

# City Council

Monday 25 July 2011

## PRESENT:

The Lord Mayor, Councillor Brookshaw, in the Chair.

The Deputy Lord Mayor, Councillor Delbridge, Vice Chair.

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

The meeting started at 2.00 pm and finished at 9.30 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.*

## 29. DECLARATIONS OF INTEREST

In accordance with the Code of Conduct, the following declarations of interest were made in relation to items at this meeting –

| Name                  | Item   | Interest                 | Reason                        |
|-----------------------|--|--------------------------|-------------------------------|
| Councillor Mrs Beer   | Minute 45: Motion on Notice: Resisting cuts to Plymouth police | Personal and prejudicial | Employed by the Police        |
| Councillor Bowyer     | Minute 44: Motion on Notice: Private sector housing pressures  | Personal                 | He is a private landlord      |
| Councillor Mrs Bowyer | Minute 44: Motion on Notice: Private sector housing pressures  | Personal                 | She is a private landlord     |
| Councillor Brookshaw  | Minute 45: Motion on Notice: Resisting cuts to Plymouth police | Personal                 | Son is employed by the police |
| Councillor Churchill  | Minute 44: Motion on Notice: Private sector housing pressures  | Personal                 | He is a private landlord      |

|                           |  |                          |   |
|---------------------------|--|--------------------------|---|
| Councillor Delbridge      | Minute 44: Motion on Notice: Private sector housing pressures  | Personal                 | Son is employed by the police   |
| Councillor Michael Leaves | Minute 44: Motion on Notice: Private sector housing pressures  | Personal                 | He is a private landlord  |
| Councillor Lowry          | Minute 44: Motion on Notice: Private sector housing pressures  | Personal                 | He is a private landlord  |
| Councillor Mrs Pengelly   | Minute 45: Motion on Notice: Resisting cuts to Plymouth police   | Personal                 | Member of the Devon and Cornwall Police Authority                             |
| Councillor Ricketts       | Minute 44: Motion on Notice: Private sector housing pressures  | Personal                 | He is a landlord  |
| Councillor John Smith     | Motions on Notice: Minute 44: Private sector housing pressures and Minute 47: Children's transport to school | Personal                 | He is a landlord of houses in multiple occupation and hackney carriage driver |
| Councillor Stark          | Minute 44: Motion on Notice: Private sector housing pressures  | Personal                 | He is a landlord  |
| Councillor Stevens        | Minute 45: Motion on Notice: Resisting cuts to Plymouth police   | Personal and Prejudicial | Employed by the police  |
| Councillor Vincent        | Minute 47: Children's transport to school  | Personal and Prejudicial | Employed by Plymouth Citybus  |
| Councillor Wiggins        | Minute 44: Motion on Notice: Private sector housing pressures  | Personal                 | He is a private sector landlord   |

## 30. MINUTES

With reference to minute 20 (Council's Constitution), clarification was sought on the lawfulness of the minutes of the last meeting, arising from the advice of the Assistant Director of Democracy and Governance that the Council could be operating illegally, if a revised Constitution was not adopted. Clarification was also sought on whether the proceedings of this Council meeting were lawful.

The Assistant Director for Democracy and Governance confirmed that the proceedings of the Council meetings were lawful, as any statutory provision superceded the Constitution.

Following discussion, an amendment was moved by Councillor Wildy and seconded by Councillor Evans, that minute 20 is amended by the addition of the following statement -

‘The Monitoring Officer reported to the City Council that unless a new Constitution was adopted, the Council would be operating illegally.’

Following a vote, the amendment was carried.

A vote was then taken on approval of the minutes, as amended.

Agreed that the minutes of the meeting held on 20 June 2011, as amended, are confirmed as a correct record.

## **ANNOUNCEMENTS**

### **31. The Late Corporal Mark Anthony Palin of the 1st Battalion, The Rifles**

The Lord Mayor reported that he had two sad announcements to make.

He advised councillors of the recent death of Corporal Mark Anthony Palin of the 1<sup>st</sup> Battalion, the Rifles, during his deployment to Afghanistan. He was killed by an improvised explosive device while guiding a patrol in Helmand province. Corporal Palin was born in Plymouth and was married with one son, with a baby on the way. The Lord Mayor expressed that the Council’s thoughts were with his family and that he had already sent a card of condolence.

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

### **32. Bombings and shootings in Norway**

The Lord Mayor referred to the appalling events that took place in Norway on 22 July 2011. Approximately 93 people were known to have died with several still missing. The Council agreed to join with him in sending their most sincere commiserations to the people of Norway. The Lord Mayor indicated that he would contact the Royal Norwegian Honorary Consulate to pass on their condolences.

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

### **33. Plymouth Argyle Football Club**

The Leader referred to the speculation on the future of Plymouth Argyle Football Club and the process for administration. She stated that any future development proposals would need to sit within the plans for Central Park. If the proposed solution fell away, she would do all that she could to save the club. However, she wished the preferred bidder every success and stated that she did not wish to undermine that process in any way.

34. **Local Authority Building Control Awards**

Councillor Fry (Cabinet Member for Planning, Strategic Housing and Economic Development) reported that the building control service had recently had several projects short listed in the prestigious Local Authority Building Control (LABC) built in quality awards.

At the award ceremony last month, amongst the six projects that made the final shortlist, the Devonport Park Pavilion was rewarded with a highly commended in the 'Best Community Building' category and the Millbay Phoenix Quay development won outright the category of 'Best Large Housing Development' in the South West of England.

Plymouth City would now be represented at the national LABC award finals in London later this year in the hope that the Millbay development could win the overall national title.

Councillor Fry congratulated Peter Ford (Head of Development Management) and John Flatman (Area Building Control Surveyor) on the team's achievements.

35. **2011 Urban Transport Design Award for the West End development**

Councillor Fry (Cabinet Member for Planning, Strategic Housing and Economic Development) reported that a major regeneration scheme, which had brought a brand new look to Plymouth's West End, had scooped a prestigious national design award.

The £3.2 million project to transform roads, pavements and landscaping in the West End had won the 2011 Urban Transport Design Award. The project was brought forward by Plymouth City Centre Company, through Plymouth's Business Improvement District (BID) initiative, and funded by Plymouth City Council.

The aim was to make the area more attractive for residents and shoppers, boost business and support the West End's 200 Independent Quarter traders based in and around the Plymouth Market.

Councillor Fry congratulated Patrick Knight (City Centre BID Manager) on the success.

36. **West Hoe Park - Green Flag**

Councillor Michael Leaves (Cabinet Member for Community Services (Street Scene, Waste and Sustainability)) advised councillors that West Hoe park had been awarded a green flag, which recognised well managed parks and open spaces for all to enjoy.

37. **National Armed Forces Day**

Councillor Jordan (Cabinet Member for Community Services (Safer and Stronger Communities and Leisure, Sport and Culture)) reported that the city had been successful in its bid to host the national armed forces day on 30 June 2012 and that it would be the city's opportunity to show its support for the armed forces.

38. **QUESTIONS BY THE PUBLIC**

One question was submitted in accordance with paragraph 10 of the Constitution, as set out below.

Mr Sharpe attended the meeting to put his question and the response was given by Councillor Thompson, the Chair of the Customer and Communities Overview and Scrutiny Panel.

| Question No   | Question By | Chair of the Customer and Communities Overview and Scrutiny Panel | Subject                          |
|---|-------------|---|----------------------------------|
| 3 (11/12)   | Mr F Sharpe | Councillor Thompson   | Plymstock Swimming Pool Petition |
| <p>A petition asking Plymouth City Council please consult residents of Plymstock on a swimming pool site has been stopped going before a scrutiny panel as it is reported to already have too much work. Plymstock residents deserve better treatment. Please honour the Council pledge and put this petition before scrutiny.</p>  |             |   |                                  |
| <p><b>Response:</b><br/>           The Council’s Petition Scheme allows for a petition to be considered at an Overview and Scrutiny Panel meeting if it contains at least 2,500 signatures.</p> <p>Your petition contained 203 signatures and was sent to the Director of Community Services for a response. You received a response which included information about the Plymouth Sports Facility Strategy.</p> <p>You then asked for the petition to be put before the appropriate Scrutiny Panel. Despite this option being outside of the Petition Scheme (because your petition did not contain at least 2,500 signatures), the previous Chair of the Panel considered the request. However, it was decided that, given the Panel’s already high workload, the petition would not be considered by the Panel.</p> <p>As you feel that we have not dealt with your petition properly, the next step of the Council’s process is that the petition organiser has the right to ask the relevant Scrutiny Panel to review the Council’s response. This will happen at the next meeting of the Customers and Communities Overview and Scrutiny Panel. You will be invited to give a short explanation about why the Council’s response is not felt to be adequate.</p> <p>A Democratic Support Officer will contact you to make the necessary arrangements.</p> |             |   |                                  |

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

There were no items of business outstanding.

## ITEMS REFERRED FROM CABINET

### 40. **Capital Investment: Payroll Enterprise Platform**

Councillor Bowyer (Cabinet Member for Finance, Property and People) moved a proposal for the addition to the capital programme of £1.9 million over 2011/12 and 2012/13 for the implementation of the Payroll Enterprise Platform project (Cabinet minute 22 refers). The proposal was seconded by Councillor Mrs Beer.

During the debate, it was moved by Councillor Lowry and accepted by Councillor Bowyer, that the proposal should be the subject of post decision scrutiny.

Agreed that the capital programme is amended, as requested, for the implementation of the Payroll Enterprise Platform project.

### 41. **Modernisation and Refurbishment of Western Approach Car Park**

Councillor Wiggins (Cabinet Member for Transport) moved a proposal for a £350k 'invest to save' capital scheme to modernise and refurbish the Western Approach car park. (Cabinet minute 25 refers).

The proposal was seconded by Councillor Lock.

During the debate, concerns were raised with regard to the public safety of walkways and the cleanliness of the external curved glass, and Councillor Wiggins undertook to raise the issues with officers. Clarification was also sought on the capital commitment.

Agreed that approval is given to the capital scheme, as requested, for the modernisation and refurbishment of the Western Approach car park.

## MOTIONS ON NOTICE

### 42. **Council Priority for Value for Communities**

Councillor Davey moved the following notice on motion for approval –

#### **'COUNCIL PRIORITY FOR VALUE FOR COMMUNITIES**

This Council calls on the Cabinet Member for Transport or relevant scrutiny panel to conduct a review of the contract performance of Amey in relation to its contractual obligations to road maintenance, public safety and customer satisfaction.'

The motion was seconded by Councillor Coker.

Councillor Davey indicated that she wished to amend her motion on notice and following advice from the Assistant Director for Democracy and Governance, Councillor Williams moved, and Councillor Mrs Aspinall seconded, an amendment to add words so that the motion read –

‘.....Cabinet Member for Transport to bring a report to the relevant scrutiny panel.....’

During the debate on the amendment, the issues raised included –

- that there had been extensive discussion with Amey and that all councillors had received a presentation from them;
- the process for moving the amendment and the lack of an opportunity for Councillor Davey to make her speech on the motion;
- that Councillor Davey was happy with the amendment;
- that a debate was wanted on the state of the road network.

Following a vote, the amendment put to the vote and declared lost.

The Council then debated the original motion and the issues raised included –

- the scrutiny review that had been undertaken on highway maintenance;
- the lack of co-ordination on highways works, with some streets dug up several times in short periods;
- the contractual obligations in relation to public safety and customer satisfaction, for example with regard to road signs;
- the ongoing issues across wards.

During the debate, Councillor Mrs Pengelly expressed her concern at the behaviour of some councillors during the meeting.

The Assistant Director for Democracy and Governance advised councillors to raise issues about the process, outside of the meeting.

The motion was put to the vote and declared lost.

#### 43. **Child Poverty**

Councillor Penberthy moved the following notice on motion for approval –

##### **‘CHILD POVERTY**

A recent report from End Child Poverty suggests that child poverty levels in Plymouth in mid 2010 stood at 22%, slightly above the national average of 21.3%. Whilst levels of child poverty in six wards are below 10%, in two wards they exceed 40%.

Council values the well being of the children in our city and acknowledges that living in poverty has an impact on long term health and can limit people’s aspirations; for children the experience of living in poverty has a life long, and often negative, impact.

Council requests:

1. the relevant portfolio holder prepares a report for consideration at the September Cabinet meeting identifying what actions are already being taken to address issues of child poverty within the city and what additional work needs to be undertaken to address issues of inequality in child poverty levels between wards;
2. the Cabinet prepare an action plan to address these additional needs and either adopts it or (if required) brings it back to the October council meeting for adoption.'

The motion was seconded by Councillor Tuffin.

During the debate the following issues were raised –

- child poverty had an effect on education standards;
- child poverty would reduce skills available to employers and this would affect economic growth;
- child poverty was the single greatest threat to the wellbeing of families;
- children living in poverty were more likely to suffer poor physical health and mental problems;
- cross party working was essential to tackling child poverty.

The motion was put to the vote and Agreed.

#### 44. **Private Sector Housing Pressures**

Councillor Evans proposed the following motion –

##### **'PRIVATE SECTOR HOUSING PRESSURES**

Council notes the revised Housing Assistance Policy shows a significantly reduced resource for supporting improvement to private sector housing stock.

This drop, from £2.8 million in 2010/2011 to £4.6 million split over a THREE YEAR period 2011 to 2014 will have a debilitating effect on the local housing for rent market at a time when Plymouth is likely to experience acute housing shortages within the sector. It is estimated by the council that forthcoming changes to housing benefit will result in 800 single persons' accommodation being required in the next financial year.

Council demands this issue be addressed as a priority within the forthcoming housing strategy.'

The motion was seconded by Councillor Williams.

During the debate the issues raised included that –



- government were reducing the amount of money to Private Sector Housing development;
- 11,000 people were on the waiting list for social housing in Plymouth;
- it was considered that a lack of suitable accommodation would put pressures on the local community;
- the Council were currently working with partner agencies such as Citizens Advice Bureau, Shelter, other supporting housing providers and private landlords to understand the impact of this policy;
- limited resources in the private sector housing could result in limited action being taken against bad landlords.

Following the debate, a request was received from ten councillors for a recorded vote, and there voted –

*For the motion (23)*

Councillors Mrs Aspinall, Bowie, Casey, Coker, Davey, Evans, Gordon, Haydon, McDonald, Murphy, Mrs Nelder, Penberthy, Rennie, Singh, Peter Smith, Stevens, Tuffin, Tuohy, Vincent, Wheeler, Wildy, Williams and Wright.

*Against the motion (25)*

Councillors Ball, Mrs Beer, Berrow, Bragg, Browne, Delbridge, Mrs Dolan, Drean, Foster, Mrs Foster, Fry, James, Jordan, Martin Leaves, Sam Leaves, Lock, Dr Mahony, Monahan, Nicholson, Mrs Nicholson, Mrs Pengelly, Reynolds, Dr Salter, Stark and Thompson.

*Abstentions (1)*

The Lord Mayor.

*The following Members were absent (8)*

Councillors Bowyer, Mrs Bowyer, Churchill, Michael Leaves, Lowry, Ricketts, John Smith and Wiggins.

The motion was put to the vote and declared lost.

(Councillors Bowyer, Mrs Bowyer, Churchill, Michael Leaves, Lowry, John Smith and Wiggins declared a personal interest in this item and left the room)

#### 45. **Resisting Cuts to Plymouth Police**

Councillor Evans proposed the following motion –

##### **‘RESISTING CUTS TO PLYMOUTH POLICE**

We note the £47 million cuts agreed by Devon and Cornwall Police Authority which could affect up to 1200 posts.

We note the comments of Paul McKeever, Chairman of the Police Federation of England and Wales, that crime increases are “an inevitable consequence” of Conservative/Lib Dem cuts to police budgets.

We therefore call upon Cllr Mrs Pengelly, as our representative on Devon and Cornwall Police Authority, to reaffirm her commitment to:

- retaining police, PCSO and police staff levels in Plymouth at current levels;
- ensuring Plymouth retains Basic Command Unit status under a Plymouth Chief Superintendent.’

The motion was seconded by Councillor Williams.

Councillor Bowyer moved and Councillor Jordan seconded an amendment to the second paragraph so that it read –

‘We note, but do not agree with the comments of Paul McKeever, Chairman of the Police Federation of England and Wales, that crime increases are “an inevitable consequence” of Conservative/Lib Dem cuts to police budgets.’

The amendment was put to the vote and agreed.

The motion, as amended, was put to the vote, and Agreed.

#### 46. **Localisation of Business Rates**

Councillor Evans proposed the following motion –

##### **‘LOCALISATION OF BUSINESS RATES**

Council notes the intention of the Government to give Council the power over the setting of NNDR and to retain the proceeds.

Council notes that the figures obtained in the House of Commons would mean that Plymouth would lose £12 million under this process every year as a minimum.

The Council requests our MPs to vote against the localisation of business rates unless a pool system is retained to ensure that ‘NNDR rich’ areas do not gain at the expense of ‘NNDR poor’ areas like Plymouth. We say ‘no localisation without equalisation’.

The motion was seconded by Councillor Williams.

Councillor Lowry moved, and Councillor Wildy seconded, an amendment that –

‘Council notes the intention of the Government to give Council the power over the setting of NNDR and to retain the proceeds.

Council notes that the figures obtained in the House of Commons would mean that Plymouth would lose £12 million under this process every year as a minimum.

The Council requests *that the consultation response be brought to the Overview and Scrutiny Board for consideration before September 2011.*’

The amendment was put to the vote and declared lost.

The motion was subsequently put to the vote and declared lost.

During the debate on this item, Councillor Ball proposed and Councillor Fry seconded that Paragraph 9.1 of the Council Procedure Rules in the Constitution (Adjournment of Council) is suspended, to enable the Council to finish the business on the agenda.

This was put to the vote and was carried.

#### 47. **Children's Transport to School**

Councillor Wildy proposed the following motion –

##### **‘CHILDREN’S TRANSPORT TO SCHOOL**

Council believes the decision by the private bus company Citybus to scrap all child and student fares prior to 9.30 am will cause hardship to many Plymouth families.

Council notes that the Portfolio holder and Cabinet have agreed that all non-statutory school transport will cease from September 2011.

Council requests the Portfolio Holder to review the decision in the light of the Citybus decision; recent changes to school organisation; the impact this may have on parental choice and delivery of Council priorities.’

The motion was seconded by Councillor Williams.

During the debate the following issues were raised –

- families were experiencing a rise in bills by approximately £350 per year;
- the concessionary bus fares scheme was to be withdrawn from 31 July 2011;
- families were able to purchase the reduced rate via the internet and local shops;
- the green pass would still be available until the next municipal year;
- the Cabinet Member for Children and Young People intended to review the decision relating to school transport.

Councillor Ball proposed and Councillor Mrs Dolan seconded that this motion was put to the vote. This proposal was put to the vote and Agreed.

Following summing up by Councillor Wildy, the motion was put to the vote and Agreed.

48. **Tree Husbandry**

Councillor Vincent proposed the following motion –

**‘TREE HUSBANDRY**

Council notes the alarming rise in casework calls from Plymouth residents about the state of trees across Plymouth.

These trees are often not receiving regular planned maintenance; some are dead and need removing. Others are the result of accidental damage, vandalism and weather related. Some are growing out of control not having received planned maintenance like pruning or lopping. They are often described as having caused damage to houses or high sided vehicles.

Members have been told that the waiting list for trees to be attended to can be as long as FOUR YEARS.

Council believes that this waiting time is unacceptable, as well as the risk to public health, it poses a potential to leave the Council open to claims for damages against people and property. It is also damaging to the environment, as infected trees can go unnoticed and untreated and so can pass on diseases to healthy trees.

Council requests that the portfolio holder brings forward a plan for change in tree maintenance, via Cabinet before the next meeting of the City Council.’

The motion was seconded by Councillor Murphy.

During the debate the following issues were raised –

- there was no defined waiting list for cutting down trees;
- health and safety issues needed to be considered;
- the routine management of trees and the removal of dangerous trees needed to be kept separate;
- in 2008 an extra £100,000 was added to the budget for tree husbandry issues.

Councillor Bowyer moved that the motion was now put to the vote. The proposal was seconded and following a vote, the proposal was carried.

Councillor Vincent summed up and a request was received from ten councillors for a recorded vote, and there voted –

*For the motion (24)*

Councillors Mrs Aspinall, Casey, Coker, Davey, Evans, Gordon, Haydon, Lowry, McDonald, Murphy, Mrs Nelder, Penberthy, Rennie, Singh, John Smith, Peter Smith, Stevens, Tuffin, Tuohy, Vincent, Wheeler, Wildy, Williams and Wright.

*Against the motion (30)*

Councillors Ball, Mrs Beer, Berrow, Bowyer, Mrs Bowyer, Bragg, Browne, Churchill, Delbridge, Mrs Dolan, Foster, Mrs Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Sam Leaves, Lock, Dr Mahony, Monahan, Nicholson, Mrs Nicholson, Mrs Pengelly, Reynolds, Ricketts, Dr Salter, Stark, Thompson and Wigens.

*Abstentions (1)*

The Lord Mayor.

*The following Members were absent (2)*

Councillors Bowie and Drean.

The motion was declared lost.

#### 49. **REVISED CITY COUNCIL CONSTITUTION**

Tim Howes, Assistant Director for Democracy and Governance, presented the revised constitution report to councillors.

Following a challenge on the legality of decisions taken throughout the meeting, the Assistant Director for Democracy and Governance advised that the current constitution did not reflect the current legislative changes but that the law always took precedence.

Councillor Evans asked that that advice on this matter to be provided to him the following day, in writing.

Agreed that the Council defer consideration of a new constitution to allow the time for more detailed consideration by a working group of five Councillors with three from the Conservative Group and two from the Labour Group to work with the Monitoring Officer on the further development of the constitution. The outcome of that working group will then form part of the recommendations to Council in October 2011.

#### 50. **APPOINTMENTS TO OUTSIDE BODIES**

The written report of the Assistant Director for Democracy and Governance was submitted.

Following the discussion on the appointments to the MVV Umwelt Incinerator Liaison Committee, Councillor Bowyer requested a transcript of that item.

Agreed that –

(1) the following appointments were approved -

|    | <b>Organisation</b>  | <b>No. of Councillors</b>  | <b>Term of Office</b>   | <b>Previous Appointments /Nominations</b> | <b>Appointments /Nominations</b>                        |
|----|--|--|---|---|---|
| 1. | South West Councils  | Previously two councillors<br><br>From 2011/12: one councillor   | Continuing membership until such time as the Member resigns or is replaced by Council | Cllr Bowyer<br>Cllr Wright                | Cllr Bowyer   |
| 2. | MVV Umwelt Incinerator Liaison Committee   | Two councillors (one Conservative and one Labour councillor)     | Continuing membership until such time as the Member resigns or is replaced by Council | -   | Cllr Bowyer   |
| 3. | Board of SWERCOT's (Trading Standards Partnership in the South West) (notification since publication of the agenda)                        | One councillor   | Continuing membership until such time as the Member resigns or is replaced by Council | Cllr Ball (resigned)                      | Cllr Jordan   |
| 4. | Working Group on the Constitution (subject to approval of the recommendation in the officer's report referred to in item 10 on the agenda) | Five councillors (three Conservative and two Labour councillors) | Continuing membership until such time as the Member resigns or is replaced by Council | -   | Councillors Bowyer, Lowry, Nicholson, Stark and Stevens |

(2) the following changes of Committee membership, notified to the Monitoring Officer since the publication of the Council agenda, are noted -

|    | <b>Committee</b>   | <b>Change of Membership</b>                        |
|----|--|--|
| 5. | Customer and Communities Overview and Scrutiny Panel     | Councillor Mrs Beer has replaced Councillor Browne |
| 6. | Health and Adult Social Care Overview and Scrutiny Panel | Councillor Browne has replaced Councillor Mrs Beer |

(The Labour Group recorded that it was their belief that the vote on the MVV item was unconstitutional.)

## QUESTIONS BY MEMBERS

### 51. 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 Williams   | Councillor Michael Leaves | Lewisham Council had put forward a new phone application which allowed people to report graffiti, fly tipping, etc at a touch of the button, taking a photo, giving the GPS location and cutting down response times. Would he take this on board?  |
|   | Councillor Mike Leaves confirmed he was unaware of this scheme and would look into it |                           |   |
| 2 | Councillor Rennie   | Councillor Jordan         | <p>The Local Government Association website had a proposal regarding removing the necessity of enhanced security checks for taxi drivers other than for social services or educational use. Was this view supported?</p> <p>He further stated that the Licensing Committee (Hackney Carriage) found the CRB disclosure checks useful when making decisions on licences and asked Councillor Jordan to do everything in his power to instruct officers to make representations that Plymouth would not support the requirement and to confirm that the Council required CRB checks to continue for all drivers and new applications.</p> |

|   |  |                   |  |
|---|--|-------------------|--|
|   | <p>Councillor Jordan responded that taxi drivers needed to have the advanced CRB checks to safeguard residents; that he considered most taxi drivers would probably agree with him and that it was important to give confidence to the public.</p> <p>He further confirmed that he was happy to instruct officers and confirm the Council's position.</p>                                    |                   |  |
| 3 | Councillor Wildy   | Councillor Fry    | <p>At the vision site at Devonport, there was an area with plans for development. This large site was attracting litter – no-one was taking responsibility as it was not adopted land. Did he agree that the site should be considered for a primary school at Devonport?</p> <p>She further asked Councillor Fry to confirm his views on the feasibility of having a new school for Devonport, as promised.</p> |
|   | <p>Councillor Fry referred Councillor Wildy to the Devonport Development Plan which would show what was envisaged for that area.</p> <p>He further responded that educational matters were not his remit and stated that there was a process to be followed if the Council wanted to vary the development plan.</p>  |                   |  |
| 4 | Councillor Lowry   | Councillor Bowyer | <p>Council minute 15 'Medium Term Financial Plan' specified that Members would be kept informed at each full meeting of the Council on progress made in delivering departmental delivery plans – Councillor Bowyer was asked to meet his commitment in future and issue this to all Members, tomorrow, if possible.</p>  |
|   | <p>Councillor Bowyer responded that he committed to providing an extract from the quarterly monitoring report as a means of providing a report to Council. As a quarterly monitoring report had not yet been published this information was not provided to Council. He also confirmed that there would be intermittent intervals where there would be no updated information to report.</p> |                   |  |



|  |                     |                           |   |
|--|---------------------|---------------------------|---|
| 5  | Councillor McDonald | Councillor Michael Leaves | Previously Councillor McDonald had raised that the pier at West Hoe had not been included in the capital programme. She was told that options papers were awaited. How long would the people of West Hoe have to wait for the papers?<br>She further asked for the timetable.   |
| Councillor Michael Leaves responded that he was committed to West Hoe pier however the Council had not been allocated a grant from Defra and were reviewing the capital programme.<br><br>He further agreed to bring back to the next Council, an update on West Hoe pier. |                     |                           |   |
| 6  | Councillor Coker    | Councillor Wiggins        | To confirm whether all routine planned maintenance to drains and gullies has been stopped?<br><br>He further referred to a walk around in Devonport, with officers, when he was told about the condition of drains in Devonport because officers had been informed by a watchman from Amey that all routine maintenance had ceased six weeks ago to concentrate on potholes. Clarification, in a written response, was requested. |
| Councillor Wiggins was unable to confirm this issue.<br><br>He welcomed the attention drawn to operation upgrade and confirmed that money had not been diverted from drain maintenance to the pothole budget. He undertook to provide a written update.                    |                     |                           |   |

52. **Forward Plan**

The Leader introduced the Forward Plan.

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

|  | <b>From</b>         | <b>To</b>                 | <b>Subject</b>  |
|--|---------------------|---------------------------|---|
| I.   | Councillor McDonald | Councillor Michael Leaves | Sex Establishment Licensing Policy – regarding consultation with local residents. |
| Councillor Michael Leaves responded that officers were looking at the scrutiny recommendations and would come back to Councillor McDonald. |                     |                           |   |

|    |   |                   |  |
|----|---|-------------------|--|
| 2. | Councillor Evans  | Councillor Bowyer | Civic Centre Options – when will the paperwork that will form the basis of the decision be issued?                     |
|    | Councillor Bowyer responded that in accordance with the usual arrangements, the papers would be issued with five days notice of the meeting.  |                   |  |
| 3. | Councillor Evans  | The Leader        | Civic Centre Options – when will the paperwork that will form the basis of the decision be issued?                     |
|    | Councillor Mrs Pengelly responded that they would be published five working days before the meeting.  |                   |  |
| 4. | Councillor Evans  | The Leader        | Civic Centre Options – when would representations need to be received?   |
|    | Councillor Mrs Pengelly responded that the Cabinet meeting would be held on 23 August. To assist she would defer representations to be received from '3 August' to 'five working days before 23 August'.  |                   |  |
| 5. | Councillor Penberthy  | Councillor Fry    | Visitor Plan – how could councillors engage in the consultation process?   |
|    | Councillor Fry responded that there would be a time schedule. He could not recall seeing the final business plan for Destination Plymouth. It would become a public document when it was published for Cabinet. If a councillor finds that things are not being done in the prescribed manner, to let him know and he would ensure that things were done correctly. |                   |  |
| 6. | Councillor Evans  | Councillor Fry    | Article 4 – Houses in Multiple Occupation – had the consultation, specifically via pamphlets and workshops, been held? |
|    | Councillor Fry responded that the document would be considered by Cabinet on 23 August. If it was agreed, pamphlets and workshops would be arranged.  |                   |  |
| 7. | Councillor Mrs Aspinnall  | The Leader        | Visitor Plan – when would the draft report be made available to councillors for comment?                               |

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|  | Councillor Mrs Pengelly assured the Council that the draft report for the Visitor Plan would be submitted to a scrutiny panel. As soon as it is ready, it would be sent to all members for comments. |
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