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## Democratic Support

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Published 15 November 2013

## CITY COUNCIL

Monday 25 November 2013  
2.00 pm  
Council House (Next to the Civic Centre), Plymouth

### Members:

The Lord Mayor, Councillor Mrs Pengelly

The Deputy Lord Mayor, Councillor Churchill

Councillors Mrs Aspinall, Ball, Mrs Beer, Bowie, Bowyer, Mrs Bowyer, Casey, Coker, Damarell, Darcy, Philippa Davey, Sam Davey, Mrs Dolan, 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, Ricketts, Dr. Salter, Singh, John Smith, Peter Smith, Stark, Stevens, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent, Wheeler, Wogens, Williams and Wright.

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

This meeting will be broadcast live to the internet and will be capable of subsequent repeated viewing. By entering the Council Chamber and during the course of the meeting, councillors are consenting to being filmed and to the use of those recordings for webcasting. Although the public seating areas are not filmed, by entering the meeting room and using the public seating area, the public are consenting to being filmed and to the use of those recordings for webcasting.

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### Tracey Lee

Chief Executive

# CITY COUNCIL

## AGENDA

### PART I – PUBLIC MEETING

#### 1. APOLOGIES

To receive apologies for absence submitted by councillors.

#### 2. MINUTES

(Pages 1 - 20)

To approve and sign as a correct record the minutes of the meeting held on 16 September 2013.

#### 3. DECLARATIONS OF INTEREST

(Pages 21 - 22)

Councillors will be asked to make declarations of interest in respect of items on this agenda. A flowchart providing guidance on interests is attached to assist councillors.

#### 4. APPOINTMENTS TO COMMITTEES, OUTSIDE BODIES ETC

(Pages 23 - 24)

The Interim Director for Corporate Services will submit a schedule of vacancies on committees, outside bodies etc and of changes notified to us.

#### 5. ANNOUNCEMENTS

- (a) To receive announcements from the Lord Mayor, Chief Executive, Interim Director for Corporate Services or Assistant Director of Democracy and Governance;
- (b) To receive announcements from the Leader, Cabinet Members or Committee Chairs.

#### 6. QUESTIONS BY THE PUBLIC

To receive questions from and provide answers to the public in relation to matters which are about something the council is responsible for or something that directly affects people in the city, in accordance with Part B, paragraph 11 of the Constitution.

Questions, of no longer than 50 words, can be submitted to the Democratic Support Unit, Plymouth City Council, Civic Centre, Plymouth, PL1 2AA, or email to [democraticsupport@plymouth.gov.uk](mailto:democraticsupport@plymouth.gov.uk). Any questions must be received at least five complete working days before the meeting.

**7. MEMBERS' ALLOWANCE SCHEME: REPORT OF THE INDEPENDENT REMUNERATION PANEL (Pages 25 - 44)**

The Chief Executive will submit a report on the Members' Allowance Scheme following a review of the scheme by the Independent Remuneration Panel.

**RECOMMENDATIONS FROM CABINET**

**8. CAPITAL PROGRAMME APPROVALS (Pages 45 - 48)**

The Assistant Director for Finance, Efficiencies, Technology and Assets will submit a report on Cabinet recommendations for a scheme to be included in the capital programme and an increase in the allocation for an existing scheme.

**MOTIONS ON NOTICE**

To consider motions from councillors in accordance with Part B, paragraph 14 of the Constitution.

**9. YES TO HOMES CAMPAIGN (Pages 49 - 50)**

The motion will be moved by Councillor Lowry and seconded by Councillor Nicholson.

**10. DEVELOPMENT IN THE NORTH OF THE CITY (Pages 51 - 52)**

The motion will be moved by Councillor Ian Bowyer and seconded by Councillor Patrick Nicholson

**11. REDEVELOPMENT AND ENHANCEMENT OF COLIN CAMPBELL COURT AND SUPPORT FOR PLYMOUTH CITY CENTRE AS THE RETAIL CENTRE OF THE CITY (Pages 53 - 54)**

The motion will be moved by Councillor Patrick Nicholson and seconded by Councillor Darcy.

**12. BEDROOM TAX AND SAFE ROOMS (Pages 55 - 56)**

The motion will be moved by Councillor Williams and seconded by Councillor Penberthy.

**13. ANY FURTHER MOTIONS SUBMITTED**

**14. QUESTIONS BY COUNCILLORS**

Questions to the Leader, Cabinet Members and Committee Chairs covering aspects for their areas of responsibility or concern by councillors in accordance with Part B, paragraph 12 of the constitution.

## **15. EXEMPT BUSINESS**

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

## **PART II (PRIVATE MEETING)**

### **AGENDA**

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

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

## **16. SENIOR MANAGEMENT RESTRUCTURE (EI)**

The Chief Executive will submit a report on the senior management structure.

## City Council

Monday 16 September 2013

### PRESENT:

The Lord Mayor, Councillor Mrs Pengelly, in the Chair.

The Deputy Lord Mayor, Councillor Churchill, Vice Chair.

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

Also in attendance: Tracey Lee (Chief Executive), David Shepperd (Head of Legal Services) Judith Shore (Democratic and Member Support Manager) and Nicola Kirby (Democratic support Officer).

Apologies for absence: Councillors Ball, Martin Leaves and Sam Leaves and Tim Howes (Assistant Director for Law, Democracy and Governance).

The meeting started at 2pm and finished at 6.20pm.

*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.*

40. **MINUTES**

Agreed the minutes of the meeting of the City Council held on 22 July 2013.

41. **DECLARATIONS OF INTEREST**

There were no declarations of interest from councillors, in accordance with the code of conduct, in relation to items under consideration at this meeting.

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

The report of the Interim Director for Corporate Services was submitted.

The City Council noted the following changes notified to the Assistant Director for Law, Democracy and Governance –

<b>Committee</b>	<b>Membership</b>
Ambitious Plymouth Overview and Scrutiny Panel and Co-operative Scrutiny Board	Councillor Monahan to replace Councillor Sam Leaves as Vice Chair of the Panel and member of the Co-operative Scrutiny Board

Agreed the following appointments –

	<b>Committees and Other Bodies</b>	<b>Membership</b>	<b>Appointments 2013/14</b>
(a)	Admissions Forum (Schools)	One vacancy arising from resignation of Councillor Sam Leaves.	Councillor Monahan
(b)	Devon and Somerset Fire and Rescue Authority	One vacancy arising from resignation of Councillor Martin Leaves.	Councillor Darcy
(c)	Standing Advisory Committee for Religious Education	One vacancy arising from resignation of Councillor Ricketts.	Councillor Dr Mahony

#### 43. **ANNOUNCEMENTS**

##### **The Lord Mayor –**

- (a) reported that the Special Olympics (for people with special needs) were held in Bath and Bristol this year. For the first time Plymouth was represented by 30 athletes who achieved 13 medals including four gold medals. The Lord Mayor congratulated them all for being true ambassadors for the City of Plymouth;
- (b) announced that the Plymouth Life Centre, had been awarded a number of high profile awards -
  - ‘Commercial Project of the Year with a value over £3million’ at the Michelmores / Western Morning News Property Awards 2013;
  - the title of ‘Best Community Building’ at the 2013 Local Authority Building Control (LABC), Building Excellence Awards South West;

- a nomination for a LABC national award, again in the category of 'Best Community Building', the winners to be announced in November 2013;
- sports and leisure facility 'Major Project of the Year' at the Institute of Civil Engineers South West awards ceremony.

The Lord Mayor presented the awards to Tony Hopwood (former Project Manager), Chris Randall (Strategic Finance Manager), Alwyn Thomas (Senior Commercial Lawyer) and Des Heath (Building Control Team Leader) who accepted them on behalf of all those who contributed towards the project.

- (c) announced that Customer Services had for the fourth consecutive year been awarded the nationally recognised Customer Service Excellence Award with improved results. The award demonstrated that the service continued to put the customer at the centre of what they do by ensuring continuous improvement across all the areas measured.

The Lord Mayor presented the certificate to Lynne Reed (service manager), Claire Edwards (team leader), Wayne Hepburn, Loretta Tucker and Gavin O'Riley (Customer Advisors) who accepted it on behalf of all those in customer services who were to be congratulated on their achievement.

### **Councillor Evans (Council Leader) -**

- (d) reported that, as a result of major cuts in transport funding and in spite of a commitment by government to address under investment, the gap in spending between the south west and London and the UK as a whole, continued to increase. He had raised the issue at the Board of the LEP and it was agreed to work collectively at board level to make representations to the government using all available channels;
- (e) read a letter he had sent to the Rt Hon Patrick McLoughlin (Secretary of State for Transport), which raised concerns with regard to the short term extension of the Great Western Rail Franchise which would now not deliver urgently needed improvements. The poor and intermittent wi-fi connectivity and the lack of an early morning train from London to Plymouth were identified and he had asked for government assistance in the delivery of the improvements within the interim franchise arrangements.

**Councillor Williams (Cabinet Member for Children and Young People)** announced that the City Council's Education Catering Service was one of three finalists for the second year running for Local Authority Caterer of the Year at the EDU Catering Excellence Awards 2013. The announcement of the winner would be made on 14 October 2013. She praised the Catering Team on their achievement with particular thanks to Brad Pearce (Education and Catering Manager) particularly for his work with small schools.

44. **QUESTIONS BY THE PUBLIC**

Four questions had been received from members of the public in relation to matters which, in the opinion of the Lord Mayor, were relevant to the business of the meeting in accordance with paragraph 10 of the constitution.

Mr Williams (Q8) attended the meeting and Councillor Lowry responded as set out below -

<b>Question No</b>	<b>Question By</b>	<b>Cabinet Member</b>	<b>Subject</b>
Q8/13-14	Mr J Williams	Councillor Lowry (Cabinet Member for Finance) Councillor Peter Smith (Deputy Leader)	Liability Order Court Summons
<p>Please breakdown the Authority's costs for summoning a Council Tax payer to a Liability Order Court hearing between: -</p> <ol style="list-style-type: none"> <li>1. Court charges</li> <li>2. Printing</li> <li>3. Postage</li> <li>4. Staff salaries</li> <li>5. Other costs.</li> </ol> <p>What is the Authority's reaction to the Parliamentary Answer by Bridget Prentice in 2009 that the cost of issuing a liability order was £3?</p>			
<p><b>Response:</b></p> <p>The £3 charge referred to by Bridget Prentice relates to the cost levied to local authorities by the court for the issue of a Liability Order. This is just one element of cost of a process that involves a lot of staff time and resource over several months.</p> <p>We do not break down our costs to the level of detail as requested in this question however, we can confirm that the biggest element of this cost is staff time.</p>			



Other than the standard issuing of bills, reminders and final notices, significant staff time is spent in preparing the evidence required for liability orders. Staff resource also has to be present in court to manage legal and customer queries on the day. Post court, further work is needed to finalise the process and request attachments to benefits or earnings.

Liability Orders are a tool of last resort for the council. We continue to prioritise and focus on proactively working with our residents to better manage their finances and ensure that individuals access all of the benefits to which they are entitled to.

PCC benchmarks against the CIPFA Group of 80 local authority members which demonstrates that our costs are reasonable, being lower than average. Our liability order costs of £83 compares to the average of £88 (CIPFA group average for 2012/13)

I entirely appreciate the nature of this question, and am equally mindful that increasing cost unnecessarily goes against our principles as a caring council, therefore I can assure the gentleman that I shall look further into this matter to ensure our costs are kept to a minimum and will personally feedback my findings.

In the absence of Mr Gomery (Q9), a written response would be sent to him as set out below -

<b>Question No</b>	<b>Question By</b>	<b>Cabinet Member</b>	<b>Subject</b>
Q9/13-14	Mr S Gomery	Councillor Lowry (Cabinet Member for Finance Councillor Penberthy (Cabinet Member for Co-operatives and Communities) Councillor Williams (Children and Young People)	Impact of the Council Tax Reduction Scheme on families
The Joseph Rowntree Trust, describes Plymouth's Council tax reduction scheme as among the harshest in the country in its impact on people on the lowest incomes. This includes thousands of families with children. How does PCC labour group justify such a charge on poor families given its 'Child Poverty Strategy'?			

**Response:**

The Government cut funding for Council Tax benefits and passed responsibility on to local councils to introduce their own local schemes from 1 April 2013.

Plymouth City Council, like many other councils across the country, introduced a scheme within the limited funding provided by government. We developed the scheme in partnership with several councils across the South West region.

For Plymouth, the reduction in Council Tax benefit funding in 2013/14 was circa £2.6m. Clearly, to address this level of reduction, we would have to ask more people to pay a larger proportion of their council tax bills.

More affluent, rural councils with a greater number of higher value properties, were able to exercise flexibility in levying the funding shortfall more towards those residents who are better able to pay. Unfortunately, for councils like Plymouth, with a higher proportion of Band A and B properties, the only way we could address a £2.6m cut was to apply less benefits across a wider number of households.

Our scheme is not untypical for an urban unitary council with a high dependency on the benefit state.

The implications of introducing a local Council Tax Support scheme, alongside other welfare reform changes such as implementation of the 'bedroom tax', has placed a significant burden on many individuals and families across the city. We remain committed to addressing child poverty and are proactively working with vulnerable families to provide advice and support. For example, we have been successful in helping many families to access funding and claim additional benefits to which they are entitled to.

Moving forward, we will continue to lobby the government for a fairer financial settlement. For example, recommending that the government imposes greater taxes on stocks and shares in order to put more money back into allocating Council Tax benefits to those most in need.

Mr Aldred (Q10) attended the meeting and Councillor Penberthy responded as set out below -

<b>Question No</b>	<b>Question By</b>	<b>Cabinet Member</b>	<b>Subject</b>
Q10 / 13-14	Mr Aldred R	Councillor Lowry (Cabinet Member for Finance) Councillor Penberthy (Cabinet Member for Co-operatives and Communities) Councillor Evans (Council Leader)	Housing benefit: use of reserves
<p>As Ed Miliband has said that if a Labour Government comes into power after the 2015 general election it will scrap the 'Bedroom Tax', will this Labour-led council use their reserves to make up the shortfall in housing benefit to protect Plymothians from the increased poverty they currently face?</p>			
<p><b>Response:</b></p> <p>Welfare reforms have cut the amount of benefit that people can get if they are deemed to have a spare bedroom in their council or housing association home. This measure has been applied to all housing benefit claimants of working age from 1 April 2013.</p> <p>The power to reduce housing benefit in this way is contained in the Welfare Reform Act 2012 and is commonly referred to as the bedroom tax, size criteria or under-occupation penalty.</p> <p>This is national legislation for which, unfortunately, the council has no discretion over. As such, we are not able to use reserves to protect the impact on Plymothians. However, we will continue to lobby government on the effect that welfare reform cuts are having on the most vulnerable residents in our city – for example, recommending that the government imposes greater taxes on stocks and shares in order to put more money back into allocating Council Tax benefits to those most in need.</p> <p>We have also set up a welfare team to provide advice and support to individuals and families who are struggling with their finances as a result of welfare reform and have proactively helped many residents gain access to more funding and benefits, to which they are entitled, through this team.</p>			

Mr Buckley attended the meeting and Councillor Lowry responded as set out below –

<b>Question No</b>	<b>Question By</b>	<b>Cabinet Member</b>	
Q11/ 13-14	Mr N Buckley	Councillor Lowry (Cabinet Member for Finance) Councillor Peter Smith (Deputy Leader)	Liability Order costs
<p>Under what statutory provision is the City Council imposing £85.00 costs on each Liability Order for non-payment of Council tax benefit? Plymouth City Council cannot impose financial penalties for non-payment of Council tax benefit.</p>			
<p><b>Response:</b></p> <p>Plymouth City Council continues to invest significant time and resource into helping individuals and families who are struggling to meet their financial obligations. We use a number of proactive measures for collecting income due to us such as helping people maximise their benefit entitlement, arranging flexible payment plans based on individual circumstances and providing practical support and advice through a dedicated welfare support team.</p> <p>However, in a minority of cases, there is a need to pursue liability orders in relation to income that is due to us. The legislation that enables us to impose costs for issue of Liability Order for non-payment of Council Tax is <b>Regulation 34(7) of The Council Tax (admin and enforcement) regulations 1992.</b></p> <p>This regulation enables the council to recover costs reasonably incurred in obtaining the order.</p>			

## **RECOMMENDATIONS FROM CABINET AND THE CO-OPERATIVE SCRUTINY BOARD**

### 45. **Finance: New Capital Schemes**

Councillor Lowry (Cabinet Member for Finance) presented the Cabinet recommendation on a proposal to add two new schemes to the capital programme. (Cabinet minute 24 referred).

Councillor Coker (Cabinet Member for Transport) seconded the proposals.

Councillor Vincent (Cabinet Member for Environment) also reported on phase IV of the vehicle and plant replacement programme.

Agreed that two new schemes are added to the capital programme totalling £3.3m as follows –

- Marjon link road to Derriford Hospital £1.5m
- Vehicle and plant replacement phase IV £1.8m

46. **Urban Enterprise: New Enterprise Units at Ocean Studios**

Councillor Evans (Council Leader) presented the Cabinet recommendation on the new Enterprise Units at Oceans Studios (Cabinet minute 25 referred) and updated the council on the figures, amending the figure of £794,000 to £802,655 due to the withdrawal of some anticipated funding.

Councillor Jarvis seconded the proposal.

Following a debate, Councillor Evans indicated that officers would take action to mitigate the risks and offered a briefing to Councillor Darcy if he so wished.

Following a vote, subject to a favourable outcome to both the European Regional Development Fund and Growing Places Fund applications, Agreed that the council -

- (1) acts as guarantor for Ocean Studios Community Interest Company (CIC) for repayment of the balance of the Trust's loan from the LEP outstanding to a maximum of £802,655 in accordance with an agreed Heads of Terms between Plymouth City Council and the Ocean Studios CIC which mitigates the potential financial impact upon the council. Authority to agree the Heads of Terms to be delegated to the Director for Place;
- (2) makes a capital contribution of £802,655 from the Investment Fund.

47. **Redevelopment of the Civic Centre and future accommodation requirements**

Councillor Lowry (Cabinet Member for Finance) presented the Cabinet recommendation seeking approval of the appropriate capital budget to achieve decant of the Civic Centre arising from the redevelopment of the Civic Centre and future accommodation requirements (Cabinet minutes 38, 38a and 45 referred).

The attention of councillors was also drawn to the private report containing confidential information which had been circulated and was referred to in minute 55 below.

Councillor Tuffin seconded the proposal.

Councillors Lowry, Peter Smith and Bowyer and the officers (Alwyn Thomas (Senior Commercial Lawyer) and Les Allen (Transformation Programmes Manager)) were thanked for their work on this project.

Following a debate, the proposal was put to the vote,

Agreed the appropriate capital budgets to achieve decant of the Civic Centre, as identified within the private report referred to in Cabinet minute 45 and minute 55 below.

48. **The Brilliant Co-operative Council Sustainable Three Year Plan**

Councillor Evans (Council Leader) presented the Cabinet recommendations on the Brilliant Co-operative Council Sustainable Three Year Plan (Cabinet minute 42 referred) and indicated that in order to avoid cuts to address the £65m predicted shortfall in three years' time, a transformation programme was being developed with a view to adopting a commercial approach to providing services. The council would work with partners, communities and the Co-operative Scrutiny Board. In addition opposition members would be invited to join a proposed Transformation Advisory Group.

Councillor Williams seconded the proposal and emphasised the importance of a cross party approach on this issue.

Councillor James (Chair of the Co-operative Scrutiny Board) presented the recommendations of the Co-operative Scrutiny Board on the plan (minute 61 referred) and welcomed the transformation proposals.

Following a debate, Councillor Evans advised members that he had appointed Councillor Williams as the Cabinet lead for transformation.

The recommendations of the Co-operative Scrutiny Board were noted, which endorsed the Cabinet recommendations and included a request for a further report to the Co-operative Scrutiny Board on 16 October 2013 when Councillor Evans and the Chief Executive would report on the transformation programme and its key elements, including governance proposals.

Agreed -

- (1) to adopt a longer term approach to addressing the reduction in funding available to the council, planning for a balanced indicative budget in each of the coming three years;
- (2) to support the implementation of a council-wide transformation programme, based on co-operative values, to substantially reduce the operating costs of the council and ensure the maximum possible investment in achieving the council's objectives;
- (3) that Cabinet reviews earmarked reserves and balances to ensure that the Transformation Programme reserve is adequate to cover cash flow requirements for the period of 2013/14 to 2016/17 (managing the overall costs incurred and savings achieved across each financial year).

49. **WEBCASTING**

Councillor Peter Smith (Deputy Leader) moved, and Councillor Stevens seconded, the recommendations in the written report of the Assistant Director for Law, Democracy and Governance on webcasting.

During the debate, the issues raised included –

- (a) that webcasting was not a necessity in the current financial climate especially with local media reporting on meetings;
- (b) that the cost of £74,000 was justified to increase public access to council decision making;
- (c) that the council was committed to openness and transparency;
- (d) that income of £55,000 had been generated to support the work of the Police and Crime Panel;
- (e) a previous motion moved by Councillor Ball and discussed by the City Council in October 2010 in relation to the enforcement of a ban on the electronic recording of speech and making photographic and/or video images.

During the debate, the Lord Mayor reminded councillors with regard to their behaviour and their responsibility to be good role models to any children watching the webcast.

Councillor Smith, in summing up, reminded members that the proposal had been discussed at the cross party Constitutional Review Group and had been unanimously supported.

Following a request from ten councillors for a recorded vote, there voted –

For the motion (32)

*Councillors Mrs Aspinall, Bowie, Casey, Coker, Damarell, P. Davey, S Davey, Evans, Fox, Gordon, Haydon, Jarvis, Lowry, McDonald, Morris, Murphy, Mrs Nelder, Parker, Penberthy, Rennie, Singh, J. Smith, P. Smith, Stevens, J. Taylor, K. Taylor, Tuffin, Tuohy, Vincent, Wheeler, Williams and Wright.*

Against the motion (20)

*Councillors Mrs Beer, Bowyer, Mrs Bowyer, Darcy, Mrs Dolan, Drean, Foster, Mrs Foster, Fry, James, Jordan, Michael Leaves, Dr Mahony, Monahan, Nicholson, Mrs Nicholson, Ricketts, Dr Salter, Stark and Williams.*

Abstentions (2)

*Lord Mayor (Chair) and Councillor Churchill (Deputy Lord Mayor).*

The following members were absent (3)

*Councillors Ball, Martin Leaves and Sam Leaves.*

The motion was carried and it was Agreed to -

- (1) continue with the webcasting of meetings;
- (2) share the costs and resources' implications evenly across the council.

50. **CONSTITUTIONAL CHANGES: PLANNING COMMITTEE CODE OF PRACTICE AND TERMS OF REFERENCE**

Councillor Peter Smith (Deputy Leader) moved the recommendations in the written report of the Monitoring Officer on the Planning Committee Code of Practice and terms of reference.

Councillor Stevens (Chair of the Planning Committee) seconded the proposals.

Following a vote, it was Agreed to adopt -

- (1) the revised Planning Committee Code of Practice as submitted;
- (2) the change to the Planning Committee's terms of reference as submitted.

51. **ARRANGEMENTS FOR CODE OF CONDUCT COMPLAINTS**

Councillor Peter Smith (Deputy Leader) proposed the recommendations in the written report of the Assistant Director for Law, Democracy and Governance on Code of Conduct complaints.

The proposals were seconded by Councillor Stevens.

Councillor Wheeler moved and Councillor Bowie seconded, an amendment to add a new paragraph 1.2.4. as follows –

‘For any complaint that does not result in reference to the police, the Member (the subject of the complaint) shall be advised of the complaint within five working days. If not available at that time, full details shall be provided within a further 10 days.’

Following a vote, the amendment was agreed.



The main motion, as amended, was put to the vote and it was Agreed to formally adopt the arrangements for Code of Conduct complaints set out in the written report, in accordance with section 28 of the Localism Act 2011, subject to the addition of a new paragraph 1.2.4. as follows –

‘For any complaint that does not result in reference to the police, the Member (the subject of the complaint) shall be advised of the complaint within five working days. If not available at that time, full details shall be provided within a further 10 days.’

### **MOTION ON NOTICE**

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

#### 52. **Images / Sexualisation of Children and Young People**

Councillor Kate Taylor moved and Councillor Williams seconded the following motion, as amended with the addition of clause (5) –

This council recognises that the sexualisation of children is an on-going and developing issue, particularly for parents, and that we now live in an increasingly sexual and sexualised culture.

This council welcomes the recommendations of the government's Bailey Review: ‘Letting Children Be Children’ report and remains committed to ensuring that all children grow up in a safe environment, which includes children not being exposed to sexualised imagery in public places.

The definition of sexualisation is contained in the Home Office - Sexualisation of Young People Review: Dr. Linda Papadopoulos. Sexualisation occurs when children and young people –

- have adult sexuality imposed on them;
- are told their value comes only from their sexual appeal or behaviour, that their physical attractiveness is judged solely with being sexy to exclusion of other characteristics; and
- are sexually objectified (made into a ‘thing’ for other people's sexual use, rather than seen as a person with the capacity for independent action and decision making).

This council –

- (1) pledges its support to campaigns which aim to protect children and young people from exposure to inappropriate and unnecessary sexualised images in the promotion, marketing and advertising for goods and services and to remove publications which carry such imagery from council owned buildings and services where children are likely to see it;
- (2) commits to communicate the rationale for this action to staff and council service users;
- (3) commits to look at how the council can work with its' partners to reduce the amount of on-street advertising containing sexualised imagery in locations where children are likely to see it in line with Recommendation 2 of the Bailey Review and the Advertising Standards Agency's guidelines on sexual imagery in outdoor advertising;
- (4) will take into account measures, that include the reduction or elimination of sexualised imagery on any licensed premises, by utilising licensing policies; in particular by means of the licensing objective that promotes the protection of children from harm;
- (5) instructs the Chief Executive to prepare the necessary guidance in support of implementing clauses (1) – (4) above.

During the debate, the issues raised included that -

- (a) the pressures could cause depression and eating disorders in children and young people;
- (b) councillors had responsibilities as corporate parents to take such actions as they could to protect children and young people in their care;
- (c) responsibility also laid with parents in monitoring internet use by their children.

The motion, as amended, was agreed for the reasons stated.

### 53. **QUESTIONS BY COUNCILLORS**

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 Nicholson	Councillor Stevens	With reference to planning consents at the Royal William Yard and car parking issues at Devil's Point, could an update be provided on the car parking strategy in relation to Devil's Point?
	Councillor Vincent responded that he would provide a written response.		
2	Councillor Bowie	Councillor Williams	The Rt Hon Michael Gove (Secretary of State for Education) had made an announcement on the rewards from the provision of free school meals. What was the council's position? This matter could be picked up as part of the 'Narrowing the Gap' exercise.
	Councillor Williams responded that following a pilot in two areas on the provision of free school meals, it had been found that attainment had been increased and productivity had been improved. She was disappointed that the council (following a motion submitted at the time) had not taken the opportunity to be part of the pilot scheme.		
3	Councillor Darcy	Councillor Lowry	Did he agree that, with the shortfalls in the budget, there was a need to ensure value for money for services, for example in planning? Would he apologise for wasting council tax payers money by calling in a planning application to Planning Committee and not speaking to it.
	Councillor Lowry responded 'yes' to the first part. He called in the planning application because he felt it was important for the Planning Committee to look at it. He had registered to speak but did not need to do so.		
4	Councillor Bowyer	Councillor Williams	Was she aware of the opinion by European Union lawyers on the financial transactions tax which says that the tax was not compatible with existing laws and was discriminatory? With reference to a previous motion approved by the council on this, would another motion be introduced?
	Councillor Williams responded that she would seek guidance from officers on the implications.		
5	Councillor Dr Mahony	Councillor Vincent	Could he be updated on the progress of the reinstatement of the football pitch following the removal of spoil associated with the Life Centre project.

	Councillor Vincent responded that the site would be levelled with topsoil to provide a football pitch and that the Friends of Central Park would be kept informed of progress. The reinstatement was not part of the Life Centre project and he could not provide an exact date for the work at the present time.		
6	Councillor Jordan	Councillor Williams	Did she think that it was acceptable for four and five year olds to travel across the city to school? There were no reception places either in Plympton or Plymstock and was it acceptable for parents to be advised to send their children to either Wembury or a free school, with no support?
	Councillor Williams responded that 80 per cent of children had received their first choice of school this year. The government had reduced funding which had limited the ability of the council to plan for places. She was happy to look at any individual cases brought to her attention.		
7	Councillor Nicholson	Councillor Vincent	How was the council moving forward on planning policy in relation to Drake's Island? Could he be updated on any regeneration policies to secure improvements to the island?
	Councillor Vincent responded that it was a decision for the applicant and he had faith in the actions of the officers who were dealing with it. The Lord Mayor advised the councillors to discuss this matter outside of the meeting.		
8	Councillor Fry	Councillor Williams	Would she implement free school meals for every child?
	Councillor Williams responded that she had no resources from government to do so. She was taking action to encourage uptake and scrutiny would examine issues such as this through the 'Narrowing the Gap' exercise.		
9	Councillor Mrs Beer	Councillor Evans	Why do Cabinet Members have personal assistants to support their roles when they have generous allowances to carry out their commitments? How much did it cost?
	Councillor Evans responded that the employment of executive assistants enabled Cabinet Members to undertake their role effectively, making them more accessible to the community and partners rather than dealing with administrative arrangements. He was not prepared to discuss salaries of individuals in this forum.		

10	Councillor Jordan	Councillor Williams	An impending baby boom had been known for some time by councillors. Could she outline what action was going to be taken with regard to children suffering today and who had not got places today?
	Councillor Williams responded that she did not have the figures to hand. Capital provision had been made for the expansion of primary schools and she was taking every action she could. Government funding was being channelled to Free Schools.		
11	Councillor Monahan	Councillor Williams	A recent statement indicated that less than half of those questioned were carrying out debrief sessions with looked after children who had run away. What percentage applied in Plymouth?
	Councillor Williams responded that that debriefs were undertaken to try and identify children at risk and that she was working hard for a peninsula and national response on this.		
12	Councillor Darcy	Councillor Coker	Could he have an update on the progress of works to the junctions of Cott Hill and Merafield Road, funded by Morrisons?
	Councillor Coker responded that the works at the junctions of Cott Hill / Plymouth Road and Cott Hill / Merafield Road were subject to approval by the local planning authority and that to date no plans had been received. Ward councillors would be consulted on the proposals.		
13	Councillor Jordan	Councillor Peter Smith	What was the process for the disposal of the community stage and could he explain why?
	Councillor Smith responded that the disposal had been agreed under the Conservative administration of the council.		
14	Councillor Foster	Councillor Vincent	What was the official policy on the number of garden waste bags that would be collected from households?
	Councillor Vincent responded that the policy was two bags per household.		
15	Councillor Fry	Councillor Vincent	Could he provide in writing the current position on Drake's Island and the Oceanique building?
	Councillor Vincent undertook to provide a written response.		

16	Councillor Darcy (on behalf of Councillor Ball who was absent)	Councillor Coker	Could he furnish him with the policy on the use of the CCTV camera car outside of the City Centre?
Councillor Coker undertook to provide the policy.			
17	Councillor Michael Leaves	Councillor Vincent	Would four bags of garden waste be collected from a household?
Councillor Vincent responded that he had previously raised this issue with officers and that if there was capacity was on the vehicle, all garden waste should be collected.			
18	Councillor James	Councillor Vincent	Would the roadside memorial policy be brought to council and if so, when?
Councillor Vincent responded that a policy was being developed and that there would be cross party involvement.			
19	Councillor Stevens	Councillor Evans	Did he recall that the Drake's Island planning application had been unsuccessful as the applicant had not provided nature studies? The survey could only be undertaken at a particular time of the year and was it not inappropriate for any councillor to encourage an application?
Councillor Evans responded that he recalled that advice. He would be seeking guidance from the Monitoring Officer on the actions of the Planning Committee member.			

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

54. **EXEMPT BUSINESS**

Agreed that under Section 100A(4) of the Local Government Act 1972 the press and public are 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 2 and 3 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

55. **REDEVELOPMENT OF THE CIVIC CENTRE AND FUTURE ACCOMMODATION REQUIREMENTS (E3)**

With reference to minute 47 above, the private Cabinet report on the redevelopment of the Civic Centre and future accommodation requirements was submitted to the City Council.

56. **SENIOR MANAGEMENT RESTRUCTURE (E2 and 3)**

The Chief Executive introduced her report on the Senior Management Restructure and referred to the addendum to the report which had been circulated.

Councillor Evans (Council Leader) proposed the recommendations in the written report and Councillor Fry (Leader of the Opposition) seconded the proposals.

Following a debate, Councillor Evans indicated that officers would be working with the staff side.

Agreed that –

- (1) the proposals for changes to the Corporate Management Team and Senior Management Team are approved;
- (2) the outline timetable implementing the changes to Chief Officer positions and their direct reports, is noted;
- (3) an Appointments Panel is established with delegated authority to consider any further responses from the collective and individual consultation undertaken; approve the role profiles of the new positions; agree how the roles will be selected; make appointments to roles as appropriate and agree the dismissal of any Chief Officer by means of redundancy subject to the City Council's redundancy policy;
- (4) an Appeal Panel is established with delegated authority for hearing and considering any appeals against any potential Chief Officer redundancies;
- (5) the City Council's constitution is amended to reflect the changes to the Chief Officer structure and the designation of the statutory roles of the Section 151 Officer and the Monitoring Officer;
- (6) an Appointments Panel is established with delegated authority to appoint to the vacant role of Assistant Director for Co-operative Commissioning and Adult Social Care. Given the urgent operational issue linked to recruiting to this role, the Appointments Panel will consider if there are suitable internal candidates who could be appointed first, before considering an external recruitment campaign.

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DECLARING INTERESTS – QUESTIONS TO ASK YOURSELF

What matters are being discussed?

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Does the business relate to or is it likely to affect a disclosable pecuniary interest (DPI)? This will include the interests of a spouse or civil partner (and co-habitees):

- any employment, office, trade, profession or vocation that they carry on for profit or gain
- any sponsorship that they receive including contributions to their expenses as a councillor or the councillor’s election expenses from a Trade Union
- any land licence or tenancy they have in Plymouth
- any current contracts leases or tenancies between the Council and them
- any current contracts leases or tenancies between the Council and any organisation with land in Plymouth in they are a partner, a paid Director, or have a relevant interest in its shares and securities
- any organisation which has land or a place of business in Plymouth and in which they have a relevant interest in its shares or its securities

No

Yes

Declare interest and leave (or obtain a dispensation)

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Does the business affect the well-being or financial position of (or relate to the approval, consent, licence or permission) for:

- a member of your family or
- any person with whom you have a close association; or
- any organisation of which you are a member or are involved in its management (whether or not appointed to that body by the council). This would include membership of a secret society and other similar organisations.

Yes      No      You can speak and vote

Will it confer an advantage or disadvantage on your family, close associate or an organisation where you have a private interest more than it affects other people living or working in the ward?

Yes      No      Declare the interest and speak and vote

Speak to Monitoring Officer in advance of the meeting to avoid risk of allegations of corruption or bias

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Cabinet members must declare and give brief details about any conflict of interest\* relating to the matter to be decided and leave the room when the matter is being considered. Cabinet members may apply to the Monitoring Officer for a dispensation in respect of any conflict of interest.

\*A conflict of interest is a situation in which a councillor’s responsibility to act and take decisions impartially, fairly and on merit without bias may conflict with his/her personal interest in the situation or where s/he may profit personally from the decisions that s/he is about to take.

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**CITY COUNCIL**

25 November 2013


**PLYMOUTH**  
CITY COUNCIL
**APPOINTMENTS TO COMMITTEES, OUTSIDE BODIES ETC**

Report of the Interim Director for Corporate Services.

(1) The City Council is asked to consider the following appointments –

	<b>Committees and Other Bodies</b>	<b>Membership</b>	<b>Appointments 2013/14</b>
(a)	Plymouth Charity Trust	Current representatives are Councillors Penberthy and Jarvis, Mr M Foster and Mr C Robinson	Councillor Damarell to replace councillor Penberthy

(2) The City Council is asked to note the following changes notified to the Assistant Director for Law, Democracy and Governance –

	<b>Committee, Outside Body etc</b>	<b>Membership</b>
(b)	Co-operative Scrutiny Board	Councillor Darcy to replace Councillor Ball
(c)	Ambitious Plymouth Overview and Scrutiny Panel	Councillor Mrs Beer (Vice Chair) to replace Councillor Monahan
(d)	Caring Plymouth Overview and Scrutiny Panel	Councillor Ricketts to replace Councillor Michael Leaves
(e)	Working Plymouth Overview and Scrutiny Panel	Councillor Martin Leaves to replace Councillor Ball Councillor Darcy to replace Councillor Ball as Vice Chair
(f)	Your Plymouth Overview and Scrutiny Panel	Councillor Sam Leaves (Vice Chair) to replace Councillor Bowyer
(g)	Taxi Licensing Committee	Councillor Jarvis to replace Councillor Singh
(h)	Devon and Somerset Fire and Rescue Authority	Councillor Mrs Bowyer to replace Councillor Darcy

There is one vacancy on the Caring Plymouth Overview and Scrutiny Panel following the resignation of Councillor Mrs Beer.

Councillors are reminded that they should update their Register of Interest to take account of any changes to their membership of Outside Bodies.

**PLYMOUTH CITY COUNCIL**

<b>Subject</b>	Members' Allowance Scheme
<b>Committee</b>	City Council
<b>Date</b>	25 April 2013
<b>Cabinet Member</b>	Councillor Peter Smith
<b>CMT Member</b>	David Trussler (Interim Director for Corporate Services)
<b>Author</b>	Judith Shore, Democratic and Member Support Manager
<b>Contact details</b>	Tel: 01752 304494 email: judith.shore@plymouth.gov.uk
<b>Key Decision</b>	No
<b>Part:</b>	I

**Purpose of the report:**

The Independent Remuneration Panel (IRP) has undertaken a review of the existing scheme of Members' Allowances and considered whether any changes should be recommended in accordance with legislative requirements, the government's statutory guidance and recent changes to the committee structure.

The Panel reviewed background information including the reports of the reviews of Plymouth City Council's Members' Allowances undertaken in February 2008 and February 2010 and the allowances of the fourteen other 'comparator' councils, issued a questionnaire to all Members, held interviews with a cross section of Members and Officers, reviewed interview and questionnaire evidence and arrived at their recommendations.

**The Brilliant Co-operative Council Corporate Plan 2013/14 -2016/17**

None directly arising.

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

The Panel noted that Members Allowances had not increased since 2009. This was in line with local government employees' salaries, which had also (until this financial year) not increased since 2009.

The estimated costs of the proposed scheme would be as follows:

	<i>PREVIOUS (£)</i>	<i>NEW (£)</i>	<i>VARIATION (£)</i>
Basic allowance	570,881.74	576,581.71	5,699.97
Special responsibilities	313,740.10	316,876.84	3,136.74
Lord Mayor and Deputy	18,557.64	18,746.16	188.52
NI	58,462.31	59,754.83	1,292.52
Pension	59,771.25	59,822.40	51.15
Total	1,021,413.04	1,031,781.94	10,368.90

**Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management**

None directly arising.

**Equality and Diversity**

No implications

**Recommendations and Reasons for recommended action:**

Members are asked to consider the recommendations contained within the report of the Independent Remuneration Panel as follows:

1. retain the existing level of the Basic Allowance and Special Responsibility Allowances (See Appendix B) 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 (see Appendix B).
3. retain the existing travelling and subsistence arrangements and amend in line with any changes negotiated to the 'Plymouth Book' (see Appendix B).
4. retain all other arrangements (see the report of the Independent Remuneration Panel)

The legislation states that the Council must have regard to the recommendations of the Independent Remuneration Panel when determining the Members' Allowance Scheme.

**Alternative options considered and rejected:**

It is a legal requirement to regularly review the Members' Allowance Scheme.

**Published work / information:**

Members' Allowances Review – [February 2008](#) and [Minutes](#)  
 Members' Allowances Interim Review – [February 2010](#) and [Minutes](#)  
 Statutory Instrument No. 1021 – The Local Authorities (Members' Allowances) (England) Regulations 2003, the Statutory Guidance on Members' Allowances for local authorities in England

**Background papers**

None

**Sign off:**

Fin	CF/CorpsF DD1314001 .08.11.13	Leg	18818/ DVS	Mon Off	TH 0132	HR		Assets		IT		Strat Proc	
Originating SMT Member: Assistant Director for Democracy and Governance													
Has the Cabinet Member agreed the contents of the report? Yes													

# **INDEPENDENT REMUNERATION PANEL**

25 November 2013



**PLYMOUTH**  
CITY COUNCIL

## **Report on the review of the Members' Allowance Scheme**

Judith Shore  
Democratic and Member Support Manager  
Democracy and Governance

**CONTENT PAGE**

1.	Independent Remuneration Panel's task
2.	Panel composition
3	Scope of Review
4.	Background information
5.	Changes since the previous reviews
6.	Panel considerations
7.	Recommendations
Appendix A	Analysis of questionnaire
Appendix B	Members' Allowance Scheme
Appendix C	Approved duties and claiming childcare and dependent carers' allowances



## 1. Independent Remuneration Panel's Task

The Independent Remuneration Panel (IRP) is tasked by the City Council to review the scheme of Members' Allowances. The Panel will make recommendations for appropriate changes in accordance with statutory requirements and guidance.

## 2. Panel Composition

The IRP members are:

Alan Wooderson (Chair)	Chair of Devon and Cornwall Probation Trust
Duncan Currall	Chair of Destination Plymouth, Chair of Plymouth Community Healthcare, Governor of Plymouth University, member of the Plymouth Growth Board
Sarah Errington	Commercial Services Manager Plymouth University, Peninsula Schools of Medicine and Dentistry.

Members of the Panel may have some contact with the Council. In the interest of openness and transparency they wish to state their links here.

Alan Wooderson (Chair)	As well as being involved with probation services provided to the people of Plymouth, Alan is occasionally involved in the resolution of statutory complaints made against Plymouth City Council
Duncan Currall	Duncan has regular contact with senior officers and Members of PCC in his roles with Destination Plymouth and Plymouth Community Healthcare

## 3. Scope of Review

The previous full Members' Allowance review was undertaken in February 2008 ([Report 2008](#), [Minutes 2008](#)). A further interim review took place in February 2010 ([Report 2010](#), [Minutes 2010](#)). Legislation (SI no 1021 – The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended)) require the full Members' Allowance Scheme to be reviewed again.

## 4. Background information

In order to formulate their recommendations the IRP considered:

- Previous IRP reports from February 2008 and February 2010;
- Changes to Plymouth City Council since the last review (see section 5)
- Questionnaires returned by councillors (20 out of 57 questionnaires returned)
- Comparisons of member allowances of other similar local authorities as identified by the Audit Commission

- Evidence from interviews with councillors from the Cabinet, scrutiny panels, back benchers, the Lord Mayor and Deputy Lord Mayor and a co-opted independent member of a committee
- Evidence from interviews with the Chief Executive and the Council's lead scrutiny officer
- Plymouth's Corporate Plan 2013/14 to 2016/17

### **5. Changes since the previous reviews**

The IRP members were informed of the following changes that were seen as most significant since the previous reviews:

- The number of Cabinet members has reduced from ten to eight
- The new overview and scrutiny structure (five panels reduced to four panels and the chair of the Cooperative Scrutiny Management Board nominated from the opposition group). See section 7.4.
- Area Committees are no longer in existence and have been replaced by neighbourhood meetings
- The various government legislative changes resulting in increased and more formal partnership arrangements and structures for commissioning and delivering services with partner organisations

The IRP members were made aware of the very significant financial challenges facing Plymouth City Council in line with all other local authorities

### **6. Panel considerations**

The IRP met on 6 occasions between 9 September and 15 October 2013 and considered the following:

- The levels of the basic members' allowances received by all councillors and the range of special responsibility allowance in place
- Special Responsibility Allowance for the Chair of the Co-operative Scrutiny Management Board given the new arrangements for scrutiny within the Council and any consequences for the allowance for the Leader of the Opposition
- Whether the Lord Mayor's and Deputy Lord Mayor's allowances should be included in the Members' Allowance scheme
- Travel and subsistence allowance for members
- Childcare and dependent carer's allowance
- Co-opted members allowance
- A request to review allowances for lead members/champions
- The index against which members' allowances are increased/varied

- Foregoing entitlement to allowances
- The time limit for claiming dependent carer's/travelling/subsistence allowances
- Backdating of allowances
- Councillors being eligible to join the local government pension scheme
- Special Responsibility Allowances for Chief Whips
- Special Responsibility Allowance for the Vice Chair of the Co-operative Scrutiny Board

## **7. Recommendations**

The IRP's approach to its deliberations and subsequent recommendations for all the allowances was to consider:

### *7.0.1 What had changed, if anything, from the last full review in 2008 and the interim review in 2010?*

The IRP was informed of changes that had taken place since previous reviews – see Section 5 above. The IRP noted the information contained within the returned questionnaires and the information elicited from interviews undertaken with Members and officers.

The IRP concluded that there had been no substantial changes which had resulted in significant additional responsibilities for any Member nor had there been a substantial increase in the number of hours that Members spend on council and community work each week.

### *7.0.2 Was there any compelling reason to depart from the fundamental principles of the approach adopted when the original Members' Allowance scheme was introduced?*

Given that there had been no substantial changes to responsibilities or to the time commitment required, the conclusion was that the fundamental principles should be adhered to.

## **7.1 Basic and Special Responsibility Allowances**

The IRP noted that:

- Basic and Special Responsibility Allowances have not been increased since 2009. This was as a result of the members' allowances being adjusted annually by the percentage increase if any, awarded as part of the local government pay award. This indexation had been agreed as part of the 2008 IRP report. Since 2009, local government employees' salaries have not increased, consequently members allowances have not increased.
- The budgeted cost of the governance and leadership provided by elected councillors is calculated at only 0.236% of the Council's total revenue and capital budget, which in the view of the IRP represents good value to the citizens of Plymouth.

## 7.2 Basic Allowance

A basic allowance is paid to all councillors.

The IRP noted that, although there had been some changes to Members roles and responsibilities their essential duties and responsibilities remain as outlined in the 2008 Report with an increased emphasis on community leadership as detailed in the Councillor's Guide 2012-13 published by the Local Government Association. The statutory guidance says that the basic allowance is intended to recognise the time commitment of all councillors along with incidental costs but that it is important to recognise that some elements of the role of a councillor continues to be voluntary and as such some hours spent on Council business are not remunerated.

The analysis of questionnaires returned (Appendix A) provides evidence of the average time spent by councillors on Council activities during a week. Although the questionnaires returned were from only 20 councillors, which is disappointing, they do provide the best evidence available to the IRP to judge the time spent on Council business and the general comments on the current allowance scheme. The IRP does not doubt that some individual councillors choose to spend far in excess of 'the average' on Council business.

During the interviews, the IRP was given no compelling evidence to suggest that the basic allowance should be increased, over and above the indexation link to the local government pay award. At a time of major budget constraint the IRP do not consider that there should be a departure from the level of allowances adopted by the Council.

**Recommendation: retain the existing level of the Basic Allowance (See Appendix B) subject to annual increase in line with the percentage increase of the local government pay award.**

## 7.3 Special Responsibility Allowances (SRAs)

A Special Responsibility Allowance (SRA) is paid to those councillors who have significant additional responsibilities over and above their roles and duties as a ward councillor and these include:

- A Cabinet Member
- A leader or deputy leader of a political group
- A chair of a committee or sub-committee of the authority or a joint committee representing the authority at meetings of, or arranged by, any other body
- A member of a committee or sub-committee which meets with exceptional frequency or for exceptionally long periods
- Acting as a spokesperson of a political group on a committee or sub-committee
- Undertaking any other activities in relation to the discharge of the authority's function as to require equal or greater effort of the member than any of the activities listed above.

As with the analysis of the roles and functions of councillors, the IRP was given no compelling evidence that those roles that attracted a SRA had substantially changed since the previous two IRP reports and therefore have concluded that the current SRAs should remain with the same indexation link to the annual local government pay award as for the Basic Allowance (See paragraphs 7.4 and 7.5 below concerning 2 SRAs that were subject to specific consideration).

**Recommendation: retain the existing level of SRAs (see Appendix B) subject to annual increase in line with the percentage increase of the local government pay award.**

#### 7.4 Chair of Cooperative Scrutiny Management Board

The IRP was asked to give specific consideration to the SRA for the Chair of the Cooperative Scrutiny Management Board as part of the revised scrutiny arrangements agreed by the Council on 22 April 2013. The key roles of scrutiny remain:

- Holding the Cabinet to account and providing a check on activities through ‘call in’ powers
- Policy development and review through in-depth analysis of council policy issues including budgetary decisions and proposals
- Reviewing and scrutinising the performance of the council in implementing policies and the impact on communities
- Scrutinising the work and impact of services provided by external agencies on the community

The new Cooperative Scrutiny Management Board manages a structure of four Scrutiny Panels (reduced from the previous five Panels). Each Scrutiny Panel includes councillors from all political groups as well as a number of voluntary and statutory co-opted representatives. The Cooperative Scrutiny Management Board agrees the work programmes for each of the Scrutiny Panels and oversees progress of this work.

The IRP was informed that as a result of cross party political agreement establishing the new scrutiny structure, the Cooperative Scrutiny Management Board is now chaired by a member of the main opposition political party. The IRP was made aware that the Chair of the Cooperative Scrutiny Management Board no longer chairs one of the individual Scrutiny Panels.

In both the 2008 and 2010 IRP reviews there was a great deal of analysis of the importance that Plymouth City Council placed on having a robust and challenging scrutiny process and the importance that the scrutiny function plays in ensuring the implications of policy proposals are well understood. The size of the SRA originally given to the Chair of what was then the Overview and Scrutiny Commission (2003) was at the same level as a Cabinet member because of ‘the significant amount of time required and the overarching responsibility for the whole scrutiny function and that in order to carry out the role effectively the post holder needs to be seen to have status within the authority’. The 2008 IRP confirmed the view that the ‘Chair’s status should be as important as that of a Cabinet member’. In trying to compare this SRA with comparator authorities it became evident that there was a wide variation in the operation of scrutiny functions between authorities and therefore a like for like comparison was not easy.

The Panel also noted the legal responsibility of the Chair to allow the executive to make urgent decisions from time to time. A decision cannot be ‘called in’ if the Chair of the Board agrees that the decision is reasonable and the delay would not be in the interests of the council or the public.

The IRP understands from the questionnaires received and the evidence from interviews undertaken with members and officers that the authority still places great emphasis on the work of scrutiny panels and the role of the Chair of the Cooperative Scrutiny

Management Board and is persuaded that the importance placed on this position by the City Council had not diminished since the previous IRP reviews.

**Recommendation: retain the existing level of allowance for the Chair of the Cooperative Scrutiny Management Board (see Appendix B) subject to annual increase in line with the percentage increase of the local government pay award**

#### 7.5 **Leader of the Opposition**

During the course of this review, the relative level of allowances of the Leader of the Opposition (Band 4) and the Chair of the Co-operative Scrutiny Management Board (Band 2) was raised. The IRP noted that with the new scrutiny arrangements it was the responsibility of the Leader of the Opposition to appoint a member of his/her political group to the position of Co-operative Scrutiny Management Board Chair.

The IRP carefully considered all the representations made, and recognised the difficulties this differential may present within a political group. However, as there has been no change to the role or responsibilities of the Leader of the Opposition the IRP could see no reason to alter the level of SRA previously set for this role. The IRP also considered information from comparator authorities about the SRA for the role and were content that the current allowance is at the correct level.

**Recommend: retain the current level of allowance for the Leader of the Opposition (see Appendix B) subject to annual increase in line with the percentage increase of the local government pay award**

#### 7.6 **Lord Mayor and Deputy Lord Mayor's Allowance**

The IRP was informed that the allowances for Lord Mayor and Deputy Lord Mayor did not currently form part of the Members' Allowance Scheme. Consequently, the levels of allowances paid for both have never been reviewed as part of the scheme and had not been reported on as part of the Members' Allowance scheme.

The Lord Mayor is the official representative of the Crown in the city. In accordance with the Local Government Act 1972, the Lord Mayor shall have precedence in the Plymouth city area, but not so as to 'prejudicially affect Her Majesty's Royal Prerogative'. In practice, this means that the Lord Mayor is accorded the status of the city's First Citizen, only giving way in the presence of the Sovereign or his/her representative (i.e. Her Majesty's Lord-Lieutenant for the county).

As the First Citizen of the city, the Lord Mayor represents the city and all its people and undertakes up to 400 official engagements annually with a great emphasis on supporting and promoting the interests of the city whilst undertaking a wide range of ceremonial and civic duties.

The Lord Mayor chairs meetings of the full council. In the absence of the Lord Mayor, the Deputy Lord Mayor will chair a meeting of the full council.

The Deputy Lord Mayor attends engagements for and on behalf of the Lord Mayor where the Lord Mayor is unavailable. For major civic ceremonies, the Lord Mayor and Deputy Lord Mayor will both be present

Their allowances (£13,958.44 allocated to the Lord Mayor and £4,599.20 to the Deputy Lord Mayor) are intended to cover expenses, not only for the Lord Mayor, the Deputy Lord Mayor but also for the Lady Mayoress/Consort and the Deputy Lady Mayoress.

The IRP acknowledged the significant expectations and time commitment for the individuals undertaking these responsibilities as well as the very high profile of the roles. The IRP noted that the allowances are used to meet the significant, additional personal costs associated with the roles and considered that the opportunity to become the First Citizen, whilst being a great honour, should be open to all councillors regardless of personal circumstances.

The IRP considered that for reasons of openness and transparency the Lord Mayor's and the Deputy Lord Mayor's allowances should be included within the Members' Allowance scheme and be subject to regular review in line with all other members' allowances and increased in line with local government pay awards.

**Recommendation: 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.**

#### 7.7 Travelling and subsistence

The current arrangements are that Members are entitled to claim travelling and subsistence allowances that are necessarily met in carrying out their official duties as councillors outside the city boundary (in line with council officers' rates). Members may not claim such allowances for duties undertaken within the city boundary because the Basic Allowance is deemed to cover such expenditure.

The IRP took into consideration concerns raised during interviews about whether the current subsistence rate for an overnight stay in London was sufficient. However, it was noted that arrangements contained within the 'Plymouth Book' (which contains supporting information in relation to agreed terms and conditions, including travel and subsistence rates for officers) were currently the subject of negotiation with the Trades' Unions and the IRP would expect that the cost of overnight accommodation within London would be a feature in any newly negotiated set of arrangements.

**Recommendation: retain the existing travelling and subsistence arrangements and amend in line with any changes negotiated to the 'Plymouth Book' (see Appendix B).**

#### 7.8 Childcare and dependent carers' allowances

The IRP did not receive any representations concerning the existing arrangements but did receive some positive comments that individuals were not discouraged from standing as a councillor because they are responsible for children, elderly relatives or people with disabilities.

The maximum period of entitlement for the allowance to be claimed is the duration of the approved duty plus reasonable travelling time. The allowance should not be paid to a member of the claimant's own household.

One member commented that these allowances could not be claimed for ward and community work but recognised this was an issue for the national government. The

Panel noted that the Regulations state that these allowances may only be claimed for approved duties (as specified in the Regulations) and any other duty approved by the authority in connection with the discharge of the duties of the authority or its committees or sub-committees (see Appendix C).

**Recommendation: retain the existing arrangements (see Appendix B).**

#### 7.9 Co-opted members allowance

The current scheme does not provide an allowance for co-opted members. Co-opted members may claim travel and subsistence expenses (against receipts) in order that they are not out of pocket for undertaking approved Council business.

The IRP interviewed a co-opted committee member and acknowledged the importance of co-opted members' time, knowledge and expertise as being essential to the work of the Council. However, it understands that co-opted members do not normally have any further commitment to the council other than attending meetings, on average, between four and six times a year and reading prepared reports in advance of the meetings.

The IRP sees no reason to amend the current scheme.

**Recommendation: retain the existing arrangements (see Appendix B).**

#### 7.10 Lead Member

In February 2008, the Council agreed that:

- a) The allowance for Lead Members be immediately deleted from the scheme;
- b) However, if the council wishes to appoint Lead Members they should carefully define their role, term of office and responsibilities;
- c) If b) has been undertaken and the Council wishes to provide an allowance for lead members, the Panel's guidance should be requested.

The IRP was asked to consider whether an allowance for Lead Members would be appropriate, if the role were to be reintroduced.

A Lead Member is a councillor who usually has an interest or expertise in a particular field and who the Council appoints to ensure that the interest is promoted and taken into account in the preparation of key service and corporate plans. There is a comprehensive guide 'Member Champions Guidance and Advice' which covers what should be considered before appointing a Lead Member. The 2008 IRP came to the same conclusion as the 2003 review which was that Lead Member roles should not be remunerated, but should such posts be paid then they should be open to members of any political party who had special knowledge/skills in the area of the responsibility.

The IRP reviewed whether allowances were paid by other authorities in Devon and Cornwall and the Audit Commission 'family group' of comparator authorities to lead members/champions. They also considered some draft proposals about potential responsibilities of lead members.

The majority of councils do not pay allowances to Lead Members. Where authorities in Devon and Cornwall and in the Audit Commission's 'family group' do pay SRAs, the levels range between £0 and £5,000/year (with only one paying at the upper end of £5000).



The IRP is aware of previous guidance from the government which states, 'The Regulations do not limit the number of Special Responsibility Allowances which may be paid', 'however, these are important considerations for local authorities. If the majority of members of a council receive a Special Responsibility Allowance, the local electorate may rightly question whether this was justified. Local authorities will wish to consider very carefully the additional roles of members and the significance of these roles, both in terms of responsibility and real time commitment before deciding which will warrant the payment of a Special Responsibility Allowance.'

The Council currently pays a Special Responsibility Allowance to 25 of its Members. If the Lord Mayor's and Deputy Lord Mayor's allowances are included within the scheme, 27 Members would receive an allowance. This would result in close to 50% of Members receiving an SRA.

The IRP could see advantages relating to the appointment of Lead Members/Champions in terms of member development and succession planning and assisting Cabinet members with specific, time limited projects. However, the IRP remained unconvinced that an allowance should be paid at this stage. The IRP was willing to consider further proposals at a later stage but asked for greater clarity around specific roles.

**Recommendation: retain the existing arrangements.**

#### 7.11 **Adjustment Index**

The IRP noted that since 2008, members' allowances had not increased. The majority of Members' Allowance Schemes were increased in line with the local government pay award.

The increases take effect from 1 April each year, though the Panel noted that, as local government salaries had not increased since 2009, Members had not received any increases to their allowances since 2009.

The previous full review undertaken by the IRP concluded that the annual adjustment method for the Basic and Special Responsibility Allowances was that they should be increased annually in line with the local government pay award percentage increase (as applied to spinal column point 49 of the NJC scheme) and that increases should take effect from 1 April each year.

**Recommendation: retain the existing indexation arrangements of annual increase in line with the percentage increase of the local government pay award.**

#### 7.12 **Foregoing entitlement to allowances**

The previous full review undertaken by the IRP concluded that (in line with the regulations) a Member need not claim allowances to which they are entitled and could opt out if they wished. Such notice should be provided in writing.

**Recommendation: retain the existing arrangements.**

**7.13 Time limit for claiming dependent carer's/travelling/subsistence allowances**

The previous full review undertaken by the IRP concluded that Members should have a time limit of three months to claim back such expenditure. However, the Panel noted that the authority may make reimbursements outside that time limit.

**Recommendation: retain the existing arrangements.**

**7.14 Local Government Pension Scheme (LGPS)**

Members are currently eligible to join the LGPS. The IRP noted that the government had recently undertaken a consultation about the eligibility of elected members to join local government pension schemes. The outcome was awaited.

**Recommendation: retain the existing arrangements.**

**Issues that arose during the course of the review**

**7.15 Special Responsibility Allowances for Chief Whips**

The IRP was asked to consider whether the political groups' chief whips should receive a Special Responsibility Allowance because a considerable amount of time, stated as between 10 to 20 hours/week, could be spent on meeting with officers and undertaking other duties.

The IRP noted that the position of chief whip was not recognised in the section of the current national Regulations that refers to SRAs. The positions specifically referred to in the Regulations are:

- Acting as Leader or Deputy Leader of a political group
- Being a Cabinet member
- Chairing a committee, sub-committee or joint committee
- Representing the authority at meetings of another body
- Membership of a committee or sub-committee which meets with exceptional frequency or for exceptionally long periods
- Acting as a spokesperson for a political group on a committee or a sub-committee
- Membership of an adoption appeals panel or panel dealing with licensing or controlling any activity

In addition, the Regulations state that any other activities in relation to the discharge of the authority's functions as to require equal or greater effort of the member than any of the activities listed above may receive an SRA.

The Panel noted that the position of chief whip was not a legislative requirement, that no council in the south west paid an SRA to a group whip and that only one of the comparator authorities paid an SRA to its group whips. The duties of the chief whip include nominating Members to committees and outside bodies, in consultation with the group leader and it may be assumed that the remainder of duties are political in nature.

The IRP concluded, therefore, that there was no substantive reason to amend the current arrangements

**Recommendation: retain the existing arrangements**

**7.16 Special Responsibility Allowance for the Vice Chair of the Co-operative Scrutiny Board**

The IRP was asked to consider whether this position should attract a small, proportional SRA due to the extra responsibilities of this role, the need to attend extra meetings and thorough preparation for meetings being required in order to maximise the effectiveness of the role.

The IRP noted that each member of the Co-operative Scrutiny Management Board currently receives a SRA. The chair receives £20,286.48, the members who chair a scrutiny panel receive £10,145.28 and the non-chair members receive £5,072.52.

The Panel also noted the statutory guidance which highlights that it doesn't necessarily follow that any particular responsibility is so significant as to warrant an SRA. This is because most Members have some responsibility to varying degrees. Whilst the responsibilities of the vice chair of the Co-operative Scrutiny Board are unique to one Member, it was noted that the vice chair role of each of the scrutiny panels also involves additional responsibility and an extra workload.

In 7.4, the Panel noted the legal responsibility of the Chair of the Board to allow the executive to make urgent decisions from time to time and also noted that, in the absence of the chair, this responsibility did not fall to the vice chair but to the Lord Mayor.

The IRP concluded, therefore, that there was no substantive reason to amend the current arrangements

**Recommendation: retain the existing arrangements.**

### **Analysis of questionnaire**

The Panel sent out two separate questionnaires; one to all Cabinet members and one to all other members. Two Cabinet members and eighteen other members returned the questionnaire.

The Panel collated the information about the amount of time councillors thought they spent in their role:

All members

Average                      44 hours per week

Cabinet Members

Average                      46.5 hours per week

The results are comparable with the time spent on council duties when the last full review of Members' Allowances was undertaken in 2007. (In 2007, Members spent an average of 44 hours/week on council duties.)

A majority of councillors commented that they felt the allowance they received was 'about right' and the allowance was sufficient to allow them to undertake their duties.

Some councillors felt that it wasn't the right time to look at increasing the allowances when the Council had to make substantial savings which would undoubtedly impact on employees.

The IRP gave significant weight to the findings from the questionnaires and comments, and specifically followed up on the questionnaire analysis during the personal interviews with councillors and officers.

**MEMBERS' ALLOWANCE SCHEME**  
**Summary of basic allowance and special responsibility allowances**  
**from 1 April 2013**

**BASIC ALLOWANCE** (per year for all 57 councillors) £

Basic Allowance 10,145.28

**SPECIAL RESPONSIBILITY ALLOWANCES** (in addition to the basic allowance) (Numbers in brackets refer to the number of Members claiming this allowance)

**The Executive (Leader and the Cabinet)**

Leader of the Council (1)	30,432.96
Deputy Leader of the Council (1)	21,414.36
Cabinet Member (6)	20,286.48

**Overview and Scrutiny Committees**

Chair of Co-operative Scrutiny Board (1)	20,286.48
Chairs of Scrutiny Panels (4)	10,145.28
Co-operative Scrutiny Board Members (5)	5,072.52

**Regulatory Committees**

Chair of Planning Committee (1)	10,145.28
Vice Chair of Planning (1)	5,072.52
Chair of Licensing Committee (1)	10,145.28
Chair of Taxi Licensing (1)	10,145.28
Chair of Audit (1)	5,072.52

**Opposition Groups**

Leader of the largest minority party (1)	10,145.28
Leader of other minority parties (0)	5,072.52
Deputy Leader of largest minority party (1)	5,072.52

**Mayoralty**

Lord Mayor (1)	14,091.96
Deputy Lord Mayor (1)	4,651.20

**DEPENDENT CARERS ALLOWANCE**

Members' are entitled to claim for the duration of the approved duty plus reasonable travelling time. The allowance should not be payable to a member of the claimant's own household. See Appendix C.

**TRAVEL ALLOWANCES AND SUBSISTENCE EXPENSES**

Car, Motorcycle and Bicycle Allowance Rates are set in lines with those paid to officers of the authority. Existing travel and subsistence arrangements will continue, i.e. that Members are entitled to claim such allowances necessarily met in carrying out their official duties as councillors outside of the city boundary (in line with the officers' scheme).

**Travel within Plymouth and peninsula (counties of Devon, Cornwall, Somerset and Dorset)**

**HMRC RATE:**

45p per business mile up to 10,000 miles

25p per business mile over 10,000 miles

**'Out of Peninsula rate':**

25p per business mile

**Low emission car rate (travel within Plymouth and Peninsula)**

Cars with up to 110g/km CO2 emissions, and/or in tax band A or B:

50p per business mile up to 10,000 miles

29p per business mile over 10,000 miles

**HMRC passenger rate:**

5p per business mile per passenger

**Meals and subsistence rates**

**Breakfast**

Irregular starter before 6am. This rate does not apply if employee regularly leaves home before 6am.

- Maximum claim - £5

**One meal rate**

Where an employee is away from the normal place of work for a period of more than five hours.

- Maximum claim - £5

**Two meals rate**

Where an employee is away from the normal place of work for a period of more than 10 hours.

- Maximum claim - £10

**Late evening meal**

Irregular late finisher - where an employee is away from the normal place of work outside of their normal working hours and after 8pm.

- Maximum claim - £10

Only a maximum of three meals can be reimbursed per day. Alcohol cannot be purchased within the allowance.

**Overnight stays**

Accommodation will be reimbursed for overnight stays where it is impractical for a day-return or where the overnight stay represents better value for money. Reimbursements will be made when presented with a valid VAT receipt.

- Bed and breakfast outside of London (M25): Maximum payment - £65
- Bed and breakfast within London/M25 boundaries: Maximum payment - £85

### **Approved duties and claiming childcare and dependent carers' allowances**

If a councillor is responsible for the care of children, elderly relatives or people with disabilities, childcare and dependent carers' allowances may be claimed (against receipts). The maximum period of the entitlement is the duration of the approved duty plus reasonable travelling time. The allowance should not be payable to a member of the claimant's own household.

Approved duties are:

- attending a committee, sub-committee or outside body meeting
- attendance at any other authorised meeting (provided that it is a meeting to which Members of at least two political groups have been invited)
- attendance at a meeting of any association of authorities of which the authority is a member
- attendance at any Cabinet meeting
- performance of any duty connected with the opening of tenders
- performance of any duty requiring the authority to inspect or authorise the inspection of any premises
- performance of any duty in connection with arrangements for the attendance of pupils at any school approved for the purposes of section 342 (approval of non-maintained special schools) of the Education Act 1996
- attendance at development and learning events
- the carrying out of any other duty approved by the authority for the purpose of or in connection with the discharge of the functions of the authority or any of its committees or sub-committees

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**PLYMOUTH CITY COUNCIL**

**Subject:** Capital Programme approvals  
**Committee:** City Council  
**Date:** 25 November 2013  
**Cabinet Member:** Councillor Lowry  
**CMT Member:** Malcolm Coe, Assistant Director for Finance  
**Author:** Simon Arthurs, Group Accountant – Capital & Major Projects  
**Contact details** E mail: [simon.arthurs@plymouth.gov.uk](mailto:simon.arthurs@plymouth.gov.uk)  
Tel: 01752 307358

**Ref:**

**Key Decision:** No  
**Part:** I

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**Purpose of the report:**

This report sets out the proposals recommended by Cabinet on 12 November 2013 on capital budget expenditure, for Council to approve an increase to the Transformation Capital budget 2013/14 of £0.627m, to enable the Civic Centre decant.

It also sets out the proposals from the Plan for Homes report also on the Cabinet agenda 12 November 2013, that Council agree to include within the Capital Programme a significant Affordable Housing Loan Facility and to release further city-council-owned sites in support of The Plan for Homes and the delivery of more affordable homes.

Following approval of the recommendations in this report this will bring the revised medium term programme 2013/14-2016/17 to £212.484m, subject to the due diligence of the Plans for Homes initiative.

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**The Brilliant Co-operative Council Corporate Plan 2013/14 -2016/17:**

This report is linked to delivering the priorities set out in the Council's corporate plan. Targeting the Council's resources in a planned manner in order to align expenditure with key priorities will maximise the benefits to residents and businesses in Plymouth.

On 22nd July 2013 the Corporate Plan was agreed with a specific commitment to create more decent homes to support the population. This included reference to The Plan for Homes being developed alongside the Plymouth Housing Development Partnership in support of "Growing Plymouth".

The Plan for Homes will also support other aspects of the Corporate Plan, for example supporting the provision of accommodation for older people and specialist accessible and wheelchair housing as part of delivering a range and mix of new, greener homes.

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

With the further capital scheme increase recommended for the Civic Centre decant, the projected capital spend now includes an additional £0.627m. This additional 2013/14 funding is proposed to be funded from unsupported borrowing, the cost of which will be met from the ongoing revenue budget for corporate accommodation costs. Revenue costs associated with the capital project delivery will be met from the revenue provision identified to support the transformation programme.

The establishment of a significant loan facility for The Plan For Homes of up to a potential £50 million, subject to due diligence, to support affordable housing delivery over the next 5 years will need to be included within the capital programme and give regard to the overall borrowing cap for the city council's capital resources. The release of council owned sites for housing development will need to give appropriate consideration to obtaining value for money from the sites taking account of the housing outcomes sought.

In addition, the Plan for Homes is consistent with the recently agreed Transformation Programme: in particular the concept of a Plymouth Growth Dividend within the Growth and Municipal Enterprise theme.

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**Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:**

The public sector is facing reduced revenue and capital resources which has been identified as a key risk within the Council's Strategic Risk register.

The provision of greener homes will address issues of child poverty and, alongside better designed homes, support higher educational attainment. The central risk to the Plan for Homes remains the general economic climate which can be addressed through the suite of initiatives the City Council is pursuing to support Plymouth's economy. The continued resistance to new housing also remains one of the highest risks, which can be addressed by the City Council supporting the "Yes to Homes" campaign. There are risks associated with the capacity and capability of the development industry to build at higher levels. There are also risks in connection with the operational details of the Affordable Housing Loan Facility in relation to state aid, the establishment of clear and transparent loan criteria, including the approach to defaults, and the management and administration of the loans. These risks can be mitigated by developing the governance arrangements of the existing Plymouth Housing Development Partnership and having clear loan protocols before any funding is released.

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**Equality and Diversity**

Has an Equality Impact Assessment been undertaken? No

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**Recommendations and Reasons for recommended action:**

1. The City Council is recommended to approve an increase to the Council's Capital Transformation budget 2013/14 of £0.627m to enable the Civic Centre decant.

Reason: The future locations of staff and services decanting from the Civic Centre will directly support the Pioneering and Caring priorities of the council by providing the essential customer services in the city.

2. The City Council is recommended to approve including 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.

Reason: To provide sufficient funding to support the acceleration of affordable housing delivery.

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**Alternative options considered and rejected:**

The proposed increase to the Capital Transformation budget to enable the Civic Centre decant, will not proceed without Council approval.

Plan For Homes Option 1: Continue with the Get Plymouth Building Programme – this 2-3 year initiative is aimed at maintaining the momentum of housing delivery in the city through 8 proactive planning and housing initiatives and in and of itself would be insufficient to address the full housing needs of the city as set out in the Corporate Plan.

Plan For Homes Option 2: Leave the private sector to deliver more homes – past experience of delivery rates indicates that this would be insufficient to meet the city’s needs and so therefore a more transformational approach is required.

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**Published work / information:**

12 November 2013 Cabinet Report The Plan for Homes

<http://www.plymouth.gov.uk/mgInternet/documents/s50564/The%20Plan%20for%20Homes.pdf>

12 November 2013 Cabinet Corporate Monitoring Report as at 30 September 2013 (including capital schemes and programme approvals)

<http://www.plymouth.gov.uk/mgInternet/documents/s50572/Corporate%20Monitoring%20Report%20as%20at%2030%20September%202013%20including%20capital%20schemes%20programme%20approvals.pdf>

Cabinet Minutes 62 and 64 of 12 November 2013

**Background papers:**

Title	Part I	Part II	Exemption Paragraph Number									
			1	2	3	4	5	6	7			
	Part I											
	Part I											
	Part I											

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**Sign off:**

Fin	djn13 14.22	Leg	1891 0/DV S	Mon Off	TH 013 5	HR	n/a	Assets	CJT/1 21/14 1113	IT	n/a	Strat Proc	n/a
Originating SMT Member: Malcolm Coe Assistant Director for Finance													
Has the Cabinet Member(s) agreed the contents of the report? Yes Councillor Mark Lowry													

**1.0 Capital Schemes referred from Cabinet on 12<sup>th</sup> November 2013 – New Approvals**

1.1 Cabinet agreed that the City Council is recommended to approve an increase to the capital Transformation budget which will increase the budget by £0.627m to £4.063m to allow for the Civic Centre decant.

**2.0 Capital Schemes referred from Cabinet on 12<sup>th</sup> November 2013 – The Plan For Homes**

2.1 The Director for Place submitted a report on proposals to establish a programme of initiatives to help achieve a step change in the delivery of homes within Plymouth. The Plan for Homes aimed to bring forward 1,000 homes per annum over the next five years to address the severe housing needs within the city and to support the growth agenda.

2.2 The report also sought agreement to include within the Capital Programme a significant Affordable Housing Loan Facility and to the release of further City Council-owned sites in support of the Plan for Homes and the delivery of more affordable homes.

2.3 Councillor Lowry (Cabinet Member for Finance) introduced the proposals and indicated that the loan facility would be available only to registered social landlords and co-operative associations, not to private developers.

2.4 The City Council, at the meeting on 25 November 2013, would be asked to sign up to the 'Say Yes to Homes' Campaign.

2.5 Members' attention was also drawn to the Plan for Homes and Get Plymouth Building brochures which were available to members at the meeting.

2.6 Paul Barnard (Assistant Director for Planning Services) reported that the draft plan had been considered by the Working Plymouth Scrutiny Panel on 25 September 2013, and their suggestions had been incorporated into the document. A progress report would be submitted to the panel after a year, as requested.

2.7 Cabinet also recommended that the Plan for Homes is included 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.

3.0 Following approval of these recommendations this brings the revised medium term programme 2013/14-2016/17 to £212.484m, subject to the due diligence of the Plans for Homes initiative.

# CITY COUNCIL

25 November 2013



## YES TO HOMES CAMPAIGN

This Council notes that:

<ul style="list-style-type: none"> <li>• 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.</li> </ul>
<ul style="list-style-type: none"> <li>• 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.</li> </ul>
<ul style="list-style-type: none"> <li>• One in 12 families in England is now on a social housing waiting list.</li> </ul>
<ul style="list-style-type: none"> <li>• The average house price in Plymouth in 2012 was £159,281 making the standard 20% mortgage deposit £31,856.</li> </ul>
<ul style="list-style-type: none"> <li>• 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.</li> </ul>
<ul style="list-style-type: none"> <li>• A lower quartile house costs 6.3 times the income of a household earning a lower quartile salary.</li> </ul>
<ul style="list-style-type: none"> <li>• 80% of future housing needs are for one and two bedrooms affordable homes.</li> </ul>
<ul style="list-style-type: none"> <li>• 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.</li> </ul>
<ul style="list-style-type: none"> <li>• The Government have provided assistance with mortgage deposits.</li> </ul>

This Council believes that:

<ul style="list-style-type: none"> <li>• The solution to the housing shortage is to build more of the right homes, in the right place, at the right price.</li> </ul>
<ul style="list-style-type: none"> <li>• 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.</li> </ul>
<ul style="list-style-type: none"> <li>• 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.</li> </ul>

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 homes, including investigating the reasons why people object to new homes, and report these findings to the Working Plymouth Scrutiny Panel.
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.

Proposed by Councillor Mark Lowry

Seconded by Councillor Patrick Nicholson

# CITY COUNCIL

25 November 2013



## MOTION ON NOTICE

### DEVELOPMENT IN THE NORTH OF THE CITY

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.

**Proposed by Councillor Ian Bowyer**

**Seconded by Councillor Patrick Nicholson**

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# CITY COUNCIL

25 November 2013



## MOTION ON NOTICE

### **REDEVELOPMENT AND ENHANCEMENT OF COLIN CAMPBELL COURT AND SUPPORT FOR PLYMOUTH CITY CENTRE AS THE RETAIL CENTRE OF THE CITY**

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.

**Proposed by Councillor Patrick Nicholson**

**Seconded by Councillor Ian Darcy**

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**CITY COUNCIL  
MOTION ON NOTICE**



**MOTION ON NOTICE**

**BEDROOM TAX AND SAFE ROOMS**

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.

**Proposed by Councillor Nicky Williams**

**Seconded by Councillor Chris Penberthy**

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