Deputy Lord Mayor, Councillor Drean, Vice Chair; Councillor Coker subsequently.

Councillors Ball, Mrs Aspinall, Ball, Mrs Beer, Berrow, Bowie, Bowyer, Mrs Bowyer, Mrs Bragg, Brookshaw, Browne, Coker, Dann, Delbridge, Mrs Dolan, Evans, Mrs Foster, Fox, Fry, Gordon, Haydon, James, Jordan, 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, Viney, Mrs Watkins, Wheeler, Wiggins, Wildy, Williams and Wright.

Apology for absence: Councillor King.

The meeting started at 10.30 am and finished at 12.00 pm.

*Note: At a future meeting, the Council will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.*

1. **TO ELECT THE LORD MAYOR AND DEPUTY LORD MAYOR FOR THE PERIOD UP TO THE ANNUAL MEETING.**

Agreed that Councillor Mary Elizabeth Aspinall is elected Lord Mayor and Councillor Mark Coker is elected Deputy Lord Mayor, for the ensuing year.

2. **LORD MAYOR'S CHAPLAIN**

The Lord Mayor announced the appointment of Reverend Timothy Smith, Vicar of St Jude's Church, Beaumont Road, as her chaplain.

3. **VOTE OF THANKS TO THE RETIRING LORD MAYOR AND DEPUTY LORD MAYOR.**

Agreed that –

- (1) the Council accords to Councillor Ken Foster the sincere thanks of the Citizens of Plymouth for the invaluable services he has rendered to the City as Lord Mayor since May 2009, and for the able manner in which he has presided over the deliberations of the Council during that period;
- (2) the Council expresses its indebtedness to Councillor Jonathan Charles Thomas Drean for his diligent and efficient discharge of the duties of Deputy Lord Mayor, and to Councillor Mrs

Wendy Foster, who as the Lady Mayoress, and Mrs Geraldine Drean as the Deputy Lady Mayoress, who have supported them during their year of office.

4. **TO RECEIVE ANY ANNOUNCEMENTS OR COMMUNICATIONS FROM THE LORD MAYOR.**

There were no announcements by the Lord Mayor.

5. **TO ELECT THE LEADER.**

Agreed that Councillor Mrs Pengelly is elected Leader of the City Council until the next Annual Meeting of the City Council.

6. **TO RECEIVE INFORMATION CONCERNING THE MEMBERSHIP OF THE CABINET AND DELEGATIONS OF RESPONSIBILITY TO CABINET MEMBERS.**

The Council received the report of the Chief Executive indicating that the Leader had advised that the Cabinet would comprise the following Members with the scheme of delegation as submitted –

<b><i>Portfolio</i></b>	<b><i>Member</i></b>
Leader	Councillor Mrs Pengelly
Deputy Leader / Planning, Strategic Housing and Economic Development	Councillor Fry
Finance, Property, People and Governance	Councillor Bowyer
Community Services (Safer and Stronger Communities and Leisure, Culture and Sport	Councillor Brookshaw
Customer Services	Councillor Jordan
Community Services (Street Scene, Waste and Sustainability)	Councillor Mike Leaves
Performance and Transformation	Councillor Sam Leaves
Adult Health and Social Care	Councillor Monahan
Children and Young People	Councillor Mrs Watkins
Transport	Councillor Wigens

Agreed that the membership of Cabinet and the delegation of responsibilities to Cabinet Members are noted.

7. **TO APPOINT COUNCILLORS TO OTHER COMMITTEES, JOINT COMMITTEES AND OUTSIDE BODIES.**

Schedules of the nominations to committees, joint committees, Cabinet committees, panels etc and outside bodies were submitted.

Agreed that approval is given to –

- (1) the appointments to committees, joint committees, panels etc for the transaction of the business of the Council, as set out in

the list circulated and to note the nominated Cabinet appointments and nominated Chairs and Vice Chairs for the municipal year, as indicated;

- (2) the appointments and nominations of councillors and others, as representatives on outside bodies, as set out in the list circulated, and the vacancies identified to be deferred to the next meeting of the City Council.

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## CITY OF PLYMOUTH

**Subject:** Terms of Reference – Standards Hearing Sub-Committee  
**Committee:** City Council  
**Date:** 5 July 2010  
**Cabinet Member:** Councillor Bowyer  
**CMT Member:** Director for Corporate Support  
**Author:** Tim Howes - Council's Monitoring Officer  
**Contact:** [tim.howes@plymouth.gov.uk](mailto:tim.howes@plymouth.gov.uk)  
 Telephone (01752)305403  
**Ref:** TH/SC  
**Part:** 1

**Executive Summary:**

The Standards Committee have amended the terms of reference of their Hearings Sub-Committee. There will be, where possible, five members and a quorum of three, with an Independent Chair. Further, in line with guidance from Standards for England, members who previously sat on the Assessment or Review Sub Committee of the same complaint are able to sit on the Standards Hearing Sub-Committee. Whilst this change is already effective, Council needs to agree the change to the Constitution.

**Corporate Plan 2010 - 2013:**

There are no direct links to the Corporate Plan.

**Implications for Medium Term Financial Plan and Resource Implications:  
Including finance, human, IT and land**

There are no material implications.

**Other Implications: e.g. Section 17 Community Safety, Health and Safety, Risk Management, Equalities Impact Assessment, etc.**

There are no material implications.

**Recommendations & Reasons for recommended action:**

Council note and accept the change to the constitution

**Alternative options considered and reasons for recommended action:**

No alternative options have been considered because the substantive decision has already been taken by the Standards Committee. The only outstanding issue is the formal change to the constitution.

**Background papers:**

Minute 14 of the Standards Committee of the 10<sup>th</sup> March 2010

**Sign off:**

Fin	CeSF10 110001	Leg	TH 005	HR		Corp Prop		IT		Strat Proc	
Originating SMT Member Tim Howes											

## 1.0 Background

- 1.1 On the 10<sup>th</sup> March the Standards Committee altered the terms of reference of its Hearings Sub-Committee to become:

*Membership of the Hearings Sub Committee is to comprise, where possible, five members from the Standards Committee and have a quorum of three members. The Chair will be an independent member of the Standards Committee. In line with guidance from Standards for England, members who previously sat on the Assessment or Review Sub Committee of the same complaint are able to sit on the Standards Hearing Sub Committee.*

- 1.2 This matter came before Council on the 26<sup>th</sup> April 2010 where an amendment to the decision of the Standards Committee was put forward. Following an adjournment, it was resolved:

*That consideration of the proposed terms of reference of the Standards Hearing Sub-Committee (Standards Committee minute 14 refers) is deferred, pending cross party discussion, following written legal advice.*

- 1.3 The written legal advice was as follows:

Section 53 of the Local Government Act 2000 requires the Council to establish standards committees, and the format and conduct of those committees (and their sub-committees) is regulated in more detail through statutory instruments.

Under Section 54A of the Local Government Act 2000 a standards committee of a relevant authority may appoint one or more sub-committees for the purpose of discharging any of the committee's functions, whether or not to the exclusion of the committee. Under Section 54(A) (6), the number of members of a sub-committee and the term of office of those members, are to be fixed by the standards committee by which the sub-committee is appointed.

Given the above, the Council has no authority to change the decision of the standards committee on the form and composition of the sub-committee (but obviously does have authority to appoint the standards committee itself).

This does of course beg the question of why the report was brought to Council in the first place. The reason this was done was to amend the terms of reference in the constitution, so that the decision of the Standards Committee is reflected in the constitution. Presently, amendments to the constitution have to go through Council. In the re-drafted constitution I will be recommending that administrative amendments and legal changes do not have to go to Council for approval.

Given the above, the report will come back to a future Council meeting, but in the meantime, the decision of the Standards Committee on the make up of the Standards Hearing Sub-Committee remains valid albeit that it does not accord with the constitution. This is because the general law takes precedence over the constitution.

- 1.4 A cross party discussion would serve no useful purpose given the legal advice and therefore this issue has been brought back to Council for the amendment to the constitution to reflect the decision of the Standards Committee.



## CITY COUNCIL

5 JULY 2010

**REPORT OF KEY DECISION TAKEN BY CABINET UNDER SPECIAL URGENCY PROVISIONS****Minutes 17 and 18 of the Cabinet meeting held on 8 June 2010.**17. **EXEMPT BUSINESS**

Agreed that under Section 100(A)(4) of the Local Government Act, 1972, the press and public are excluded 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 3 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

**CHAIR'S URGENT BUSINESS**18. **Agency Staff Procurement - contract extension (E3)**

The Director for Corporate Support submitted a written report.

The report indicated that in view of the value of the contract extension, the decision was a key decision and the agreement of the Chair of the Overview and Scrutiny Management Board has been sought to the special urgency provision.

This decision was also required urgently because the tendering process had not been concluded and the interim arrangement currently in place required an extension pending the report to Cabinet in July 2010. In accordance with the constitution, the agreement of the Chair of the Overview and Scrutiny Management Board had been sought as any delay likely to be caused by a call in, would seriously prejudice the Council's or the public interest because it would result in the Council being unable to procure temporary staff at negotiated rates and would potentially increase employment related risks.

Agreed that –

- (1) the existing contract for agency staff is extended until the 31 October 2010;
- (2) following the conclusion of the tendering process, a paper will be presented to Cabinet in July 2010 setting out recommendations for the award of the new contract which it is anticipated will commence on 1 October 2010;
- (3) the timetable for tender award and contract start is noted as set out in the report.

Note: This item has been designated as urgent in accordance with the provisions of the Constitution and is not subject to the call in procedure.

(In accordance with Section 100(B)(4)(b) of the Local Government Act, 1972, the Chair brought forward the above item for urgent consideration because of the need for a Cabinet decision).

**AGENCY STAFF PROCUREMENT – CONTRACT EXTENSION**

**Nature of the decision:**

To extend the existing contract for agency staff until the 31 October 2010.

**Who will make the decision?** Cabinet (on the recommendation of Councillor Bowyer)

**Timing of the decision?** 8 June 2010

**Who will be consulted and how?**

Persons to be consulted with:

existing provider

Process to be used:

discussions

**Information to be considered by the decision makers:**

Cabinet report and outline options document

**Documents to be considered when the decision is taken**

As above for decision makers

Contact details available from Plymouth City Council Tel: 01752 668000

E mail: mark.grimley@plymouth.gov.uk Tel: (01752) 307850

**The Cabinet cannot consider key decisions if they have not been included within the Forward Plan unless they fall within the two exceptions set out in paragraphs 15 and 16 of the Access to Information Procedure Rules.**

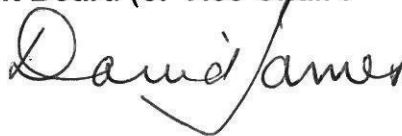
**PARAGRAPH 16 – SPECIAL URGENCY**

The next Forward Plan is published on 10 June for decisions to be taken in the period July to October 2010. A three month extension was granted to extend the contract to 30 June 2010. A further four month extension is required from 1 July 2010 to 31 October 2010 in order to remain within the existing contract whilst the tendering process for the new contract is completed. It is anticipated that the new contract will commence on 1 October 2010. Therefore a decision needs to be taken before 30 June 2010.

**For the above reasons, I agree that the taking of the decision cannot be reasonably deferred.**

**Chair of the Overview and Scrutiny Management Board (or Vice Chair / Member of the Management Board)**

**Signed:** (Councillor James)



**Dated:** 7 June 2010.

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## THE FOUR MONTH FORWARD PLAN

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1 July 2010 to 31 October 2010

**Date of Publication: 10 June 2010**

Contact Officer: Nicola Kirby  
Senior Democratic Support Officer  
(Cabinet)

Email: [nicola.kirby@plymouth.gov.uk](mailto:nicola.kirby@plymouth.gov.uk)

Telephone: 01752 304867

Fax No: 01752 304819

**The Forward Plan is published monthly**

**PLYMOUTH CITY COUNCIL  
FORWARD PLAN OF KEY DECISIONS**

**What is the Forward Plan?**

The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 require the Leader to prepare a Forward Plan to cover a period of four months. The Forward Plan contains **key decisions** that the Leader believes are to be taken within this period. It describes the nature of the decision, who is the decision maker, the period in which the decision will be taken, those whom the decision taker proposes to consult, the steps any individual may take who wishes to make representations to the decision maker and a list of background papers considered by the decision taker in respect of the key decision.

**What is a Key Decision?**

A **key decision** is –

- (a) Any decision in relation to an Executive function which results in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates;

or

- (b) Any decision that is likely to have a significant impact on two or more wards within the Council.

The threshold for significant expenditure / savings is £2 million for the award of contracts and £500,000 for all other matters.

The Cabinet cannot consider key decisions if they have not been included within the Forward Plan unless they fall within the two exceptions set out at paragraph 15 & 16 of the Regulations, namely:

**REGULATION 15. GENERAL EXCEPTION**

If a matter which is likely to be a key decision has not been included in the forward plan, then subject to Regulation 16 (special urgency), the decision may still be taken if:

- (a) the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next forward plan and until the start of the first month to which the next forward plan relates;
- (b) the monitoring officer has informed the Chair of a relevant Scrutiny Panel, or if there is no such person, each member of that panel in writing, by notice, of the matter to which the decision is to be made;
- (c) the Monitoring Officer has made copies of that notice available to the public at the offices of the Council; and
- (d) at least 5 working days have elapsed since the Monitoring Officer complied with (a) and (b).

Where such a decision is taken by a committee, it must be taken in public.

**REGULATION 16. SPECIAL URGENCY**

If by virtue of the date by which a decision must be taken Regulation 15 (general exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual) or the Chair of the body making the decision, obtains the agreement of the Chair of the Overview and Scrutiny Management Board that the taking of the decision cannot be reasonably deferred. If there is no Chair of the Overview and Scrutiny Management Board, in his/her absence the Vice Chair will suffice, or in both their absences, any other Member of the Board.

The Forward Plan does not need to refer to exempt information and confidential information cannot be included.

**What is the Budget and Policy Framework?**

This is a reference to the Council's policy framework and is made up of a series of Statutory Plans and Strategies listed as below:

Corporate Plan	All Our Futures
Children and Young People's Plan	Capital Strategy and Asset Management Plan
Licensing Authority Policy Statement – Gambling Act 2005	Housing Strategy
Local Development Framework (Documents)	Investment in Children (comprising Strategy for Change and Building Schools for the Future)
Local Transport Plan	Plymouth Economic Strategy
Sustainable Community Strategy	Waste Management Strategy
Youth Justice Plan	

**What does the Forward Plan tell me?**

The Plan gives information about:

- what key decisions are coming forward in the next four months
- when those key decisions are likely to be made
- who will make those decisions
- what consultation will be undertaken
- who you can make representations to, and how
- what documents can you ask for, and when
- who you can contact for further information

### Who takes Key Decisions?

Under the Council's Constitution most key decisions are taken at public meetings of either the City Council or the Cabinet and these bodies are presently scheduled to meet on the following dates:

	July	August	September	October
City Council Council House (2 pm)	5 July	2 August	-	11 October
Cabinet Council House (2.pm)	13 July	10 August	14 September	19 October

### Who can I contact?

Each entry in the Plan indicates the names of all the relevant people to contact about that particular item. In addition, the last page of the Forward Plan gives a complete list of all Members of the City Council, the Leader/Executive Members and the Chief Executive/ Executive Directors.

### How do I make contact?

Wherever possible, full contact details are listed in the individual entries in the Forward Plan. If you are unsure how to make contact, please ring the City Council and staff will be able to assist you: Telephone 01752 668000

### How do I get copies of agenda papers?

The agenda papers for City Council and Cabinet meetings are usually available five working days before the meeting and can be accessed on the Council's website: [www.plymouth.gov.uk/modgov](http://www.plymouth.gov.uk/modgov).

On occasions, the papers you request may contain exempt or confidential information. If this is the case, it will be explained why it will not be possible to make copies available.



### How can I get copies of the Plan?

Copies of the Plan are available for inspection at reasonable hours, free of charge, at the Plymouth City Council offices. The Plan is updated monthly on:

<b>2010</b>
15 July
12 August
16 September
14 October
11 November
9 December
<b>2011</b>
13 January
10 February
17 March
14 April

Copies are also available on the City Council's website:  
[www.plymouth.gov.uk/modgov](http://www.plymouth.gov.uk/modgov).

### General

If you have any questions or comments about the Plan, we would positively welcome them and would ask that you send them direct to the contact officer named at the start of the Plan. Please also let us know if you have any difficulty in accessing a copy of the Plan or any of the documents referred to therein.

COUNCILLOR MRS V PENGELLY  
LEADER



## THE FOUR MONTH FORWARD PLAN

**1 July 2010 to 31 October 2010**

ITEM	Page No
REVIEW OF LOCAL DEVELOPMENT SCHEME - DATE FIRST INCLUDED IN THE FP: 13 MAY 2010	8
SHORELINE MANAGEMENT REVIEW PLAN - DURLSTON HEAD TO RAME HEAD - DATE FIRST INCLUDED IN THE FP: 11 FEBRUARY 2010	9
CONTRACT AWARD FOR THE SUPPLY OF TEMPORARY STAFF - DATE FIRST INCLUDED IN THE FP: 12 NOVEMBER 2009	10
AGREEMENT TO CONSULT ON SHORT BREAKS SERVICES - DATE FIRST INCLUDED IN THE FP: 11 MARCH 2010	11
RESIDENTIAL CARE: UPDATE ON MODERNISATION OF OLDER PEOPLES' SERVICES (2005 - 2015) - DATE FIRST INCLUDED IN THE FP: 11 MARCH 2010	12
*FAIRER CONTRIBUTIONS POLICY, CHARGING WITHIN A PERSONALISED SYSTEM - DATE FIRST INCLUDED IN THE FP: 10 JUNE 2010	13
POLICY FRAMEWORK AND BUDGET ITEMS -	
MEDIUM TERM FINANCIAL STRATEGY - DATE FIRST INCLUDED IN THE FP 13 MAY 2010	14
LOCAL DEVELOPMENT FRAMEWORK: ADOPTION OF PLANNING OBLIGATIONS AND AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT, FIRST REVIEW - DATE FIRST INCLUDED IN THE FP:15 OCTOBER 2009	15
LOCAL DEVELOPMENT FRAMEWORK: SUBMISSION OF	16

DERRIFORD AND SEATON AREA ACTION PLAN - DATE FIRST INCLUDED IN THE FP:10 SEPTEMBER 2009

\*PLYMOUTH YOUTH OFFENDING SERVICE YOUTH JUSTICE PERFORMANCE IMPROVEMENT FRAMEWORK: CAPABILITY AND CAPACITY PLAN 2010 - DATE FIRST INCLUDED IN THE FP: 10 JUNE 2010

17

\* These items appear in the Forward Plan for the first time.

**REVIEW OF LOCAL DEVELOPMENT SCHEME  
DATE FIRST INCLUDED IN THE FP: 13 MAY 2010**

**Nature of the decision:**

To seek approval for the review of the Local Development Scheme

**Who will make the decision?** Cabinet (on the recommendation of Councillor Fry)

**Timing of the decision?** 13 July 2010

**Who will be consulted and how?**

Persons to be consulted with:

Government Office South West  
Devon County Council  
South Hams District Council

Process to be used:

Direct discussions  
Meetings

**Information to be considered by the decision makers:**

1. Local Development Scheme
2. Local Development Framework annual monitoring report

**Documents to be considered when the decision is taken**

as above for decision makers

**Representations:** In writing by 28 June 2010 to -

- (1) Assistant Director for Planning Services
- (2) Councillor Fry (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Jonathan Bell, Head of Development Planning  
E mail: jonathan.bell@plymouth.gov.uk Tel: (01752) 304353

**SHORELINE MANAGEMENT REVIEW PLAN - DURLSTON HEAD TO RAME HEAD**  
**DATE FIRST INCLUDED IN THE FP: 11 FEBRUARY 2010**

**Nature of the decision:**

Adoption of the "Shoreline Management Plan Review (SMP2) – Durlston Head to Rame Head"

**Who will make the decision?** Cabinet (on the recommendation of Councillor Fry)

**Timing of the decision?** 19 October 2010

**Who will be consulted and how?**

Persons to be consulted with:

City Council directors, City Centre Company, City Development Company, Visit Plymouth, Chamber of Commerce and Wealthy Theme Group

Process to be used:

The stakeholders have been consulted during the preparation of the SMP2 by a variety of methods including three rounds of key stakeholder meetings held at number of locations along the length of coast covered. The round of meetings occurred during March, July and November 2009. Full details of consultees and the consultation process followed will be set out in Appendix B of SMP2 to be published in March 2010, when it can be viewed at [www.sdadcag.org](http://www.sdadcag.org).

**Information to be considered by the decision makers:**

The decision makers will be presented with a written report including -

- (i) extracts of the "Shoreline Management Plan Review (SMP2) - Durlston Head to Rame Head" that contain the recommended policies for the coastline within Plymouth City Council's boundary;
  - (ii) Appendix B" of SMP2 - detailing consultees and consultation process undertaken.
- In addition a hard copy of the SMP2 will be made available at the Cabinet meeting.

**Documents to be considered when the decision is taken**

as above for decision makers

**Representations:** In writing by 4 October 2010 to -

- (1) Director for Development and Regeneration
- (2) Councillor Fry (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Tom White, Highways Transformational Change Project Manager [tom.white@plymouth.gov.uk](mailto:tom.white@plymouth.gov.uk) Tel: (01752) 304256

**CONTRACT AWARD FOR THE SUPPLY OF TEMPORARY STAFF  
DATE FIRST INCLUDED IN THE FP: 12 NOVEMBER 2009**

**Nature of the decision:**

Contract award for the supply of temporary staff

**Who will make the decision?** Cabinet (on the recommendation of Councillor Bowyer)

**Timing of the decision?** 13 July 2010

**Who will be consulted and how?**

Persons to be consulted with:

Head of Procurement  
Assistant Director Human Resources and Organisational Development  
Assistant Director Finance, Assets and Efficiencies  
Head of Legal Services

Process to be used:

Contract award report  
Evaluation criteria

**Information to be considered by the decision makers:**

Contract award report

**Documents to be considered when the decision is taken**

Contract award report

**Representations:** In writing by 28 June 2010 to -

- (1) Malcolm Coe, Assistant Director, Finance, Assets and Efficiencies
- (2) Councillor Bowyer (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Maria Schingen, Product Portfolio Manager  
E mail: maria.schingen@plymouth.gov.uk Tel: (01752) 307969

**AGREEMENT TO CONSULT ON SHORT BREAKS SERVICES  
DATE FIRST INCLUDED IN THE FP: 11 MARCH 2010**

**Nature of the decision:**

Agreement to consult with people with services users, stakeholders and family carers about short breaks services in Plymouth.

**Who will make the decision?** Cabinet (on the recommendation of Councillor Monahan)

**Timing of the decision?** 13 July 2010

**Who will be consulted and how?**

Persons to be consulted with:

Service users and family carers who access respite and short break services in Plymouth staff and wider stakeholder for example health.

Process to be used:

A range of consultation initiatives will be employed as appropriate including face to face meetings, and discussions at forums and events.

**Information to be considered by the decision makers:**

The consultation process will take place during 1 June to 31 August 2010.  
A written report with findings will be presented.

**Documents to be considered when the decision is taken**

Business case and report

**Representations:** In writing by 28 June 2010 to -

- (1) Paul Francombe, Learning Disability Partnership Manager
- (2) Councillor Monahan (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Paul Francombe, Learning Disabilities Partnership Manager

E mail: paul.francombe@plymouth.gov.uk Tel: (01752) 434031

**RESIDENTIAL CARE: UPDATE ON MODERNISATION OF OLDER PEOPLES' SERVICES (2005 - 2015)**  
**DATE FIRST INCLUDED IN THE FP: 11 MARCH 2010**

**Nature of the decision:**

To provide an update on the progress made on Modernisation Older People's Services (2005-2015) and to confirm agreement to the continued direction of travel

**Who will make the decision?** Cabinet (on the recommendation of Councillor Monahan)

**Timing of the decision?** 13 July 2010

**Who will be consulted and how?**

Persons to be consulted with:

Following Cabinet in July 2010 – partner organisations, staff, residential and respite services users / carers.

Process to be used:

A range of consultation initiatives will be employed as appropriate – including face-to-face meetings, discussions at appropriate forum meetings etc.

**Information to be considered by the decision makers:**

Written report

**Documents to be considered when the decision is taken**

written report

**Representations:** In writing by 28 June 2010 to -

- (1) Pam Marsden, Assistant Director for Adult Health and Social Care
- (2) Councillor Monahan (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Pam Marsden, Assistant Director for Adult Health and Social Care

E mail: [pamela.marsden@plymouth.gov.uk](mailto:pamela.marsden@plymouth.gov.uk) Tel: (01752) 307344



**FAIRER CONTRIBUTIONS POLICY, CHARGING WITHIN A PERSONALISED SYSTEM**  
**DATE FIRST INCLUDED IN THE FP: 10 JUNE 2010**

**Nature of the decision:**

Seeking agreement to consult on the new guidance on charging for non residential adult social care services

**Who will make the decision?** Cabinet (on the recommendation of Councillor Monahan)

**Timing of the decision?** 13 July 2010

**Who will be consulted and how?**

Persons to be consulted with:

Users and carers and other stakeholders  
Health and Adult Social Care Overview and Scrutiny Panel

Process to be used:

Presentations and meetings

**Information to be considered by the decision makers:**

report and guidance

**Documents to be considered when the decision is taken**

new guidance  
written report

**Representations:** In writing by 28 June 2010 to -

- (1) Assistant Director for Adult Health and Social Care
- (2) Councillor Monahan (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

**Further information – Availability of Documents:**

For further information contact: Pam Marsden, Assistant Director for Adult Health and Social Care

E mail: [pamela.marsden@plymouth.gov.uk](mailto:pamela.marsden@plymouth.gov.uk) Tel: (01752) 307344

**BUDGET ITEM**  
**MEDIUM TERM FINANCIAL STRATEGY**  
**DATE FIRST INCLUDED IN THE FP 13 MAY 2010**

**Nature of the decision:**

The City Council will be requested to adopt the Medium Term Financial Strategy for both revenue and capital and note the future year forecasts on resources available and spending commitments. The City Council will also be requested to adopt the Council's 'summary financial objectives' and targets within this document.

*(Note: this item is a voluntary addition to the Forward Plan. The decision is not a Key Decision)*

**Who will make the decision?** City Council (Cabinet Member: Councillor Bowyer)

**Timing of the decision?** 2 August 2010

**Who will be consulted and how?**

Persons to be consulted with:

Corporate Management Team, directors, assistant directors, key partners and the Overview and Scrutiny Management Board

Process to be used:

Presentations to management team meetings. Publish document on website. Present, and challenge through the scrutiny process.

**Information to be considered by the decision makers:**

Sustainable Community Strategy.  
Plymouth City Council Corporate Plan.  
Bi-monthly performance and finance reports presented to Cabinet and scrutiny throughout 2009/10  
Cabinet recommendation

**Documents to be considered when the decision is taken**

Council budget report and associated papers – March 2010  
Bi-monthly monitoring reports 2009/10

**Representations:** In writing by 28 June 2010 to -

- (1) Director for Corporate Support
- (2) Councillor Bowyer (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Malcolm Coe, Assistant Director for Finance, Assets and Efficiencies

E mail: malcolm.coe@plymouth.gov.uk Tel: (01752) 304150

**POLICY FRAMEWORK ITEM  
LOCAL DEVELOPMENT FRAMEWORK: ADOPTION OF PLANNING  
OBLIGATIONS AND AFFORDABLE HOUSING SUPPLEMENTARY PLANNING  
DOCUMENT, FIRST REVIEW  
DATE FIRST INCLUDED IN THE FP: 15 OCTOBER 2009**

**Nature of the decision:**

To formally adopt the first review of the Planning Obligations and Affordable Housing Supplementary Planning Document

*(Note: this item is a voluntary addition to the Forward Plan. The decision is not a Key Decision)*

**Who will make the decision?** City Council (Cabinet Member: Councillor Fry)

**Timing of the decision?** Between 1 July 2010 and 2 August 2010

**Who will be consulted and how?**

Persons to be consulted with:

A full public consultation process was undertaken on the draft Supplementary Planning Document

Process to be used:

Meetings, events, Local Development Framework newsletter and Limehouse consultation portal

**Information to be considered by the decision makers:**

1. Local Development Scheme
2. Local Development Framework Core Strategy
3. Local Development Framework evidence base reports
4. Adopted Planning Obligations & Affordable Housing Supplementary Planning Document
5. Consultation draft and responses of the Supplementary Planning Document

**Documents to be considered when the decision is taken**

as above for decision makers

**Representations:** In writing by 28 June 2010 to -

- (1) Assistant Director for Planning Services
- (2) Councillor Fry (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Jonathan Bell, Head of Development Planning  
E mail: jonathan.bell@plymouth.gov.uk Tel: (01752) 304353

**POLICY FRAMEWORK ITEM  
LOCAL DEVELOPMENT FRAMEWORK: SUBMISSION OF DERRIFORD AND  
SEATON AREA ACTION PLAN  
DATE FIRST INCLUDED IN THE FP: 10 SEPTEMBER 2009**

**Nature of the decision:**

To seek approval for the submission of the Derriford and Seaton Area Action Plan to the Secretary of State, including publication of the pre-submission version of the Area Action Plan for the purposes of consultation

*(Note: this item is a voluntary addition to the Forward Plan. The decision is not a Key Decision)*

**Who will make the decision?** City Council (Cabinet Member: Councillor Fry)

**Timing of the decision?** Between 6 September 2010 and 11 October 2010

**Who will be consulted and how?**

Persons to be consulted with:

Key stakeholders, local communities and members consulted as part of Issues & Preferred Options process, which was approved by the Cabinet on 20 January 2009.

Process to be used:

Issues and Preferred Options consultation process involved exhibitions, meetings, briefings, use of newsletter and other publicity material.

**Information to be considered by the decision makers:**

1. Local Development Scheme
2. Local Development Framework Core Strategy
3. Consultation responses on Area Action Plan Issues and Preferred Options report
4. Local Development Framework evidence base reports

**Documents to be considered when the decision is taken**

as above for decision makers

**Representations:** In writing by 30 August 2010 to -

- (1) Assistant Director for Planning Services
- (2) Councillor Fry (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Jonathan Bell, Head of Development Planning  
E mail: jonathan.bell@plymouth.gov.uk Tel: (01752) 304353

**POLICY FRAMEWORK ITEM  
PLYMOUTH YOUTH OFFENDING SERVICE YOUTH JUSTICE PERFORMANCE  
IMPROVEMENT FRAMEWORK: CAPABILITY AND CAPACITY PLAN 2010  
DATE FIRST INCLUDED IN THE FP: 10 JUNE 2010**

**Nature of the decision:**

To approve the plan for publication.

*(Note: this item is a voluntary addition to the Forward Plan. The decision is not a Key Decision)*

**Who will make the decision?** City Council (Cabinet Member: Councillor Mrs Watkins)

**Timing of the decision?** 2 August 2010

**Who will be consulted and how?**

Persons to be consulted with:

Youth Offending Service Management Board, Children and Young People's Trust, Plymouth Children's Safeguarding Board, Crime & Disorder Reduction Partnership, Young People, Families and other stakeholders including Children & Young People Overview & Scrutiny Panel

Process to be used:

Meetings of; Youth Offending Service Management Board, Children and Young People's Trust Board, Plymouth Children's Safeguarding Board, Crime & Disorder Reduction Partnership, the Children & Young People Overview & Scrutiny Panel. Children & Young People and Stakeholders events.

Briefings

Reports

Presentations

**Information to be considered by the decision makers:**

Recommendation of Cabinet and the draft plan

The plan was approved by the Youth Offending Service Management Board on 13 May 2010.

**Documents to be considered when the decision is taken**

Report to Cabinet

Children and Young People's Trust Plan

**Representations:** In writing by 28 June 2010 to -

(1) Director of Services for Children and Young People

(2) Councillor Mrs Watkins (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents:

For further information contact: Benji Shoker, Youth Offending Service Manager

E mail: benji.shoker@plymouth.gov.uk Tel: (01752) 306999

**Municipal Year 2010/11  
Cabinet / Cabinet Members:**

Councillor Mrs Vivien Pengelly, Leader of the Council  
Councillor Ted Fry, Deputy Leader and Planning, Strategic Housing and Economic Growth  
Councillor Ian Bowyer, Finance, Property, People and Governance  
Councillor Peter Brookshaw, Community Services (Safer and Stronger Communities and Leisure, Culture and Sport)  
Councillor Glenn Jordan, Customer Services  
Councillor Michael Leaves, Community Services (Street Scene, Waste and Sustainability)  
Councillor Sam Leaves, Performance and Transformation  
Councillor Grant Monahan, Adult Health and Social Care  
Councillor Mrs Joan Watkins, Children and Young People  
Councillor Kevin Wiggins, Transport

**Chief Executive and Executive Directors**

Barry Keel, Chief Executive  
Adam Broome, Director for Corporate Support  
Carole Burgoyne, Director for Community Services  
Bronwen Lacey, Director of Services for Children and Young People  
Anthony Payne, Director for Development and Regeneration  
Deb Laphorne, Director for Public Health

***Members of the City Council***

The Lord Mayor, Councillor Mrs Aspinall  
The Deputy Lord Mayor, Councillor Coker, and  
Councillors Ball; Mrs Beer; Berrow; Bowie; Mrs Bowyer; Mrs Bragg; Browne; Dann; Delbridge; Mrs Dolan; Drean, Evans; Foster, Mrs W Foster; Fox; Gordon; Haydon; James; King; Lowry; Martin Leaves, Lock; Dr Mahony; McDonald; Murphy; Mrs Nelder; Nicholson; Mrs Nicholson; Rennie; Reynolds; Ricketts; Roberts; Dr Salter; Smith; Sally Stephens; Stevens; Stark; Thompson; Tuohy; Vincent; Viney; Wheeler; Wildy, Williams and Wright