

# City Council

Monday 15 September 2014

## PRESENT:

The Lord Mayor, Councillor Fox, in the Chair.  
Deputy Lord Mayor, Councillor Murphy, Vice Chair.  
Councillors Mrs Aspinall, Ball, Mrs Beer, Bowie, Bowyer, Mrs Bowyer, Bridgeman, Casey, Churchill, Coker, Damarell, Darcy, Philippa Davey, Sam Davey, Downie, Drean, Evans, K Foster, Mrs Foster, Hendy, James, Jarvis, Jordan, Martin Leaves, Michael Leaves, Sam Leaves, Lowry, Dr. Mahony, McDonald, Morris, Mrs Nelder, Nicholson, Mrs Nicholson, Parker, Penberthy, Mrs Pengelly, Rennie, Ricketts, Riley, Dr. Salter, Singh, John Smith, Peter Smith, Sparling, Stark, Stevens, Storer, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent, Wheeler and Wiggins.

Also in attendance: Tracey Lee (Chief Executive), David Shepperd (Head of Legal Services and Acting Monitoring Officer), Judith Shore (Democratic and Members Services Manager) and Gemma Pearce (Team Leader (Democratic Support Officer)).

Apology for absence: Councillors Fry.

The meeting started at 2.15 pm and finished at 6.37 pm.

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

## 24. MINUTES

Agreed -

- (1) the minutes of the special meeting which took place at on 30 June 2014;
- (2) the minutes of the ordinary meeting which took place on 30 June 2014 subject to the second sentence in minute 21, the response to question 13 being amended to, 'No, the campaign for a Mayor was a waste of money'.

## 25. DECLARATIONS OF INTEREST

The following declaration of interest was made by a councillor in accordance with the code of conduct in respect of items under consideration at the meeting -

Name	Minute Number	Reason	Interest
Councillor Drean	32	Family member employee of Brittany Ferries	Disclosable Pecuniary

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

There were no appointments to be noted.

27. **ANNOUNCEMENTS**

The Lord Mayor -

(a) **Alderman and Former Deputy Lord Mayor Mrs Hazel Dolley**

referred to the recent death of Alderman and former Deputy Lord Mayor, Mrs Hazel Dolley on 25 August 2014 at the age of 92 and the Council stood in silence as a mark of respect;

(b) **Former Councillor Janice Harden (subsequently Horler)**

referred to the recent death of former Councillor Janice Harden (subsequently Horler) on 25 June 2014 and the Council stood in silence as a mark of respect;

(c) **Battle of Britain**

reported that he had attended the annual Battle of Britain memorial service held at St Andrews Church which had been organised by the RAF Association and that the service was very moving;

(d) **November Council meeting at Devonport Guildhall**

advised that with the agreement of the group leaders, the next meeting of the Council would take place at Devonport Guildhall to commemorate the 100<sup>th</sup> anniversary of the amalgamation of the three towns of Devonport, East Stonehouse and Plymouth;

(e) **Social Enterprise Awards 2014**

announced that Plymouth Community Renewables had been shortlisted as an investee (with Ethex as investor) for the Investment Deal of the Year. The winners would be announced at an awards ceremony on 26 November 2014;

(f) **UK Community Energy Awards**

announced that Plymouth Community Energy Community were finalists in three categories of UK Community Energy Awards. He congratulated Barbara Hampson, a Board Member of Plymouth Energy Community and Plymouth Energy Community Renewables who won the volunteer of the year category;

(g) **Customer Service Excellence Award and Community Initiative Award 2014**

presented two awards to Customer Services. The first award was to confirm the re-accreditation of team with the Customer Service Excellence Award. The second award, given by the South West Contact Centre Forum, was for the best 'Community Initiative award for 2014;

(h) **Anthony Jinman**

received a framed picture from Anthony Jinman in celebration of his reaching the South Pole earlier in the year;

(i) **Devonport Field Gun Association Limited**

received a framed picture from the Devonport Field Gun Association Limited called 'the Last Run' which depicted the 100 years' history of the Royal Navy Command Field Gun competition. The Picture was presented by Commander Critchton, David Dace and Michael Cheetham.

The Leader -

(j) **Child Sexual Exploitation**

advised that in light of the terrible case of child sexual exploitation in Rotherham and the Jay report he would make a statement as the report impacted on everyone who had a responsibility for protecting children. He confirmed that in Plymouth the Council worked cross party and put political differences aside when it came to child sexual exploitation and that all lead agencies viewed child sexual exploitation with the utmost concern. Following the serious case review in Rotherham, the Plymouth Safeguarding Children Board established a multi-agency working group and action plan in 2012. Last year a multi-disciplinary team was established for the early identification of children at risk of sexual exploitation. The Board also delivered specific training to frontline practitioners across all agencies to ensure that they were equipped to identify any concerns and knew how to respond. Work continued to ensure that appropriate arrangements were in place for both identifying and responding to potential and actual risk. He urged anyone who had experienced or been affected by child sexual exploitation whether it had occurred recently or many years ago to contact the police or one of the many agencies that could and would help. He also alerted members to the fact that Detective Superintendent Paul Northcott of Devon and Cornwall Police had offered an all member briefing on child sexual exploitation;

(k) **Public Health Funding**

advised that the Government had announced the funding for Public Health in 2015/16. Plymouth currently received less per head of

population than any other city of a similar size. Plymouth also faced great challenges to improve the health of residents and many of the health indicators were well below average. There had been much lobbying of Government on the issue however despite this the Government had recently announced that it was freezing Public Health funding for next year. He would continue to fight hard in Westminster for fairer funding for Plymouth.

Councillor Peter Smith -

(l) **Andy Banks**

advised that Andy Banks, diving coach would remain in Plymouth, which was excellent news for the city's elite divers and elite juniors. He thanked partners who responded quickly to support Mr Banks. In partnership with the University of St Mark and St John, Plymouth College and Everyone Active a funding package was put together which supported him and allowed him to stay. He also thanked everyone who had signed the petition to keep him in the city. Under the partnership agreement he would continue to provide high performance coaching until 2017 and also provide master classes for students, sports coaching and sport and exercise science programmes at the University of St Mark and St John. His role would also include identifying talent and supporting other diving coaches;

(m) **England Rugby 2015**

advised that England Rugby 2015 had designated Plymouth as one of the 41 official team bases that would host the 20 participating teams during the tournament which would take place from 18 September – 21 October 2015. Plymouth would be the team base for Namibia who would have access to facilities at Brickfields, the Life Centre and Marjons including 3G pitches, sports halls, swimming pools, a training pitch, teaching rooms, a gym, sports science and sports therapy facilities. They would also have access to a 3G pitch at HMS Drake owned by the Royal Navy Rugby Union;

(n) **International Day of Democracy**

advised that in 2007 the United Nations General Assembly resolved to observe 15 September as the International Day of Democracy. This year's theme was engaging young people in democracy. He stated that there were a number of related activities happening across the Council including the 'Make your Mark' campaign, a national campaign which aimed to involve one million young people. He called for councillors to support the Plymouth Youth Parliament and Youth Cabinet by spreading the word via social media after the meeting.

Councillor McDonald –

(o) **Troubled Families Programme**

informed members that the troubled families programme had been selected to lead the way in the roll out of phase 2 of the national initiative and the Council was one of 51 of 152 councils selected. The families with a future programme launched in 2012 as part of the national initiative had identified 745 families with complex needs. Based on national estimates reacting to each of these could have costed £75,000 of public funds but delivering the changes required was estimated to cost just £10,000 per family (40 per cent of which was provided by the Government) proving that early intervention and prevention was the best way for the families and more cost effective. So far work had been undertaken with 613 of the identified families. The Cabinet Member expressed her pride in the families who had taken part in the scheme;

(p) **'You Can Do It Too' Awards**

informed members that 193 looked after children and young people had been nominated for a range of awards including academic, sporting and personal achievements, effort and attendance. Held in a Plymouth University marquee, the event took place over two days, the first an evening event for those of secondary school or higher education aged 12-21 and the second a daytime event for younger children aged 4-11. The event was generously supported by the University of Plymouth, Wolferstans and Europa Training. The Cabinet Member expressed her pride in all of the children and how far they had come and stated that the Council remained committed to supporting them and helping them to achieve their goals.

Councillor Penberthy -

(q) **Cities of Service Status**

advised that following the achievement of 'Cities of Service' status, an 18 month programme would be put in place to harness the power of volunteers to address the city's strategic issues one task at a time. The Cities of Service model built on the work of former New York City Mayor, Michael Bloomberg, who pioneered the approach. Two projects would be delivered relating to heating and eating, including providing energy advice as well as growing and distributing fresh fruit and vegetables. A local launch would take place on 21 October where volunteers would be invited to assist with both of the projects.

Councillor Vincent -

(r) **Glass recycling**

informed members that, since May 2014, everyone in Plymouth had been able to recycle glass bottles and jars by using their green bins and bags and, as a result, glass recycling rates in Plymouth had risen by 20 per cent. During the first three months of the service, 995 tonnes of glass had been collected. During the same period of the previous year the council collected just over 800 tonnes from bottle banks and the trial glass collection scheme. This result meant that, in three months, the council had saved a total of £23,400 in disposal and landfill charges. The Cabinet Member reminded everyone that some glass could not be recycled and should not be put in the green bins or bags including light bulbs, spectacles, windows, Pyrex and drinking glasses and thanked everyone for a tremendous effort.

28. **QUESTIONS BY THE PUBLIC**

Four questions were submitted by members of the public for this meeting, in accordance with part B, paragraph 11 of the constitution.

Mr Williams attended the meeting, asked his question and received a response. All other answers to questions put forward would be sent to the questioners after the meeting.

<b>Question No</b>	<b>Question By</b>	<b>Cabinet Member</b>	<b>Subject</b>
Q5/ 14-15	Mr K Kelway	Councillor P Smith, Deputy Leader	Tinside Lido
Since the iconic Tinside Lido is featured on a British postage stamp and marketing the city across the globe – does Councillor Peter Smith think the City wasted £3.2 million in getting the famous Grade 2 listed landmark restored?			
<b>Response:</b>  No.			

<b>Question No</b>	<b>Question By</b>	<b>Cabinet Member</b>	<b>Subject</b>
Q6/ 14-15	Mr R Morris	Councillor Evans, Leader	Social Media
Given the elected Members corporate parenthood role and the Council's duties and responsibilities in terms of openness and transparency, does the Leader require of himself, and of his colleagues, the utmost probity in the use of social media at all times and in all places?			
<b>Response:</b>  Plymouth City Council has adopted a Code of Conduct which sets out the conduct expected of elected Members and co-opted Members of the Council. The Code is intended to be consistent with Lord Nolan's seven principles of public life, namely that Councillors will act with selflessness, integrity, objectivity, accountability,			

openness, honesty and leadership.

The Code applies to councillors when they –

- a) conduct the business of the Council, including the business of their office as a councillor; or
- b) act, claim to act or give the impression they are acting as a representative of the Council.

It is, therefore, the Code of Conduct (and not the Leader of any political group on the Council) that requires all elected members to conduct themselves in a manner that is consistent with the Code.

However, it ought to be noted that the Code of Conduct is not engaged at all times, respecting that all elected Members have a right to private life.

Accordingly, how Members conduct themselves in terms of their private lives outside of the Council and away from the application of the Code of Conduct, for example, in terms of their use of social media, is entirely a matter for those individuals exercising their rights to a private life.

<b>Question No</b>	<b>Question By</b>	<b>Cabinet Member</b>	<b>Subject</b>
Q8/ 14-15	Sarah Car	Councillor Evans, Leader	Plymouth Hoe Diving Boards

As a mum of a child that tombstones will The Leader of the Council listen to the kids and the parents and consider supporting the campaign to bring back the Plymouth Hoe diving boards to give kids back somewhere to use instead of dangerous jumping off the rocks.

**Response:**

The Council is very aware of the problem of tombstoning on the waterfront and has been actively working with the police to address it.

This has included putting in place dispersal orders which gives the police the powers to stop it when they see it happening.

It is important that parents do whatever they can to dissuade their children from this dangerous activity. The Council and its partners can provide support to help children understand the dangers and we would be happy to speak to Ms Car if she would like this support.

The diving boards on the Hoe were removed for safety reasons in February 2010.

Tombstoning happened in Plymouth long before the removal of the diving boards so it is unlikely that a new one would stop the problem. However, if there is a community group or commercial organisation interested in installing and managing a new board in a sustainable and safe way, we would support them by making land available to them at no cost.

This can be done through our Plymouth Your Space scheme, which is an initiative which unlocks vacant and unused space in the city to enable people to run start-up businesses or community projects from.

Plymouth Your Space will provide advice and guidance to any organisation that submits a proposal to install and run a new diving board. Anyone interested in exploring this opportunity should visit the Your Space website: [www.visitplymouth.co.uk/your-space](http://www.visitplymouth.co.uk/your-space)

<b>Question No</b>	<b>Question By</b>	<b>Cabinet Member</b>	<b>Subject</b>
Q9/ 14-15	Mr J Williams	Councillor Penberthy, Cabinet Member for Co- operatives Housing and Community Safety	Register of approved private sector landlords

Does the Authority have a register of approved private-sector landlords?

If so, what are the criteria for membership?

Would any register in which the Authority participated approve of the following conduct: attempting to defraud a tenant by suing them for rent, for a period before the commencement of the tenancy?

**Response:**

The Council does not hold a register of approved private sector landlords and there is no requirement placed on us to do. There are calls for a National Register of Landlords to be established, which this Council has actively lobbied for, but the current Government has resisted this sensible course of action so far.

As we have no register in place, then the question re. criteria for membership does not apply. However the Council would not support any landlord involved in fraudulent activity, and if evidence is available then it should be made available to us so that we can investigate and take appropriate action.

Hypothetically, if there were a register of approved landlords then in all likelihood the terms of membership would be that the landlord should be 'fit and proper' ( as with the mandatory licensing scheme for landlords of Houses in Multiple Occupation), and any fraudulent activity would impact on this.

The Council has a Pledge to improve the Private Rented Sector, and this is supported by Plymouth's Fairness Commission, which identified a number of national and local recommendations.

Work is in hand to create a Charter for the Private Rented Sector in Plymouth which would set out the Council's values and aims together with a set of key actions to improve this growing sector in Plymouth (now over 20% of all housing).

Our aim will be to significantly improve conditions and management of private rented housing by supporting the best landlords, bringing more landlords up to the standards of



the best and taking robust action against those that do not meet what is required of them.

29. **Corporate Plan Review**

Councillor Evans (Leader) presented a report on the Corporate Plan review (Cabinet minute 24 referred).

Councillor Peter Smith (Deputy Leader) seconded the recommendation.

Agreed to adopt the revised Corporate Plan as recommended by Cabinet.

30. **Response to the Plymouth Fairness Commission**

Councillor Penberthy presented the draft response to the recommendations of the Plymouth Fairness Commission (Cabinet minute 40 referred).

Councillor Kate Taylor seconded the recommendation.

Agreed the draft response to the recommendations of the Plymouth Fairness Commission as recommended by Cabinet.

31. **Capital and Revenue Monitoring Report 2014/15**

Councillor Lowry (Cabinet Member for Finance) presented the Capital and Revenue Monitoring report 2014/15 (Cabinet minute 24 referred). Councillor Lowry made a verbal amendment to the new spend figure on page 61 of the agenda in paragraph 3 which should have read £209.287 million and not £209.387 million.

Councillor Evans (Leader) seconded the recommendation.

Agreed to give the following delegated authority for approval of any changes to existing capital schemes, within the overall affordability envelope, based on a sound rationale –

Up to 200,000	Responsible Finance Officer in consultation with the relevant Cabinet Members
Above 200,000	Leader in consultation with the relevant Cabinet Member(s) (following consultation with the City Council Investment Board)

32. **Plymouth's Brittany Ferries' Connections to Spain and Brittany**

Councillor Evans (Leader) presented a report on Brittany Ferries' connections to Spain and Brittany.

Councillor Bowyer (Leader of the Opposition) seconded the recommendations.

Agreed to support Brittany Ferries and lobby the Secretary of State to protect its connections to Spain and Brittany by –

- (1) seeking a short term exemption to continue to burn heavy fuel for the next two years pending procurement of new technology and provision of a new ferry; or
- (2) providing government support

*(Councillor Dreaan declared a disclosable pecuniary interest and withdrew from the meeting).*

33. **Any other motions on notice submitted**

There were no further motions on notice.

34. **QUESTIONS BY COUNCILLORS**

	<b>From</b>	<b>To</b>	<b>Subject</b>
1	Councillor Michael Leaves	Councillor Vincent	Welcomed the announcement regarding glass recycling. Asked for confirmation that it had been a Conservative initiative as Councillor Singh had stated that Labour had put the plans into place.
	Response: Conservatives came up with the idea but Labour had to get it right and put it into place.		
2	Councillor Ken Foster	Councillor Vincent	Could you get a tight grip on missed bin collections in the Radford Ward and was it right that residents who suffered from sight problems had to email the Chief Executive because their bin had been missed for three weeks?
	Response: we are running on Councillor Leaves programme and this has caused problems but we will sort the programme out and this will eradicate missed bins. Please come to me sooner next time you hear of this sort of situation, don't leave it until a council meeting.		
3	Councillor Mrs Beer	Councillor Penberthy	How much had it cost to clear up unlawful traveller encampments in the current year and had this been budgeted for?
	Response: The money comes from across the Council, it is budgeted for.		
	Written response to be provided.		

4	Councillor Ricketts	Councillor Coker	There had been consultation regarding a cycle scheme around the train station. There were concerns regarding cost, issues with signage on East Park Avenue and no turning into Restormel Avenue and Glenn Park Avenue. Would local representations on this local issue be taken into account before a decision was made?
Response: Ward members were invited to engage with the scheme, the decision was taken to go out to public consultation and put on a roadshow. Feedback is being collated for my consideration and the scheme needs to be suitable for all users.			
5	Councillor Mahony	Councillor Lowry	Following the collapse of the Higher Home Park scheme could confirmation be given as to whether the transfer of the small area of leasehold Greenspace land attached to the Argyle Ground had happened despite building work not going ahead as planned? Could there be an assurance that consideration would be given to keeping the land as Greenspace under the City rather than transferring it to a private landowner?
Response: I can't comment on whether building work is going ahead or not but the transfer of land would only take place subject to a successful development of land. The planning permission that exists is for a period of five years and there is a legal obligation for the Council to keep this option open for a period of time.			
6	Councillor Stevens	Councillor Evans	<p>Could you confirm that you have been in touch with the Minister of State for Housing and Planning and what was the response received?</p> <p>Would you agree that success would not have been possible without the Planning Department and that tribute should be paid to the Planning Officers? How would the Minister have viewed that latest figures for a 13 week turn around on planning applications was at a record 81 per cent and the fact that we have 48 major developments across the city at pre-application stage including 4576 new homes and over 350,000 square metres of new commercial space and our ability to attract inward investment?</p>
Response: Yes I told him about plans for homes, plan for the City Centre development, key regeneration projects and progress with City Deal and the Plymouth Plan. The Minister was particularly impressed at our ambitious targets and excellent planning application performance.			
7	Councillor Casey	Councillor Evans	Did the Leader agree that his behaviour on social media had been disrespectful and offensive which

			although in his private life used twitter which was not private and the username @councillortudorevans
	Response: I answered a similar question earlier.		
8	Councillor Rennie	Councillor Evans	Did the Leader welcome the recent vote in Parliament which would help the weak and most at risk and reduced the effects of the bedroom tax. Would he congratulate Alison Seabeck MP on voting for these changes and note with concern that Oliver Colville had not supported the change. Would you welcome a Labour Government proposal to abolish the bedroom tax?
	Response: It is disappointing that Oliver Colville and Gary Street didn't oppose the bedroom tax when it was introduced nor support the abolition the other night. This is a shame as so many of their Constituents suffer badly due to the bedroom tax. I will be delivering leaflets for a Labour government and the abolition of the bedroom tax.		
9	Councillor Patrick Nicholson	Councillor Vincent	Requested an indication of when housing land supply would be in a better position so that Planning Committee could defend indiscriminate development applications that it wouldn't wish to support and could Councillor Vincent confirm the Council's preference for development on Brownfield sites as opposed to Greenfield sites? As the Planning Committee were not the last stop in the planning process when would there be sufficient housing land that the Council would be able to defend the decisions of the Planning Committee?
	Response: Brownfield sites have to take priority but anyone can put an application through and you as a Planning Committee have the right to refuse it. We have identified over 800 Greenfield sites within the City but only 40+ sites would be suitable for development. We are protecting green sites that we have and we are looking at enhancing those sites to allow residents to make better use of them through creating recreational sites. Green sites identified for building on are minimal.		
10	Councillor Churchill	Councillor Coker	A leaflet produced by Councillor Singh claimed that Stanborough Road would be resurfaced yet a document produced by Amey stated that they would be repairing potholes. Please clarify?
	Response: Stanborough Road was visited by the Road Master on 8 August and 30 August and thank you for contacting Amey regarding the road in April.		
11	Councillor Martin Leaves	Councillor Vincent	What action would be taken against residents who refuse to pay the bin tax when their bin had been lost stolen or damaged?

	Response: It is a payment for the delivery of a bin not a bin tax		
12	Councillor Kate Taylor	Councillor Stevens	Following the cross party support for the 'yes to homes' motion could he please outline how that support had played out in terms of planning applications. Was there a Conservative attitude of 'yes to homes but not my ward'?
	Response: We have seen a number of occasions when very appropriate housing developments have been opposed by Conservatives both on Committee or by ward members speaking at committee.		
13	Councillor Michael Leaves	Councillor Vincent	Could you explain how the Labour party had planned to deal with the waste of the city if the waste to energy plant hadn't been built bearing in mind that the waste transfer station previously built was only built to deal with waste for 7 years?
	Response: That is irrelevant, decision was made by you and we now have to run with that.		
14	Councillor Beer	Councillor McDonald	Requested an update on progress at Dame Hannah Rogers for respite of children and young adults affected by the closure
	Response: Dame Hannah Rogers comes under Devon Safeguarding Authority and there were no residential places there for children of this City. There was some respite provision and alternative arrangements have been made or will be made.		
15	Councillor Sparling	Councillor Smith	There had been a fantastic programme of Summer events in the City. Did the Deputy Leader agree that the council had delivered a lasting legacy for everyone as communities came together to celebrate 100 years of Britain's Ocean City.
	Response: Yes what fantastic year! There have been 33 events so far this year and the Ocean City Festival going on as we speak and more events to come. We are already getting enquires about other events taking places on the Hoe and the legacy is that we will get bigger and better events on the Hoe.		
16	Councillor Jordan	Councillor Smith	What progress had been made towards delivering the playing pitch strategy which was due to be implemented by 2016. Would you be talking to maintenance colleagues about pitches that had not been maintained over the summer and so would not be able to be used over the winter?
	Response: The playing pitch strategy is in draft form and is currently with partners being consulted on. Please send the details of playing pitches to me for my attention. If you have any specific queries regarding pitches that you don't feel are up to standard could you submit them to me.		
17	Councillor	Councillor	Was it better that a public representative (a

	Morris	Smith	Councillor) used their Constituents for their purposes or that they should represent them?
	Response: Constituents should come to us, that is what we are elected for. I would not use my constituents, that is not what I came into politics for.		
18	Councillor Lowry	Councillor Stevens	Was he aware that the Council had recently released 27 sites and that 20 of those were on Brownfield sites (74 per cent). Of those 27 sites 1221 homes would be provided with in excess of 50 per cent of those homes being affordable, all of the homes would be code four or above, would provide self-build opportunities, social rented homes, wheelchair accessible homes and would generate a capital receipt of £16.2 million and a new homes bonus of £9.4 million?
	Response: I wasn't aware of that level of detail but it sounds exciting. I promise that the Planning Committee will give them our normal level of scrutiny and I look forward to the debates that come forward to the Committee.		
19	Councillor Wheeler	Councillor Coker	Felt dismayed last July to see a picture of three glum Councillors - Churchill, Wigen and Mrs Pengelly alongside Pothole Pete complaining that roads haven't been maintained for years – did the Cabinet Member feel ashamed? Did he feel responsible for this between the years of 2007 - 2012?
	Response: We have invested more money in repair of roads across the city. Every Council across the country is being squeezed on road maintenance but we are making a stand and will continue to invest in our roads. I don't feel responsible for maintenance between 2007 – 2012 as the Conservatives were responsible.		

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

35. **EXEMPT BUSINESS**

There were no items of exempts business.