

# City Council

Monday 16 April 2012

## PRESENT:

The Lord Mayor, Councillor Brookshaw, in the Chair.

The Deputy Lord Mayor, Councillor Delbridge, Vice Chair.

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

Also in attendance: Barry Keel (Chief Executive), Tim Howes (Assistant Director for Democracy and Governance), Judith Shore (Democratic and Members Support Manager) and Nicola Kirby (Senior Democratic Support Officer (Cabinet)).

Apologies for absence: Councillors Bowie, Drean, Haydon and Singh.

The meeting started at 2 pm and finished at 4.25 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.*

## 120. MINUTES

Agreed that the minutes of the Extraordinary General Meeting of the City Council and the Ordinary Meeting of the City Council held on 27 February 2012 are confirmed as a correct record.

## 121. DECLARATIONS OF INTEREST

The following declarations of interest were made in accordance with the code of conduct in relation to items under consideration at this meeting -

Councillor	Minute	Reason	Interest
Councillor Thompson	Minute 129 - Housing Plan 2012-17	Director of Plymouth Community Homes	Personal
Councillor Williams	Minute 129 - Housing Plan 2012-17	Director of Plymouth Community Homes	Personal

122. **APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES**

The report of the Director for Corporate Services was submitted on current vacancies on committees, outside bodies etc.

Agreed that –

- (1) the vacancies arising from the resignation of former Councillor Lock from the City Council, are deferred to the next Municipal Year;
- (2) the following changes notified to the Assistant Director for Democracy and Governance are noted -

<b>Committee, Outside Body etc</b>	<b>Membership</b>
Licensing Committee	Councillor Mrs Foster to fill the vacancy
Overview and Scrutiny Management Board	Councillor Mrs Beer to fill the vacancy
Planning Committee	Councillor Churchill to fill the vacancy
Support Services Overview and Scrutiny Panel	Councillor Mrs Beer to fill the vacancy
Brock Trust	Councillor Browne has replaced Joan Watkins

**ANNOUNCEMENTS**

123. **Vaisakhi - Sikh Festival**

The Lord Mayor advised councillors that Sikhs all over the world would be celebrating Vaisakhi in April. Vaisakhi was the birth of the Khalsa in 1699 and also the harvest.

The Sikh community was very visible and established in the UK but in Plymouth there were less than 100 people. As the most visible and most prominent Sikh in Plymouth, Councillor Singh became the first Sikh councillor and was recently nominated as the Deputy Lord Mayor designate for 2012/13.

He had received an invitation for a reception to 10 Downing Street with the Prime Minister, David Cameron, for Vaisakhi together with other Sikhs who had made contributions in and around the United Kingdom. Councillor Singh was currently travelling to London and would be representing the Sikh community together with the wider community and people of Plymouth, at this auspicious occasion.

The Lord Mayor, on behalf of the Council congratulated Councillor Singh on his achievement.

124. **Barry Keel Chief Executive**

The Lord Mayor reported that Barry Keel (Chief Executive) would be leaving the City Council at the end of May, after seven year's service.

Barry had joined the Council when it was in a great deal of difficulty and he had been instrumental in transforming the Council's performance, with the quality of many of the Council's services now being recognised regionally and nationally.

The Audit Commission's final assessment of the Council was that it was 'performing well' and in 2010 the authority won the 'Best Achieving Council of the Year'.

The Council had recently had an 'excellent' rating from Ofsted for services for children and young people and the Council's fostering and adoption services had been rated as 'outstanding'.

A few of the major changes that happened under Barry's leadership were –

- the transfer of the Council's housing stock to Plymouth Community Homes;
- helping to secure the future of Plymouth Argyle;
- hosting the America's World Cup Series 2011;
- the opening of the Life Centre.

The Lord Mayor thanked Barry on behalf of the Council, its staff and its members for everything he had done which had made a huge difference to the Council and to Plymouth, with the lasting improvements that had been delivered with him at the helm. He wished him the very best for the future and success and happiness in his future endeavours.

125. **Retiring Councillors: Councillors Mrs Bragg, Delbridge, Reynolds and Wildy**

As this was the last meeting of the City Council before the local elections, the Lord Mayor thanked those councillors not standing for re-election as follows.

Councillor Wildy was elected to the City Council in May 2003 and represented the Devonport Ward as a Labour Party Member. She was currently Chair of the Children and Young People Overview and Scrutiny Panel and a former Vice Chair of the Safer and Stronger Communities Overview and Scrutiny Panel, Chair of the Planning Committee and Vice Chair of the Lifelong Learning Overview and Scrutiny Panel.

Councillor Mrs Bragg was elected to the City Council in May 2008 for a second term of office (previously being elected to the Council from 2000 to 2003) and represented the St Budeaux Ward as a Conservative Party Member.

Councillor Delbridge, Deputy Lord Mayor, was elected to the City Council in May 2008 and currently represented the Moorview Ward as a Conservative Party Member. He was currently Vice Chair of the Taxi Licensing Committee and a former Vice Chair of the

Licensing Committee and Co-Chair of the Tamar Bridge and Torpoint Ferry Joint Committee.

Councillor Reynolds was elected to the City Council in May 2008 and represented the Stoke Ward as a Conservative Party Member. He was currently the Chair of the Taxi Licensing Committee and a former Co-Chair of the Mount Edgumbe Joint Committee.

The Lord Mayor on behalf of the City Council, thanked the councillors for their service and wished them every success for the future.

The councillors responded as follows –

Councillor Wildy expressed her thanks to all the people who had helped her and also referred to her services to the Theatre Royal as Chair of Theatre Royal Management Board. In particular she thanked everyone in the Planning department, Councillor Mrs Nelder who had mentored her when she was first elected, Councillors Stevens and Coker who were her ward colleagues, Carole Burgoyne for her support when she was in the Shadow Cabinet, Democratic Support, particularly Amelia Boulter for her fantastic support, her Vice Chair and the people in Devonport.

Councillor Mrs Bragg thanked her colleagues, in particular Councillors Wheeler, Bowie, Evans, Gordon and Mrs Aspinall. She also thanked Councillors Mrs Pengelly, Fry, Ball, Monahan, James, Nicholson, Foster, Mrs Foster and Dr Mahony.

Councillor Delbridge thanked councillors for electing him as Deputy Lord Mayor. He had had a wonderful year and had received respect from everyone.

Councillor Reynolds expressed his thanks to everyone and referred to his absence whilst on tour of duty in Afghanistan. He said that outside of the council chamber, councillors get on well and hoped that this camaraderie could be brought into the council chamber in the future. He thanked his party for their support and also the people of Stoke. He acknowledged that officers worked hard and long hours and if the Council wished to strive for future, 21st century strategies were required.

126. **Armed Forces Agreement**

Councillor Jordan (Cabinet Member for Community Services (Safer and Stronger Communities and Leisure, Culture and Sport) reported that an interim armed forces agreement was signed last month and that a full agreement would be signed on Armed Forces Day.

127. **QUESTIONS BY THE PUBLIC**

One question had been received from a member of the public in relation to matters which in the opinion of the Lord Mayor, was relevant to the business of the meeting, in accordance with paragraph 10 of the Constitution.

<b>Question No</b>	<b>Question By</b>	<b>Relevant Cabinet Member</b>	<b>Subject</b>
10 (11/12)	Mr F Sharpe	Councillor Fry, Cabinet Member for Planning, Strategic Housing and Economic Development.	Consultation with residents on Plymstock Swimming Pool
<p>Please could it be disclosed at the April full Council Meeting how many requests had been made over the last month prior to the meeting for consultation regarding a Plymstock Swimming Pool Site and why the Council are so reluctant to consult Plymstock Residents.</p>			
<p><b>Response:</b>            At the 20<sup>th</sup> June 2011 City Council meeting Mr Sharpe received a reply regarding a swimming pool in the Plymstock area being provided by the developer as part of the Sherford development. At the 25<sup>th</sup> July 2011 City Council meeting Mr Sharpe received a reply regarding a petition in connection with the Plymstock Swimming pool. At the 15<sup>th</sup> November Cabinet Mr Sharpe received a reply regarding the relationship between the Plymstock Quarry and Sherford developments in connection with a swimming pool in Plymstock. At the City Council meeting held on 30<sup>th</sup> January 2012 a request was made by Mr Sharpe that a presentation be given to residents of Elburton and Plymstock before the Sherford development was reported to Planning Committee. On 13<sup>th</sup> February 2012 the Leader attended a meeting of the Elburton and District Residents Association and gave a presentation on the latest Sherford plans including reference to the provision of a swimming pool. On the 8<sup>th</sup> March Planning Committee considered all the representations made on the planning application and resolved to grant planning permission. Residents have therefore been consulted at various stages of the Sherford development over a number of years and any representations made on the development (and specifically in relation to the proposed swimming pool) have been taken into account as part of that process.</p>			

In the absence of the questioner, the question and response were circulated and a written response would be sent to Mr Sharpe.

## **RECOMMENDATIONS REFERRED FROM CABINET AND THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD**

### 128. **Lord Mayoralty 2012/13**

Councillor Mrs Pengelly (Chair of the Lord Mayor Selection Committee) presented the Committee's nomination of Councillor Wright as Lord Mayor for the ensuing year. (Lord Mayor Selection Committee minute 3 referred).

The nomination was seconded by Councillor Evans.

Agreed the nomination of Councillor Wright for Lord Mayor during 2012/13.

Councillor Wright thanked the councillors for their kind words and said that it was a great honour. He was proud to accept the nomination and promised to do his best for the city and people of Plymouth.

129. **Housing Plan 2012-17**

Councillor Fry (Cabinet Member for Planning, Strategic Housing and Economic Development) presented the Housing Plan 2012 – 17 for adoption. (Cabinet minute 145 referred). He paid tribute to Stuart Palmer (Assistant Director for Homes and Communities) and his team for their work in producing this document.

The proposal was seconded by Councillor Thompson.

Councillor Lowry moved the following amendment which was seconded by Councillor Evans

-

‘Recommendation I

After the word 'agree' in second line, add words 'a clear timeline and identification of available resources, and'

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

The main motion was debated further and following a vote, it was,

agreed to adopt the Housing Plan 2012 -17 with delegation to the Assistant Director for Homes and Communities to agree a final layout with the portfolio holder prior to publication.

130. **Treasury Management Strategy Statement and Annual Investment Strategy 2012/13 Update**

The Lord Mayor proposed, Councillor Ball seconded, and it was agreed that as the recommendations of the Audit Committee and Cabinet on the Treasury Management Strategy Statement and the Annual Investment Strategy 2012/13 update were the same, the recommendations would be taken together. (Audit Committee minute 56 and Cabinet minute 147 referred).

Councillor Bowyer (Cabinet Member for Finance, Property and People) presented the proposals and moved the recommendations. Councillor Dr Mahony (Chair of the Audit Committee) seconded the proposal.

Agreed –

- (1) to remove the short-term rating requirement from the criteria required for the inclusion of organisations on the Council's list of proposed counterparties for new investment in 2012-13;
- (2) the organisations and counterparty limits as set out in Appendix A to the written report of the Director for Corporate Services.

131. **Establishment of Shadow Health and Wellbeing Board**

Councillor Monahan (Cabinet Member for Adult Health and Social Care) presented the Cabinet recommendations on the establishment of a Shadow Health and Wellbeing Board (Cabinet minute 151 referred).

The proposal was seconded by Councillor Mrs Bowyer.

Agreed –

- (1) to establish a Shadow Health and Wellbeing Board from May 2012;
- (2) the membership of the Shadow Health and Wellbeing Board outlined in the draft terms of reference, as set out in the written report of the Director for People.

132. **Capital Programme Approvals**

Councillor Bowyer (Cabinet Member for Finance, Property and People) presented the proposals recommended by Cabinet for capital programme approval (Cabinet minutes 146 and 149 referred).

The proposals were seconded by Councillor Ball.

Councillor Lowry moved and Councillor Evans seconded the following amendment –

Recommendations 1 and 3.

Add an additional sentence to read 'The Cabinet is requested within three months, to agree business cases which identify the specific benefits to be realised from these significant investments'.

Councillor Bowyer indicated that he was prepared to accept the amendment and following a debate, the amendment was put to the vote and declared carried.

The main motion as amended was put to the vote and it was agreed to -

- (1) approve the new capital approval of £3.0m to design and implement modernised ways of working to enable delivery of customer service improvements and financial benefits. The Cabinet is requested within

three months, to agree business cases which identify the specific benefits to be realised from these significant investments;

- (2) amend the capital programme to include specific allocations for Waves III and IV of £2.657m as set out in Section I of this report, these can be contained within the existing overall approved capital programme;
- (3) amend the capital programme to use the allocations for condition works, of £3 million as set out in Section I of this report. This will not increase the capital programme but will use the current Condition budgets already approved in the programme. The Cabinet is requested within three months, to agree business cases which identify the specific benefits to be realised from these significant investments.

### 133. **Demerger of the College of Medicine and Dentistry**

The Chief Executive presented his report on the demerger of the Peninsula College of Medicine and Dentistry. The minutes of the Adult Health and Social Care Overview and Scrutiny Panel together with the briefing paper submitted to the overview and scrutiny panel, were also submitted.

The Council were advised that -

- (a) consultation with key stakeholders, including the Council, had been insufficient and very late;
- (b) as a result, the Adult Health and Social Care Overview and Scrutiny Panel had asked the parties concerned to attend a meeting and explain the situation;
- (c) the medical school was successful with a satisfaction rate from students putting it in the top four;
- (d) if the college split, the long term viability of two separate schools of medicine would not be certain;
- (e) the school was crucial to the city as it was a growing sector with important links to the Tamar Science Park;
- (f) the recommendations to the City Council would enable action to be taken during the election period.

Councillor Mrs Bowyer (Chair of the Health and Adult Social Care Overview and Scrutiny Panel) outlined the concerns of the overview and scrutiny panel following its meeting on 4 April 2012 and moved the recommendations contained in the written report.

The recommendations were seconded by Councillor Dr Mahony.



Following a debate where all speakers endorsed the proposals, Councillor Mrs Pengelly (Leader) indicated that every force possible would be used to try and prevent the demerger. She congratulated the overview and scrutiny panel and the staff for their work and referred in particular to the challenging questions asked by all sides. She thanked Giles Perritt (Head of Performance, Policy and Partnerships) and Ross Jago (Democratic Support Officer) for their hard work and commented that the panel had been well organised.

Councillor Mrs Bowyer added that she had also received representations against the demerger from the students.

Agreed that Council –

- (1) supports the decision of the Health and Adult Social Care Overview and Scrutiny Panel as follows -  
'to recommend to the University of Exeter and Plymouth University that –
  - there is an immediate pause in the process of demerging the Peninsula College of Medicine and Dentistry;
  - a 12 week consultation exercise is undertaken, in line with the Government's published code of practice for consultation;
  - an options appraisal detailing alternatives to the demerging of PCMD is made available during the consultation period;
  - no further action is taken until the outcomes of the consultation process are known. '
- (2) in the event that recommendations are not actioned, delegate authority to the Head of Paid Service in consultation with the Leader and Leader of the opposition to refer the matter to the Secretary of State for Health and the Secretary of State for Business, Innovation and Skills for review.

134. **MOTIONS ON NOTICE**

There were no motions on notice.

135. **PROGRAMME OF ORDINARY MEETINGS OF THE COUNCIL AND COMMITTEES 2012/13**

Councillor Mrs Pengelly (Leader) presented the programme of ordinary meetings of the Council and committees 2012/13 for approval.

The proposal was seconded by Councillor Fry.

Councillor Stevens indicated that if control of the City Council changed after the election in May 2012, the programme would be reviewed to ensure that the times of meetings were user friendly.

Agreed the programme of ordinary meetings for 2012/13.

136. **QUESTIONS BY COUNCILLORS**

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

	<b>From</b>	<b>To</b>	<b>Subject</b>
1	Councillor Casey	Councillor Michael Leaves	A charge of £20 was made for the collection of three large items (free to those on benefits). Why was a three piece suite charged as four items?
	Councillor Michael Leaves asked for details of the particular case and undertook to check the charge.		
2	Councillor Wheeler	Councillor Mrs Pengelly	Recent reports had appeared in the Times and Private Eye concerning the Incinerator discussing monitoring and the approach taken in the USA.  Are you proud that the decision condemned residents to a shorter life?
	Councillor Mrs Pengelly indicated that she had not seen reports. She was proud that the waste issue had been resolved. Reports varied. There was one report from Sweden where more incinerators were being built.		
3	Councillor Berrow	Councillor Mrs Pengelly	Can an update on rent paid by Plymouth Argyle be provided?
	Councillor Mrs Pengelly reported that it had been paid up to date at the weekend when the question was asked previously. She would provide the actual figures to him the following day.		
4	Councillor Casey	Councillor Michael Leaves / Councillor Jordan	A torn union flag had been replaced. Please could an apology be provided for its disposal in a dust bin rather than in accordance with the usual procedures.
	Councillor Michael Leaves reported that it was not part of his responsibilities.  Councillor Jordan responded that the flag was worn out and was not replaced as quickly as it should have been. He undertook to check with the officers and hoped that it had been dealt with properly.		
5	Councillor Wheeler	Councillor Bowyer	On 4 April 2012, the Herald published an article on the battle for Plymouth. Councillor Bowyer was quoted as saying that the energy for waste site was in the middle of the dockyard and 240m from the closest building. Other buildings were only 60m away. Had he forgotten that or was he simply lying?

	Councillor Bowyer responded that if the siting of the plant was acceptable to planning, it was acceptable to him.		

137. **THANKS**

As this was the last ordinary meeting of the City Council of the current municipal year, the Lord Mayor thanked councillors for their support and indicated that it had been a privilege to chair the City Council.