

City Council

Monday 25 November 2013

PRESENT:

Councillor Mrs Pengelly, in the Chair.

Councillor Churchill, Vice Chair.

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

Also in attendance: Tracey Lee (Chief Executive), Tim Howes (Assistant Director for Law, Democracy and Governance), Judith Shore (Democratic and Member Support Manager) and Nicola Kirby (Democratic Support Officer).

Apologies for absence: Councillors Mrs Dolan and Ricketts.

The meeting started at 2 pm and finished at 7.30 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.

57. MINUTES

Agreed the minutes of the meeting of the City Council held on 16 September 2013. are approved subject to a minor amendment to minute 53 (6) to add the word 'over' before '80 per cent' in Councillor Williams' response to a question by Councillor Jordan.

58. DECLARATIONS OF INTEREST

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

Name	Item	Interest	Reason
Councillor Mrs Beer	Minute 67 – Bedroom Tax and Safe Rooms	Private	Employed in the criminal justice system working with victims of domestic abuse.
Councillors Darcy and Nicholson	Minute 67– Bedroom Tax and Safe Rooms	Private	Magistrate on the Plymouth Bench and dealing with domestic violence.

Councillor Gordon	Minute 59(1)(a) – appointments to outside bodies	Private	Non-executive director of Red One, Devon and Somerset Fire and Rescue Authority
Councillor Jordan	Minute 67– Bedroom Tax and Safe Rooms	Private	Director of Routeways
Councillors S Davey, Lowry, Morris, J Taylor, K Taylor and Williams.	Minute 68 – Energy Market	Private	Member of Plymouth Energy Community
Councillor Penberthy	Minute 68 – Energy Market	Private	Member of Plymouth Energy Community and company secretary.
Councillor Stevens	Minute 67 - Bedroom Tax and Safe Rooms	Private	Employed by Devon and Cornwall Police

59. **APPOINTMENTS TO COMMITTEES, OUTSIDE BODIES ETC**

The City Council –

(1) Agreed the following appointments -

	Committees and Other Bodies	Appointments 2013/14
(a)	Devon and Somerset Fire and Rescue Authority	Councillor Mrs Bowyer to replace Councillor Darcy
(b)	Plymouth Charity Trust	Councillor Damarell to replace Councillor Penberthy
(c)	Admission Forum	Councillor Mrs Bowyer to replace Councillor Monahan
(d)	LEP Community Interest Company (to replace current LEP Board)	Nominated director: Councillor Evans Alternate director: Tracey Lee (Chief Executive)
(e)	Local Government Association General Assembly	Councillor Peter Smith to be appointed as a substitute member for Councillor Evans

- (2) noted the following changes notified to the Assistant Director for Law, Democracy and Governance –

	Committee / Outside Body	Membership
(f)	Co-operative Scrutiny Board	Councillor Darcy to replace Councillor Ball
(g)	Ambitious Plymouth Overview and Scrutiny Panel	Councillor Mrs Beer (Vice Chair) to replace Councillor Monahan
(h)	Caring Plymouth Overview and Scrutiny Panel	Councillor Ricketts to replace Councillor Michael Leaves Councillor Mrs Foster to replace Councillor Mrs Beer
(i)	Working Plymouth Overview and Scrutiny Panel	Councillor Martin Leaves to replace Councillor Ball Councillor Darcy to replace Councillor Ball as Vice Chair
(j)	Your Plymouth Overview and Scrutiny Panel	Councillor Sam Leaves (Vice Chair) to replace Councillor Bowyer
(k)	Taxi Licensing Committee	Councillor Jarvis to replace Councillor Singh

(Councillor Gordon declared an interest in item (1)(a) above)

60. ANNOUNCEMENTS

The Lord Mayor -

- (a) referred to the recent death of former councillor Mrs Peggy Radmore who represented the Plympton St Mary Ward between 1973 and 1987, initially as a member of the Conservative Group and later as an Independent Conservative.

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

- (b) referred to the 100th anniversary of the launch of the battleship Warspite on 26th November 2013 which was launched from Devonport Dockyard on 26 November 1913.

To mark the anniversary, the Royal Navy was staging a celebration of the launch of the vessel at Number 3 Slipway at exactly the same time of day, 100 years ago, when Warspite was launched.

- (c) congratulated the 39 finalists in the recent Pride of Plymouth awards which included carers, teachers, good neighbours, members of the emergency services, armed forces, and youngsters, for their commitment and achievements, often in very difficult circumstances.

The Lord Mayor presented the overall Pride of Plymouth award to foster parents Pam and Glynn Dale for their dedication to helping vulnerable children in the city;

- (d) announced that this year, the city had been a National Finalist for the Apprentice Team Brathay Challenge, received the National Apprenticeships Service South West Large Employer award and had now been included on the coveted Apprenticeships Top 100 National Employers List in the National Apprenticeship Awards, in recognition of the commitment the City Council had shown in providing apprenticeships to the highest of standards.

The Lord Mayor presented the National Apprenticeships Service South West Large Employer award to Ken Holder (Apprentice Co-ordinator) and thanked the apprentices for their hard work who were represented at the meeting by Chris Olding, Tom Orchard, Katy Pope, Richard Powel, Ricky Souch and Natalie Town;

- (e) announced that in addition to the recent awards of the 'Good Egg' Award for using only organic eggs and the Gold standard from the Soil Association for fresh, seasonal menus using local suppliers, Plymouth City Council's Education Catering Service been awarded Local Authority Caterer of the Year for its locally sourced, quality ingredients and seasonal menus at the EDUcatering Excellence Awards 2013.

The team was also currently working on the implementation of the new national School Food Plan and Brad Pearce, Education Catering Manager, was also blogging a School Food Plan storyteller and would be part of the Plan's Small Schools' Taskforce, that would help small schools overcome their particular logistical difficulties.

The Lord Mayor presented the Local Authority Caterer of the Year award to Brad Pearce (Education Catering Manager), Grace Hughes (Operational Development Manager) and Anne Marie Sowden (Skills and Development Manager).

Councillor Evans (Council Leader) -

- (f) wished Councillor Bowyer well in his new position of Leader of the Opposition; .
- (g) announced that the process had begun to review whether Plymouth would continue to have Assisted Area Status from the summer of 2014. The government was consulting with Local Enterprise Partnerships on the future UK geographical coverage of assisted areas and the Council had worked with the Heart of South West Local Enterprise Partnership on a consultation response.

The outcome of this consultation would be published later this winter. Councillor Evans advised that he would be writing to the government and asked all councillors to help make the case for Plymouth. He would also be asking the city's MPs to do the same.

- (h) advised councillors that, in the light of a security briefing on counter terrorism, he had sent a letter to the Home Office expressing deep concerns about a Home Office van encouraging illegal immigrants to 'go home'.

He had received a response from Mark Harper, Minister for Immigration, defending the scheme. However Theresa May, Home Secretary, had advised Parliament that the vans were not a good idea and would not be rolled out;

- (i) referred to the sale of Royal Mail which had been opposed by the Council and sought a public enquiry on the underselling of the price of shares.

Councillor Penberthy (Cabinet Member for Co-operatives and Community Development) -

- (j) reported that Plymouth and Bristol were the first cities to be awarded the Social Enterprise Status and Plymouth University was the first university to receive the social enterprise mark;
- (k) advised on the Council's approach to mitigating the impact of welfare reform to mitigate the worse effects and support people.

He also reported that he would be making a decision shortly to establish a package of assistance amounting to approximately £200,000 from the Emergency and Welfare Fund underspend to provide help for those most affected by Welfare Reform.

61. **QUESTIONS BY THE PUBLIC**

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

Mr Williams attended the meeting and Councillor Penberthy responded as set out below -

Question No	Question By	Cabinet Member	Subject
Q12/13-14	Mr John Williams	Councillor Penberthy (Cabinet Member for Co-operatives and Community Development)	Evictions for rent arrears
<p>The Labour Leader of Renfrewshire Council has pledged that no tenant of his Authority will be evicted for rent arrears directly arising from the Under Occupancy Penalty, provided the Authority is apprised of the full circumstances. Why does this Authority not request Plymouth Community Homes to adopt a similar policy?</p>			
<p>Response: We have asked them and Plymouth Community Homes has said, like all other Housing Associations in Plymouth, that they will not commit to such a policy for a number of reasons including:</p> <ul style="list-style-type: none"> • Such a policy would be impractical – wider welfare reforms make it hard to tell whether applicants have fallen into arrears as a result of the bedroom tax or because of other reasons (this is substantiated by data provided by Plymouth Community Homes that indicates that where under-occupiers are in rent arrears at this time, 90% were <u>already</u> in arrears prior to the bedroom tax being introduced). • That it would be unfair to other tenants to introduce a ‘no eviction’ policy for under-occupiers, when other tenants who fall into arrears will continue to have eviction action taken against them. • It gives the wrong message - tenants perceptions of a ‘no eviction’ policy may result in them not prioritising rent payments where they would otherwise have made them, because they’re aware that no action will be taken against them. • The impact of reduced income for Housing Associations could result in them being unable to secure new funding to build new homes (a Council priority) and at worst could result in instability for the organisation that would be unsustainable in the longer term. <p>PCC is not a landlord and can’t instruct housing associations like PCH to follow any particular course of action. This does not mean that Housing Associations are not strongly committed to working in partnership with the City Council to mitigate the significant problems that the bedroom tax and other welfare reforms are causing the citizens of Plymouth, and to prevent evictions wherever possible.</p>			

A number of them – including Plymouth Community Homes - have employed dedicated staff to support tenants to downsize and help them to develop budgeting skills as well as access the available hardship funds.

This positive work is underpinned by initiatives introduced by Plymouth City Council that include:-

- Use of the Discretionary Housing Payments scheme to enable tenants in difficulty to meet rent payments when housing benefit has been reduced due to under-occupation.
- Easy and local access to welfare rights advisors, debt advice and budgeting skills workshops which has so far helped local people claim over £800,000 in previously unclaimed benefits to which they were entitled.
- Supporting the development of Plymouth Energy Community which offers savings on energy bills and protection against rising energy prices.
- A weekly pre-court ‘arrears panel’ that is attended by social landlords and tenants to negotiate and agree action plans to prevent further possession action being taken.
- Giving under-occupiers in social housing greater priority through Devon Home Choice (Band ‘B’) to give them a better chance of downsizing to more affordable properties.
- Proactive work to engage with affected tenants before they reach crisis/potential eviction arrears action. Plans currently include an ‘advice bus’ that will tour social housing estates in January 2014 with Housing Association officers working alongside welfare reform advisors to discuss potential to mutual exchange with other tenants, access to hardship funds, and support to develop budgeting skills.

You can see from this that Plymouth’s Labour Council and its partner housing providers are putting in significant resources to mitigate the impact of the Conservative government’s Bedroom Tax which is an iniquitous and blunt tool. Nearly 1000 tenants now have to find 14% of their rent from other benefits – an average of £17pw. Nearly 240 households have to find 25% - or around £24pw at a time when heating bills, food and other costs are increasing or move from their family home.

The Conservative Bedroom Tax indiscriminately causes hardship and worry to many including vulnerable people who have no choice or opportunity to avoid its impact, as the Tory-led coalition government has not evaluated whether there are suitable homes for people to move to, before implementing it.

In Plymouth there are over 600 households waiting to downsize to avoid the Bedroom Tax, but despite Plymouth being a top quartile performer in delivering new homes – there is just not enough supply to meet this demand in the short or medium term.

Rather than asking housing providers to put their businesses at risk through soaking up the benefit loss, or for other tenants to subsidise this cut, a more effective action would be to lobby this Tory-led Government to abolish the bedroom tax now. I am glad that local MP Alison Seabeck voted to do just this in a recent parliamentary debate. I am proud to be part of Plymouth's Labour Council and to back Ed Miliband's promise to scrap the Bedroom Tax.

62. **MEMBERS' ALLOWANCE SCHEME: REPORT OF THE INDEPENDENT REMUNERATION PANEL**

The City Council considered the report of the Interim Director for Corporate Services together with the report and recommendations of the Independent Remuneration Panel on the Members' Allowance Scheme.

Councillor Peter Smith (Deputy Leader) proposed the Members' Allowance Scheme as recommended by the panel which made only one change to the existing scheme to bring the allowances for the Lord Mayor and Deputy Lord Mayor into the scheme.

He also thanked members of the Independent Remuneration Panel and officers (Judith Shore (Democratic and Members' Services Manager) and Amelia Boulter (Democratic Support Officer)) for their work.

The proposal was seconded by Councillor Bowyer who referred to an error in paragraph 7.11 of the panel's report which stated that councillors had not received any increases to their allowances since 2009. Councillors had received an increase from 1 April this year, in line with the local government's pay award of one per cent.

Agreed the Members Allowance Scheme as recommended by the Independent Remuneration Panel (see Appendix B of the report), to –

- (1) retain the existing level of the Basic Allowance and Special Responsibility Allowances subject to annual increase in line with the percentage increase of the local government pay award;
- (2) retain the existing level of allowances for the Lord Mayor and the Deputy Lord Mayor and include the allowances within the Members' Allowance Scheme, subject to annual increase in line with the percentage increase of the local government pay award;
- (3) retain the existing travelling and subsistence arrangements and amend in line with any changes negotiated to the 'Plymouth Book';
- (4) retain all other arrangements (see the report of the Independent Remuneration Panel).

63. **Capital Programme Approvals**

Councillor Lowry (Cabinet Member for Finance) proposed the Cabinet recommendations as indicated in the report of the Assistant Director for Finance, Efficiencies, Technology and Assets on capital programme approvals. (Cabinet minutes 62 and 64 refer).

With regard to the Civic Centre decant, councillors were advised that alternative leasing arrangements would enable the procurement of premises which would provide a modern front of house for the City Council and that he would report back on the deals when they were finalised.

With regard to the Plan for Homes and the affordable housing loan facility, he indicated that the intention was to work with registered social landlords and co-operative housing associations.

Councillor Evans (Council Leader) seconded the proposals.

Agreed to –

- (1) an increase to the Council's Capital Transformation budget 2013/14 of £0.627m to enable the Civic Centre decant;
- (2) the inclusion of the Plan for Homes within the Capital Programme from 2014/2015 until 2019/2020 with an allocation of up to £50 million (subject to due diligence) in support of the affordable housing loan facility to the Plymouth Housing Partnership.

MOTIONS ON NOTICE

The following motions had been received from councillors in accordance with Part B, paragraph 14 of the Constitution.

64. **Yes to Homes Campaign**

Councillor Lowry moved and Councillor Nicholson seconded the following motion -

'This Council notes that:

- We are not building enough homes in England to meet housing needs, with most commentators identifying the level of need at around 265,000 homes per annum.
- Rising house prices mean the dream of home ownership is beyond the reach of millions and the size of a mortgage deposit alone stops many would-be first-time buyers from getting on the housing ladder.

- One in 12 families in England is now on a social housing waiting list.
- The average house price in Plymouth in 2012 was £159,281 making the standard 20% mortgage deposit £31,856.
- Evidence from the 2013 Strategic Housing Market Needs Assessment indicates the median annual earnings to be £23,600 with almost 40% of households earning below £20,000, meaning that £29,829 (with a 10% deposit) is required to purchase a lower quartile house of £116,000 or to afford the average market rent for a two bed property.
- A lower quartile house costs 6.3 times the income of a household earning a lower quartile salary.
- 80% of future housing needs are for one and two bedrooms affordable homes.
- Customers seeking housing advice have increased by 41% and the total housing waiting list stands at 10,100 - all signs of the housing market being under severe stress.
- The Government have provided assistance with mortgage deposits.

This Council believes that:

- The solution to the housing shortage is to build more of the right homes, in the right place, at the right price.
- Public opposition is one of the main barriers to increasing housing supply and all too often the people who actually need homes are missing from local debates.
- Plymouth City Council needs to take an active role in making the case for building more homes locally, through both the Plymouth Plan consultations and the neighbourhood planning process.

This Council resolves to:

- (1) Support the Yes to Homes campaign, and commits to increasing the delivery of the right homes, in the right place, at the right price in the Plymouth housing market area.
- (2) Work with Yes to Homes supporters, local groups, and organisations to actively make the case for new homes and explain the benefits of new homes for the whole community.

- (3) Invite the Plymouth Housing Development Partnership to hold special hearings on housing to help local people, community groups and businesses to give evidence on the need for more housing.
- (4) Inform local people, local Members of Parliament, One Plymouth, the Plymouth Growth Board, the Heart of the South West Local Enterprise Partnership, the Plymouth Housing Development Partnership and the Plymouth Regeneration Forum of this decision.'

Councillors were advised that –

- (a) a step change in housing delivery was required without changing the character of the city;
- (b) consideration needed to be given to the design of houses;
- (c) brown field sites should be developed in the first instance and discussions were required with South Hams Borough Council on urban fringe sites.

During the debate the issues raised included that -

- (d) homes needed to be in the right place;
- (e) there was a demand for executive homes as well as one and two bedroom houses;
- (f) infrastructure should be in place before the start of development.

During the debate the Lord Mayor ruled that all placards should be removed from the Council Chamber.

Following a vote, the motion was agreed as submitted, for the reasons stated.

65. **Development in the north of the city**

Councillor Bowyer proposed and Councillor Patrick Nicholson seconded the following motion -

'Notwithstanding the City Council's Core Strategy published in 2007, the Council acknowledges the Planning Inspector's findings following the recent public inquiry into the Derriford and Seaton Area Action Plan.

This Council recognises the current uncertainty felt by residents living in the north of our City over potential developments in their communities and in particular the future of the Plymouth Airport site.

The Council resolves to ask the Cabinet to bring forward the publication of the Plymouth Plan to March 2014 in order to give the citizens of Plymouth a further opportunity to be consulted on the Council's preferred options for the growth of their City and to provide greater certainty on the potential funding for vital infrastructure works in the north of Plymouth.'

Councillor Vincent moved the following amendment which was seconded by Councillor Evans.

'Notwithstanding the City Council's Core Strategy published in 2007, the Council acknowledges the Planning Inspector's findings following the recent public inquiry into the Derriford and Seaton Area Action Plan.

The Council resolves to ask the Cabinet to review the implications of the Inspector's decision for the Plymouth Plan, including the timings of further consultation to allow all communities in Plymouth to have their say.'

During the debate the issues highlighted included that –

- (a) investment and regeneration was taking place in the north of the city for example at Seaton;
- (b) the core strategy currently protected Plymouth Airport and that the Plymouth Plan would protect the future of the airport;
- (c) the judgement on the area action plan had been made because the Council could not evidence future funding for the construction of a road;
- (d) the City Council had not had an opportunity to debate the issue following the findings of the Planning Inspector;

Following a vote, the amendment was agreed.

Following further discussion, the motion, as amended, was put to the vote and it was agreed that Cabinet is asked to review the implications of the Inspector's decision for the Plymouth Plan, including the timings of further consultation to allow all communities in Plymouth to have their say.

66. **Redevelopment and enhancement of Colin Campbell Court and support for Plymouth city centre as the retail centre of the city**

Councillors Nicholson and Darcy submitted the following motion for consideration by the City Council.

'Following the Council's recent approvals of out of town retail developments, despite areas of our City Centre containing empty and run down retail premises, this Council reaffirms its support for retaining the City Centre as the retail heart of Plymouth.

The Council calls upon the Cabinet to drive the redevelopment of Colin Campbell Court and the West End, in consultation with the local community and deliver investment in this vital sector of our local economy.'

Councillor Evans moved, Councillor Nicholson seconded and it was agreed that the motion is considered in private on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000, and that the item is considered at the end of the meeting.

(See minute 75 below)

67. **Bedroom tax and safe rooms**

Councillor Williams proposed and Councillor Penberthy seconded the following motion –

'One in four women have been the victim of domestic abuse, it accounts for 17% of all crime, two women a week are killed by a partner or former partner and the findings of a number of case reviews into deaths of children in Plymouth have identified domestic abuse as a significant factor.

Women facing some of the worst domestic abuse benefit from the installation of a number of sanctuary scheme measures; which may include the provision of a 'safe room'; where they and their children can go safely if threatened, which is directly linked to the police.

The government's bedroom tax however considers these vital safe rooms as a spare room, reducing the amount of housing benefit that can be claimed and putting women in jeopardy of eviction due to non-payment of rent. Evicting women and their children who have been victims of domestic abuse means that not only are they losing their home, they are being penalised for being a victim of domestic abuse, and risk becoming more vulnerable to repeat abuse.

Council notes that Women's Aid and other domestic abuse charities are calling on councils to take action to overcome this issue.

Council resolves to -

- (1) Lobby the government to exempt safe rooms from inclusion as bedrooms for the purposes of the bedroom tax;
- (2) Make Discretionary Housing Payments available in Plymouth to cover reductions in housing benefit applied under the bedroom tax for safe rooms, subject to periodic review.'

Councillor Williams informed the City Council that it was the international day for elimination of violence against women and that they had a duty to talk about it.

Councillor Mrs Beer moved the following amendment which was seconded by Councillor Mrs Bowyer –

‘To add:

- (3) Seek out those victims who are entitled to discretionary payments so that they can be helped and supported at their time of need;
- (4) Put pressure on housing associations to hasten moves to enable victims to feel safe.’

Councillor Mrs Beer indicated that a safe room was usually the principal bedroom, not a spare room, and that funding was available to Councils for claimants in terms of transitional payments and housing discretionary payments.

During the debate the issues highlighted included that –

- (a) the aim of the original motion was to exempt safe rooms from bedroom tax;
- (b) the Council worked in partnership with housing associations;
- (c) housing associations funded installations of safe rooms in their properties and the council should be working with partners to identify those rooms which qualified for discretionary payments;
- (d) housing associations were not responsible for hastening moves and that there was a process for victims to ensure that the right action was taken depending on their wishes.

Following a vote, the amendment was not agreed.

Councillor McDonald moved and Councillor Lowry seconded a further amendment as follows –

‘Council notes that Women's Aid and other domestic abuse charities are calling on councils to take action to overcome this issue.

Council resolves to –

- (1) Lobby the government to exempt safe rooms from inclusion as bedrooms for the purposes of the bedroom tax;
- (2) Make Discretionary Housing Payments available in Plymouth to cover reductions in housing benefit applied under the bedroom tax for safe rooms, subject to periodic review.’

- (3) Work with the police and housing associations to identify those victims who are entitled to Discretionary Housing Payments identified in (2) above;
- (4) Continue to work with housing associations to enable victims to feel safe.'

The City Council was advised that a safe room was not a bedroom and that a Sanctuary Scheme was provided by Homesafe which allowed children to stay in schools.

Councillor Williams moved, Councillor Rennie seconded and it was agreed that that the vote was taken without further debate.

Following a vote, the amendment was agreed.

The motion, as amended, was debated further and the City Council was informed of the following helplines:

Plymouth Domestic Abuse Services: 01752252033
Plymouth Refuge: 01752562286
24 hour helpline: 08082000247
Information at: [plymouth.gov.uk /domestic abuse](http://plymouth.gov.uk/domestic%20abuse)

Following a vote, the motion as amended was agreed.

(Councillors Mrs Beer, Darcy, Jordan, Nicholson and Stevens declared interests in the above item)

68. **Energy Market**

Councillor Stevens proposed and Councillor K Taylor seconded the following motion -

'Plymouth City Council believes Britain's energy market isn't working for ordinary families and businesses in Plymouth and the cost of electricity and gas is crippling family finances. We regret that energy bills have risen by almost £300 for families since 2010 with businesses saying it's the second biggest cost they face, and are concerned that when the price of energy increases energy companies pass this on, but when it drops consumers don't see bills go down.

We note recent research by Which? estimating that market flaws have left consumers paying £3.9bn a year over the odds since 2010 and opposes the unfair price rises recently announced by the big energy companies including a 10.4% increase in Npower's dual-fuel bills from December, SSE increasing prices by 8.2% from 15th November, British Gas increasing prices by 9.2% on 23rd November and Scottish Power raising prices by 8.6% from 6th December. We believe these increases represent a rip-off for Plymothians and that the Conservative led Government is defending the big energy companies and not standing up for ordinary consumers.

It's for these reasons that Plymouth Energy was established, making energy more affordable for people across Plymouth.

We therefore welcome Ed Miliband's commitment to freeze energy bills for twenty months until 2017 upon the election of a Labour Government and congratulate Alison Seabeck MP for voting for this freeze on 6 November whilst Oliver Colvile MP and Gary Streeter MP voted against it.'

During the debate the issues highlighted included that –

- (a) consumers had been let down by the regulator which should be abolished and replaced with a tougher structure;
- (b) the next Labour Government had made a commitment to introduce a 20 month price freeze;
- (c) councillors' case work demonstrated that energy prices were having a real impact on residents and Plymouth Energy Community had been established to assist them;
- (d) the Council could assist residents by freezing or reducing Council tax;
- (e) people could switch providers but that there was not now enough competition in the market as providers had been reduced from 14 to 6 under the Labour Government and eco deals had been added to bills;
- (f) there was currently no tariff structure;
- (g) a freeze in Council tax would save an average household 38p per week where an energy price freeze for 20 months would save an average family £230.

Following a vote, the motion was agreed.

(Councillors S Davey, Lowry, Morris, Penberthy, J Taylor, K Taylor and Williams declared interests in the above item)

69. **VICE CHAIR**

The Lord Mayor reported that it was necessary for the Deputy Lord Mayor to leave the meeting as he had an engagement that evening.

Agreed that Councillor James is appointed Vice Chair for the remainder of the meeting.

MOTIONS ON NOTICE

70. Local Government Declaration on Tobacco Control

Councillor McDonald proposed and Councillor Evans seconded the following motion -

(The original motion submitted was subsequently amended and circulated prior to the meeting with the additional words shown underlined (no words were deleted)).

‘It is acknowledged that:

- Smoking is the single greatest cause of premature death and disease in our communities;
- Reducing smoking in our communities significantly increases household incomes and benefits the local economy;
- Reducing smoking amongst the most disadvantaged in our communities is the single most important means of reducing health inequalities;
- Smoking is an addiction largely taken up by children and young people, two thirds of smokers start before the age of 18;
- Smoking is an epidemic created and sustained by the tobacco industry, which promotes uptake of smoking to replace the 80,000 people its products kill in England every year; and
- The illicit trade in tobacco funds the activities of organised criminal gangs and gives children access to cheap tobacco.

As local leaders in public health we welcome the:

- Opportunity for local government to lead local action to tackle smoking and secure the health, welfare, social, economic and environmental benefits that come from reducing smoking prevalence;

It is therefore recommended that the Council commits itself to:

- Act at a local level to reduce smoking prevalence and health inequalities and to raise the profile of the harm caused by smoking to our communities;
- Develop plans with our partners and local communities to address the causes and impacts of tobacco use;
- Participate in local and regional networks for support;
- Support the government in taking action at national level to help local authorities reduce smoking prevalence and health inequalities in our communities;

- Protect our tobacco control work from the commercial and vested interests of the tobacco industry by not accepting any partnerships, payments, gifts and services, monetary or in kind or research funding offered by the tobacco industry to officials or employees except as mentioned in Annex A so as to enable the authority to pursue its enforcement role concerning illicit or unsafe tobacco;
- Monitor the progress of our plans against our commitments and publish the results; and
- Publicly declare our commitment to reducing smoking in our communities by joining the Smokefree Action Coalition, the alliance of organisations working to reduce the harm caused by tobacco.

And invites all the City's Members of Parliament to sign this declaration too.

Annex A

To enable the authority to pursue its enforcement role concerning illicit or unsafe tobacco the following interaction will take place between it and the Tobacco Industry:

- Receipt of training from the Tobacco Industry on the identification of illegal tobacco products;
- Examination of illegal tobacco products by the Tobacco Industry to enable the gathering of intelligence and identification of illegal tobacco products;
- Provision of witness statements from the Tobacco Industry to confirm that a tobacco product is illegal and enable legal proceedings to be taken forward.

All interactions with the Tobacco industry will be recorded in a contact log for transparency.

During the debate the issues highlighted included –

- (a) the evidenced link between smoking and lung cancer;
- (b) that an announcement on plain cigarette packaging was awaited from government;
- (c) that more research was required into the effects of e cigarettes which contained nicotine and could become a gateway into smoking;
- (d) that Plymouth required additional funding for public health to help people to stop smoking. At present Plymouth received funding of £43 per head whilst some local authorities received over £100 per head.

Councillor McDonald in summing up indicated that the Council had inherited public health with 28 failed outcomes of its action plans.

Following a vote, the motion was agreed.

71. **MOVEMBER**

During consideration of the above item, the Lord Mayor congratulated male councillors on their moustaches in support of the Movember Campaign and Councillor Evans thanked everyone for their support, including those who had assisted with the cake sale.

72. **QUESTIONS BY COUNCILLORS**

	From	To	Subject
1	Councillor K Foster	Councillor Coker	Would parking charges be introduced at Jennycliff and Devil's Point car park? Would temporary or permanent repairs be undertaken at the car parks in next 12 months?
	Councillor Coker responded that he had not yet set the budget. With regard to repairs, all car parks were being reviewed and the appropriate course of action would be taken.		
2	Councillor Morris	Councillor Coker	What was the level of government grant for pot holes, how had it changed to 2015 and how did Oliver Colvile MP vote on the funding?
	Councillor Coker responded that from 2011 to 2014/15, the budget had decreased by 16.5 per cent for maintenance to the highway. When the Comprehensive Spending Review was considered, Oliver Colvile MP had supported the cuts in funding. The Labour administration had committed to £2m per year for the next 10 years.		
3	Councillor Evans	Councillor Stevens	When the North Plymstock Area Action Plan was adopted on 6 August 2007, was a Labour or Conservative Council in charge? When the application for north Plymstock was reported to the Planning Committee in 2011 and outline planning permission was granted (with inadequate infrastructure), was it chaired by him or a Conservative chair?
	Councillor Stevens responded that there was a Conservative Council in 2007 and in 2011, the chair was former councillor John Lock, Liberal Democrat.		
4	Councillor Bowyer	Councillor Evans	With the increasing lack of morality in the co-operative bank, when was the council going to review the use of the word 'co-operative'?
	Following reference by Councillor Evans to a former councillor in Bradford, the Lord Mayor ruled that the line of questioning should not be continued.		

5	Councillor Jordan	Councillor Coker	Following his delegated decision not to take any action on a taxi rank in Cornwall Street, should the matter be referred to scrutiny for consideration?
	Councillor Coker responded that following consultation, objections had been received from the police and highways on safety grounds and that he did not have the authority to overrule those objections. If the matter was taken to scrutiny, councillors would review it but officers were currently reviewing capacity in the city centre.		
6	Councillor Mrs Beer	Councillor Williams	How many hours of education did this Council provide to those excluded from school and what was the reason for those exclusions?
	Councillor Williams undertook to provide a written response.		
7	Councillor Singh	Councillor Peter Smith	Was it noted in minutes of meetings when councillors left early and if not, should it be?
	Councillor Peter Smith responded that it was not noted at present and that he would investigate it and undertook to provide a written response.		
8	Councillor Darcy	Councillor Evans	Would you as Leader ask party members to refrain from smoking outside the building?
	Councillor Evans responded that he would ask them to move out of plain sight.		
9	Councillor Nicholson	Councillor Stevens	Now that Sherford planning permission had been issued, what was the timescale for the provision of Plymstock Swimming Pool?
	Councillor Stevens undertook to provide a written response.		
10	Councillor James	Councillor Penberthy	Following comments earlier relating to domestic violence victims, how many people had been accommodated in bed and breakfast this year, how long were they in that accommodation and what was the financial impact?
	Councillor Penberthy undertook to provide a written response.		
11	Councillor Bowyer	Councillor Lowry	Following advice from Treasury Management advisers, had the Council removed its bank accounts from the Co-operative Bank and would emergency banking arrangements would be in place before 12 December when the Co-operative Bank needed to make a decision on the bond offer and could then go into liquidation?
	Councillor Lowry responded that the Council had removed its accounts and a tendering exercise was currently taking place to find another lender. The Council had emergency arrangements in place.		

12	Councillor Jordan	Councillor Peter Smith	Would Plymouth be marking the centenary of World War I next year?
	Councillor Peter Smith responded that he was in discussion with the Royal Navy on an event subject to funding.		
13	Councillor Bowyer	Councillor Coker	How many years remained on the Council's contract with Amey? How many council employees were engaged in renegotiating the contract and what engagement would there be with ward councillors?
	Councillor Coker responded that there were two years left on the contract and he undertook to provide a written response on the other questions.		
14	Councillor Bowyer	Councillor Williams	Would the renegotiation process for the highways contract provide an opportunity for ward members to have an input?
	Councillor Williams responded that there would be opportunity for involvement, scrutiny and through the Transformation Advisory Group.		
15	Councillor Jordan	Councillor Penberthy	How many rough sleepers were there in the city and was it acceptable for it to take a week to find a bed for them?
	Councillor Penberthy responded that the count for the last quarter was due the following day. Normally it was not necessary for them to sleep out a second night if they did not want to. He would take up any specific issues outside of the meeting.		

Please note that questions, answers, supplementary questions and supplementary answers have been summarised.

73. **EXEMPT BUSINESS**

Agreed that under Section 100(A)(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

74. **SENIOR MANAGEMENT RESTRUCTURE (EI)**

This item was withdrawn from the agenda.

MOTION ON NOTICE

75. **Redevelopment and enhancement of Colin Campbell Court and support for Plymouth city centre as the retail centre of the city**

Further to minute 66 above, Councillor Nicholson proposed and Councillor Darcy seconded the following motion –

‘Following the Council’s recent approvals of out of town retail developments, despite areas of our City Centre containing empty and run down retail premises, this Council reaffirms its support for retaining the City Centre as the retail heart of Plymouth.

The Council calls upon the Cabinet to drive the redevelopment of Colin Campbell Court and the West End, in consultation with the local community and deliver investment in this vital sector of our local economy.’

An amendment was proposed by Councillor Lowry, seconded by Councillor Coker and accepted by Councillor Nicholson.

Following a vote, the amendment was agreed as follows –

‘Recognising the change in shopping habits with the internet and following the Council’s recent approvals of out of town retail developments, despite areas of our City Centre containing empty and run down retail premises, this Council reaffirms its support for retaining the City Centre as the retail heart of Plymouth.

The Council calls upon the Cabinet to work with private and public sector landowners to drive the redevelopment of strategic sites including Colin Campbell Court, Bretonside, Civic Centre and the West End, in consultation with the local community and City Centre company to deliver the scale of transformational change and investment in this vital sector of our local economy.’

The motion as amended was put to the vote and agreed.

76. **ADJOURNMENT OF COUNCIL**

During the above item, it was agreed to extend to time for adjournment from 7.30pm to 8.30pm to conclude the business for the meeting.