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CITY COUNCIL

Monday 23 February 2015

2.00 pm

Council House (Next to the Civic Centre), Plymouth

Members:

The Lord Mayor, Councillor Fox, Chair

The Deputy Lord Mayor, Councillor Murphy, Vice Chair

Councillors Mrs Aspinall, Ball, Mrs Beer, Bowie, Bowyer, Mrs Bowyer, Mrs Bridgeman, Casey, Churchill, Coker, Damarell, Darcy, Philippa Davey, Sam Davey, Downie, Drean, Evans, K Foster, Mrs Foster, Fry, Hendy, James, Jarvis, Jordan, Martin Leaves, Michael Leaves, Sam Leaves, Lowry, Dr. Mahony, McDonald, Morris, Mrs Nelder, Nicholson, Mrs Nicholson, Parker-Delaz-Ajete, 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 Wigans.

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

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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 - 16)

To approve and sign as a correct record the minutes of the meeting held on 26 January 2015.

3. DECLARATIONS OF INTEREST (Pages 17 - 18)

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. ANNOUNCEMENTS

- (a) To receive announcements from the Lord Mayor, Chief Executive, Assistant Director for Finance or Head of Legal Services;
- (b) To receive announcements from the Leader, Cabinet Members or Committee Chairs.

5. **UPDATED REPORT ON DELIVERING THE CO-OPERATIVE VISION WITHIN A FOUR YEAR BUDGET AND PROPOSED COUNCIL TAX 2015/16** **TO FOLLOW**

The City Council will be asked to –

- consider the updated report of the Chief Executive on delivering the co-operative vision within a four year sustainable budget and the proposed Council Tax levels for 2015/16;
- approve the proposed net revenue budget requirement for 2015/16;
- approve the capital budget 2014/18;
- approve the Treasury Management Strategy and Annual Investment Strategy 2015/16;
- note the mid-year review of the 2014/15 Treasury Management Strategy;
- approve the appointment of an interim Section 151 officer;

- note the capital and revenue monitoring report 2014/15;
- approve the Council Tax for 2015/16.

The following Cabinet minutes of the meeting held on 10 February 2015 will also be submitted for consideration –

Appendix 1	Minute 125	Delivering the co-operative vision within a three year sustainable balanced budget.
Appendix 2		For information: Cabinet's response to the scrutiny recommendations and the scrutiny report.
Appendix 3	Minute 126	Treasury Management Strategy and Annual Investment Strategy 2015/16 and mid-year review of the 2014/15 Treasury Management Strategy;.
Appendix 4	Minute 127	Capital and revenue monitoring report 2014/15

The report of Lesa Annear, Strategic Director for Transformation and Change, to the Chief Officer's Appointments Panel on 19 February 2015 will also be submitted on the interim arrangements for the Assistant Director for Finance.

6. 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(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) of Part I 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.

NIL.

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City Council

Monday 26 January 2015

PRESENT:

The Lord Mayor, Councillor Fox, in the Chair.

The Deputy Lord Mayor, Councillor Murphy, Vice Chair.

Councillors Mrs Aspinall, Ball, Mrs Beer, Bowie, Bowyer, Mrs Bowyer, Mrs Bridgeman, Casey, Churchill, Coker, Damarell, Darcy, Philippa Davey, Sam Davey, Downie, Drean, Evans, K Foster, Mrs Foster, Fry, Hendy, James, Jarvis, Jordan, Martin Leaves, Michael Leaves, Sam Leaves, Lowry, Dr. Mahony, McDonald, Morris, Mrs Nelder, Nicholson, Mrs Nicholson, Parker-Delaz-Ajete, Penberthy, Mrs Pengelly, Rennie, Ricketts, Riley, Dr. Salter, Singh, John Smith, Peter Smith, Sparling, Stark, Stevens, Storer, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent and Wheeler.

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

Apology for absence: Councillor Wigens.

The meeting started at 2.00 pm and finished at 5.05 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.

55. **MINUTES**

Agreed the minutes of the meeting held on 24 November 2014.

56. **DECLARATIONS OF INTEREST**

The following declaration of interest was made by a councillor in accordance with the code of conduct in relation to an item under consideration at this meeting –

Name	Minute Number	Reason	Interest
Councillor Storer	Minute 60: City Deal South Yard Proposals	Employee of Princess Yachts	Disclosable Pecuniary

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

Agreed the following appointment–

Committees and Other Bodies	Membership	Appointments 2014/15
Health and WellBeing Board	The Cabinet Member for Public Health and Adult Social Care The Cabinet Member for Children and Young People The lead opposition member for health The Director of Public Health The Strategic Director for People One representative from the Clinical Commissioning Groups One representative of the local Healthwatch	Assistant Director for Learning and Communities as an additional member

58. **ANNOUNCEMENTS****The Lord Mayor –****(a) Alderman Ronald Simmonds**

referred the recent death of Alderman Ronald Simmonds who was elected to the City Council as a Labour councillor for the Budshead Ward from 1979 to 1987 and 1989 to 2007 and appointed Alderman in 2007 in recognition of his service to the City Council;

(b) Former Devon County Councillor Norman Mallett

referred to the recent death of former Devon County Councillor Norman Mallett who was elected to Devon County Council as a Labour councillor for the St Budeaux Ward from 1993 to 1998 and served on the Joint Highways Committee;

(c) Recent Events in France

referred to the recent tragic events in France.

The Council stood in silence as a mark of respect to remember those who had lost their lives in France, together with Alderman Simmonds and former County Councillor Norman Mallett;

(d) Holocaust Memorial Day 2015 – 27 January 2015

reported that tomorrow was Holocaust Memorial Day and that he would be hosting the Council's Civic Ceremony of Remembrance at the Orangery, Mount Edgcombe, following which flowers would be laid at the foot of the Memorial Tree.

He would also be attending the Holocaust Memorial Day exhibition at the Roland Levinsky Building and would be lighting a special memorial candle, one of 70 to mark the 70th anniversary of the liberation of Auschwitz-Birchenu.

The Council was also advised that since last year's motion to the Council, various work had been undertaken and events held to promote and celebrate equality and diversity;

(e) **Individual electoral registration – make sure you register to vote**

reminded everyone that the way in which people register to vote had changed and that every individual within a household now needed to be registered. The Council was advised that there were still thousands of people in Plymouth who were not registered to vote and a link to the on-line registration site would be displayed during the meeting. He also reminded everyone that advice and guidance was on the Plymouth City Council website and could be found by searching for 'voting';

(f) **Lesa Annear, Strategic Director for Transformation and Change**

welcomed Lesa Annear to the Council as the newly appointed Strategic Director for Transformation and Change;

(g) **Loo of the Year Awards**

announced the Council's success in the Loo of the Year Awards in relation to the toilets at Quay Point and Elphinstone car park at the Barbican which had received platinum awards (the highest standard) and a third award was received for the toilets at Armada Way.

The Lord Mayor congratulated Catherine Dilloway (Senior Project and Contract Manager) and Mary Lethbridge (Operational Supervisor) who were representing the service.

The Leader -

(h) **Ofsted Single Inspection of Children's Services**

referred to the report from Ofsted following their inspection of children's services which had identified a number of areas that needed attention. He advised that the Council was already working hard to address them and that Cabinet had already considered a draft improvement plan.

The Council was advised that they had found no widespread or serious failures that created or left children being harmed or at risk of harm, despite Children's Social Care facing unprecedented demand nationally for services in the last 12 months.

The inspectors had also recognised the Council's skilled, committed and passionate workforce who worked in very sensitive and difficult circumstances and Councillor Evans thanked all the staff involved, as well as those other teams that provided support.

He also thanked all the Council's partners, including the police, health and schools, who worked with staff to ensure that children were kept safe promptly;

(i) **Rail Infrastructure in the South West**

referred to the announcement today by George Osborne MP (Chancellor of the Exchequer) that £6.4 billion was being awarded for Plymouth. He clarified that the money was for new trains in connection with the electrification of the railway, but that it did not come as far as Plymouth.

Councillor Evans called for new trains to Plymouth to replace those commissioned in the 1970s.

The Council was also informed that a Devon and Cornwall Rail Franchise had been announced by the government which had not been requested by Cornwall, the Peninsula Rail Task Force, and as far as he knew, not by the train operators. He further reported that the source of the funding for the franchise was unknown but that the announcement came at a time when funding had been cut for North Devon, Cornwall and Plymouth;

(j) **Individual electoral registration**

further to the Lord Mayor's announcement, emphasised the changes for Electoral Registration with particular reference to the registration of 17 year olds. The Council was informed that 5 February 2015 was National Voter Registration Day and that 20 April 2015 was the last day for registration in the coming May elections. He asked all councillors to use all available networks to encourage people to register and reminded them that arrangements had been made for an all member workshop on 24 February 2015 to discuss individual electoral registration;

(k) **Launch of 'Building Plymouth'.**

referred to the launch of the 'Building Plymouth' project which hoped to attract young dynamic people into the construction industry. He reported that the Council would be running taster sessions and providing practical career advice on apprentices and links to the careers.

Councillor McDonald announced Phase 2 of the Troubled Families Programme which would be undertaken over the next five years. She indicated that the Council would need to identify more families to support and eventually it was hoped to work with 2420 additional families. She thanked all the Council staff and agencies involved in this work and the families who were working hard for a better future.

Councillor Jon Taylor referred to the achievements of the transformation team including

- (l) 15 newly qualified project managers: Tim Binding, Denise Clift, Helen Cocks, Anna Coles, Alex Davey, Marc Gorman, Ross Johnston, Sam MacDougall, Lee Pundsack, Harry Sherwin, Maria Sibson, James Stannard, Joanne Titmus and Paul Walshe;
- (m) Alex Mehaffey, a project management apprentice, who had recently been appointed to a post within the commissioning team;
- (n) Alex Hurth and Chris Coldwell who had passed Foundation Managing Successful Programmes' Courses and were awaiting practitioner results;
- (o) Mark Jordan who had passed both the Foundation and Practitioner Management of a Risk Course.

He congratulated everyone on their success and wished them well in future jobs.

59. **QUESTIONS BY THE PUBLIC**

Three questions were submitted by members of the public for this meeting, in accordance with Part B, paragraph 11 of the Constitution.

In the absence of Mr Sharpe, the following question and response were circulated and a written response would be sent to him after the meeting -

Question No	Question By	Cabinet Member	Subject
Q11(14/15)	Mr Sharpe	Councillor Peter Smith (Deputy Leader)	Plymstock Swimming Pool: comments received
Please could it be disclosed how many comments (of any type) the City Council has received from January 2014 until now on the subject of a Plymstock Swimming Pool and Site.			
Response			
Twenty nine, including comments received on Downham School site.			

Mr Williams attended the meeting and asked the following question. Councillor Lowry responded as set out below -

Question No	Question By	Cabinet Member	Subject
Q12 (14/15)	Mr Williams	Councillor Lowry (Cabinet Member for Finance)	Magistrates' Court hearings for non-payment of Council Tax
<p>Why does the Authority actively dissuade Council Tax payers summoned to the Magistrates' Court from attending their actual court hearing? Is it because the Authority believes that it will much more likely be awarded full costs from the Court if the tax payer fails to attend, and thus gain income?</p>			
<p>Response</p> <p>Court proceedings for non-payment of Council Tax are used as a last resort and are certainly not used as a method for increasing income.</p> <p>We do not actively dissuade people from attending court in person.</p> <p>The majority of queries from customers who have received a summons for non-payment of council tax are around the reasons they have not paid on time or about payment terms. We do advise customers that these issues are unlikely to affect the Magistrate's decision.</p>			

Mr Morris attended the meeting and asked the following question. Councillor Lowry responded as set out below -

Question No	Question By	Cabinet Member	Subject
Q13(14/15)	Mr Morris	Councillor Lowry (Cabinet Member for Finance)	Failure to pay Council Tax - court summons
<p>According to a report in the Herald, more than 15,000 court summons have been issued this financial year. How many hundreds of thousands of pounds have been added to the individuals' indebtedness to the Council as a consequence?</p>			
<p>Response</p> <p>It is not correct that 'many hundreds of thousands of pounds' has been added to debts of people who haven't paid their council tax.</p> <p>If someone receives a court summons for not paying their Council Tax there is an additional charge of £40.</p> <p>This charge means that residents who pay their Council Tax on time do not have to pay for those who haven't.</p> <p>The Council has issued 16,911 summons in the financial year 2014/15.</p>			

RECOMMENDATIONS FROM CABINET

60. **City Deal South Yard Proposals**

Councillor Evans (Council Leader) presented the proposals to finalise the Land Transfer Agreement to transfer areas of HM Naval Base South Yard from the Ministry of Defence to Plymouth City Council as part of the Plymouth and South West Peninsula City Deal which would benefit Devonport, Plymouth and the Peninsula. (Cabinet minute 102 together with the Cabinet report was also submitted).

The proposal was seconded by Councillor Kate Taylor who reported that the City Deal would deliver thousands of jobs and improve the local economy in Devonport.

The Council paid tribute to Anthony Payne (Strategic Director for Place), David Draffan (Assistant Director for Economic Development) and the Economic Development Team.

Agreed to accept the funding offered as part of the City Deal Agreement (dated 31 January 2014) towards the creation of a South Yard Marine Industries Production Campus ie: Department for Communities and Local Government grant of £8m, a £5m loan from the Local Enterprise Partnership (Growing Places) and a loan of up to £1m from the Ministry of Defence.

(Councillor Storer having declared an interest in this item, withdrew from the meeting during consideration of this item).

61. **Council Tax Base Setting 2015/16 and Council Tax Support Scheme 2015/16**

Councillor Lowry (Cabinet Member for Finance) presented the Council Tax Base for tax setting purposes for 2015/16 in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012, and sought approval for the continuation of the existing 2014/15 Council Tax Support Scheme for the 2015/16 financial year

Cabinet minute 114 together with the Cabinet report were also submitted.

The proposal was seconded by Councillor Penberthy.

Agreed –

- (1) the Council Tax Base for 2015/16 Tax Setting as 68,460 Band D equivalents, which is the tax base after allowing for an estimated collection rate of 98.5%;
- (2) the 2014/15 Council Tax Support scheme continuing for the 2015/16 financial year and that all elements of the scheme remain the same.

62. **Tamar Bridge and Torpoint Ferry Joint Committee Business Plan 2015/19 and 2015/16 Revenue Estimates and Capital Programme**

Councillor Coker (Cabinet Member for Transport) presented the Business Plan 2015 – 2019 and the 2015/16 Revenue Estimates and Capital Programme for the Tamar Bridge and Torpoint Ferry for approval.

Tamar Bridge and Torpoint Ferry Joint Committee minutes 28 and 29 and Cabinet minute 116 together with Cabinet report were also submitted.

Councillor Wheeler (Joint Chair of the Tamar Bridge and Torpoint Ferry Joint Committee) seconded the proposals.

Agreed –

- (1) the Tamar Bridge and Torpoint Ferry Joint Committee's 2015-2019 Business Plan 2015 – 2019 (as amended by minute 28 of the Tamar Bridge and Torpoint Ferry Joint Committee);
- (2) the 2015/16 Revenue Estimates and Capital Programme as submitted.

63. **Tamar Bridge and Torpoint Ferry Joint Committee: Local Government Pension Scheme 2014 Discretions Policy**

Councillor Coker (Cabinet Member for Transport) presented the Local Government Pension Scheme Draft Discretions Policy for Tamar Bridge and Torpoint Ferry staff for approval, as required by the Local Government Pensions Scheme 2014.

Tamar Bridge and Torpoint Ferry Joint Committee minute 30 and Cabinet minute 116 together with the Cabinet report were also submitted.

Councillor Wheeler (Joint Chair of the Tamar Bridge and Torpoint Ferry Joint Committee) seconded the proposal.

Agreed the Tamar Bridge and Torpoint Ferry Joint Committee: Local Government Pension Scheme 2014 Discretionary Policy, as recommended by Cabinet.

64. **PAY POLICY STATEMENT 2015/16**

Councillor Peter Smith (Deputy Leader) proposed and Councillor Morris seconded the recommendations in the report of Tracey Lee (Chief Executive) on the Pay Policy Statement 2015/16 including a proposal for the Council to apply for Living Wage accreditation.

Council was advised that –

- (a) the difference between the lowest paid and highest paid workers had reduced;
- (b) to address low pay, the Council had introduced the Living Wage, by adding a discretionary, non-contractual market supplement topping

up to £7.65 per hour (current rate);

- (c) chief officer remuneration data was now published on the website and in the annual statement of accounts;
- (d) payment of interims was now included in the quarterly monitoring report.

During the debate the issues raised included that -

- (e) a local procurement forum which included the Chamber of Commerce, Federation of Small Businesses and a number of employers, were looking at how the living wage could be implemented across the board;
- (f) Officers were looking at how the living wage could be included as a requirement on contractors with the Council;
- (g) evidence showed that if employers paid the living wage, expenditure on tax credit and Council tax support payments would be reduced and spending by low paid workers would increase and improve the local economy;
- (h) not every single company would be able to pay a living wage as some businesses were struggling without profit margins and the proposal could cause more unemployment;
- (i) the living wage would be paid to all domiciliary care workers from this year.

Agreed –

- (1) the Pay Policy Statement 2015/16;
- (2) to apply for Living Wage accreditation.

65. **APPOINTMENT OF A DEPUTY ELECTORAL REGISTRATION OFFICER**

Councillor Peter Smith (Deputy Leader) proposed and Councillor Stevens seconded the recommendations in the report of Tracey Lee (Chief Executive) on the appointment of a Deputy Electoral Registration Officer.

Agreed to appoint the Assistant Director and Head of Legal Services, David Shepperd, as the Deputy Electoral Registration Officer with full powers.

66. **MOTIONS ON NOTICE**

There were no motions on notice for consideration at this meeting.

67. **QUESTIONS BY COUNCILLORS**

The following questions were asked to the Leader, Cabinet Members and Committee Chairs covering aspects for their areas of responsibility or concern by councillors.

	From	To	Subject
1	Councillor Mrs Bowyer	Councillor Vincent	<p>She referred to a missed bin in the Egguckland Ward and her conversation with a member of staff. Was it true that there were insufficient refuse vehicles?</p> <p>She was advised that the vehicle would return on Monday and it did not return until Friday. If there are not enough vehicles how successful would the reorganisation be?</p>
<p>Response: Cllr Vincent responded 'No' .</p> <p>He accepted that the department needed to respond more efficiently but that following the last reorganisation there was an instance of waiting 13 weeks for a bin to be collected. He emphasised that any reorganisation would have minor issues and that if details were provided to him he would look into it. He urged councillors to contact him as soon as possible with any queries.</p>			
2	Councillor Parker Delaz Ajete	Councillor Penberthy	<p>With reference to the question by Councillor Mrs Beer at the last Council meeting on Plympton Guildhall, was there any further information?</p>
<p>Response: Councillor Penberthy responded that Plympton Guildhall was one of 14 active community asset transfer files. It had now been registered with the charity commission, the draft terms of the lease had been sent and the transfer was moving forward. He had raised the issue with the Friends of Plympton Guildhall and they had responded that Councillor Mrs Beer was not a member, they understood the budget restraints and they were not concerned at the present state of the guildhall in terms of the handover.</p>			
3	Councillor Bowyer	Councillor Evans	<p>Had lessons been learnt and action taken following the shortcomings of exercise short sermon which had attracted adverse national coverage?</p> <p>Was the Temeraire Room still fully operational?</p>
<p>Response: Councillor Evans responded that it was not his portfolio and that Councillor Peter Smith was the portfolio holder.</p>			

4	Councillor Hendy	Councillor Lowry	<p>What was the latest update on the staff move to Ballard House? When did he think that an announcement would be made?</p> <p>Response: Councillor Lowry responded that the majority of staff had now moved and about 70 people were left in the Civic Centre who would be moving in the next few months. Officers had been actively engaging with the market for a solution for the Civic Centre building and he was working with officers to conclude the exercise.</p> <p>He further responded that it was important to get the right proposal and to ensure that it was deliverable and he hoped to make an announcement in the next two weeks.</p>
5	Councillor Fry	Councillor Peter Smith	<p>Was it true that the outdoor ice rink outdoor would not be operating in the City Centre next winter? A written response was sought.</p> <p>Response: Councillor Smith responded that it was not his responsibility as it was run by the City Centre Company and that he did not sit on the City Centre Company.</p>
6	Councillor Dr Mahony	Councillor Coker	<p>Are you aware of the problems with costing projects funded from the Living Streets budget? Peverell councillors were still waiting for costings so that they knew what budget was left, which was causing a big delay.</p> <p>Response: Councillor Coker responded that he was not aware of the issue. The scheme was due for review following the completion of a year and with the agreement of the Chair of scrutiny, he would be coming to scrutiny to look at how living streets could be improved. He undertook to look into the circumstances of the individual instance.</p>
7	Councillor Rennie	Councillor Stevens	<p>Would he apologise on behalf of the previous administration for the belated Xmas present for residents at Devonport, Keyham and Barne Barton? Would use all his persuasive powers to convince the previous administration to apologise for the incinerator.</p> <p>Response: Councillor Stevens indicated that he was only responsible from May 2012. The application had been decided in December 2011. It needed the former Conservative administration to apologise for the incinerator.</p> <p>He did not have the powers to influence them but it was no surprise to him that the Conservatives were voted out soon after.</p>

8	Councillor Jordan	Councillors Peter Smith and Evans	<p>After hosting a successful America's Cup in Plymouth, why did we not bid for the next one, next year?</p> <p>Why did no one know what was going on in the city, when it was being promoted in Portsmouth? How could he let it slip?</p>
<p>Response:</p> <p>Councillor Smith responded that he didn't know that it was up. They were concentrating on getting the Transat race but that the America's Cup was expensive last time. He undertook to make enquiries.</p> <p>Councillor Evans added that Plymouth got the event cheaper last time. They had been talking with America's Cup and other events. Plymouth had got Transat next time and in 2020, but he was not saying that America's Cup would not come back to Plymouth.</p> <p>He offered to brief Councillor Jordan on the reasons and emphasised it was not anybody's fault, it was the circumstances.</p>			
9	Councillor Casey	Councillor Stevens	<p>Can you explain the meaning of predetermination for councillors attending the Planning Committee and before deciding on planning applications?</p> <p>Were applications discussed in the Labour Group room? In a meeting of members it was apparent that when the application for the incinerator was discussed, it was predetermined. The Leader had already printed leaflets with seven to six to the Tories.</p>
<p>Response:</p> <p>Councillor Stevens indicated that the definition had changed under the Localism Act. Councillors were permitted to predetermine applications and vote on those. Councillors were allowed to give an indication of feeling at that time provided they were prepared to have their mind changed when hearing information at the meeting. A predisposition but open to persuasion. If they were not prepared to have their mind changed, it was deemed to be predetermined and they were unable to take part.</p> <p>In the time that he had served as a Chair, Vice Chair and lead opposition member for the Planning Committee, no political instruction had been given to any Labour councillors to his knowledge, or orders, or whipping of any description. He urged Councillor Casey to get the facts correct in terms of any leaflets printed in advance of the incinerator decision saying seven to six to the conservatives, as at the time there were only five opposition members on the committee.</p>			
10	Councillor Morris	Councillor Vincent	<p>Could he confirm that the cards and stickers giving the new days for bin collections had been distributed in Glenholt? The reason being that he had to move the green bin of the leader of the opposition and Councillor Mrs Bowyer so that it was not causing an obstruction.</p>

	<p>Response: Councillor Vincent responded that he assumed that they had been and that there was a phone number on the bottom of them for any queries.</p>		
11	Councillor Evans	Councillor Stevens	<p>With regard to pages 10 and 11 of the Council agenda relating to the minutes of the last meeting, had he, as Chair of the Constitutional Review Group, received any representations from Councillor Darcy on this since the last Council meeting? Had he received any representations from the seconder of the amendment?</p>
	<p>Response: Councillor Stevens responded that he had not received one request to be submitted to the Constitutional Review Group since 24 November 2014. He indicated that he was always available and would facilitate any serious proposal.</p>		
12	Councillor Bowyer	Councillor Peter Smith	<p>What was the latest position with the dispute by staff of Customer Services? Does paying the living wage promote flexibility? Is that an example of that?</p>
	<p>Response: Councillor Smith responded that the matter was still ongoing. He could not get involved with the negotiations and could not discuss it in the Chamber. David Shepperd ruled the supplementary question out of order as it was not related to the original question.</p>		
13	Councillor Foster	Councillor Coker	<p>Is there an up to date register of all accidents on the roundabouts in Plymouth? Could all councillors have access to the register?</p>
	<p>Response: Councillor Coker responded that there was a record in the Council of all serious accidents on all of the roads. He was not aware whether it was broken down into roundabouts but they had all the statistics of accidents on the city. If he asked the relevant officer he was convinced that they would give him those statistics as they were a public record.</p>		
14	Councillor Hendy	Councillor Vincent	<p>What were the current figures for recycling and landfill in the city? Was the collection of Xmas trees a success?</p>
	<p>Response: Councillor Vincent responded that up to November 2014, recycling had increased to 36.4% to 26706 tonnes, an increase of 1070 tonnes. For landfill it had decreased by 234 tonnes from 46774 to 47008 tonnes. Just over 6000 trees had been collected amounting to 10 tonnes of trees to be recycled.</p>		

15	Councillor Mike Leaves	Councillor Lowry	<p>If the incinerator was delayed by approximately three months, how would it affect the budget at the moment?</p> <p>The question was asked again with the addition of bearing in mind the costs of barristers and also how much did it cost to put the leaflets out?</p>
<p>Response:</p> <p>Councillor Lowry responded that the budget was continually amended and a forecast of income was shown in the monitoring report, every month. Each delay is recorded. The leaflets were Labour Group business. With regard to the impact on the budget, the information was in the budget books and was somewhere in the region of £50,000 per month.</p>			
16	Councillor Rennie	Councillor Vincent	<p>What action was being taken, when posters for flyposting were ripped down leaving plastic tags that were dangerous and causing harm to people?</p> <p>Was he aware of an incident where a lady had caught her eye with one of the tags and immediate action was being sought for the removal of the tags from the lampposts?</p>
<p>Response:</p> <p>Councillor Vincent responded that he was aware of the problems. He was in discussions with officers and Councillor Coker and officers were contacting other Councils to see if they had similar issues and how they had resolved them. The outcome would be included in the debate.</p>			
17	Councillor Lowry	Councillor Evans	<p>Why had he not been asked for funds for the Americas Cup?</p> <p>Was he aware that George Osborne, or any member of the government, had made money available to Plymouth to support the events programme?</p>
<p>Response:</p> <p>Councillor Evans referred to conversations with the Sir Ben Ainslie Racing Team. The venue for America's Cup was dictated by the location of Sir Ben Ainslie racing which was located in Portsmouth. There was no bidding process. However the costs would have been different this year in comparison with the previous event. The government had given Regional Growth Funding to Portsmouth to enable the race. He indicated that he would be asking the government why Portsmouth had received funding for the race, why Plymouth had not been offered any and would be seeking support for the events programme in Plymouth.</p>			

18	Councillor Casey	Councillor Rennie	<p>If she wanted to hold an event and sell alcohol where there was a closed bar, would she be allowed to do so using their licence without having a licence herself?</p> <p>An officer had informed her that if the bar was closed, the licence holder should be present. At a recent fund raising event by the Labour Group, were they above the licensing law?</p>
<p>Response:</p> <p>Councillor Rennie responded that she already had an answer from the officers. He indicated that the licensing regulations stated that a Designated Premises Supervisor was not necessary on licenced premises. It was legal and they had covered themselves.</p>			
19	Councillor Nicholson	Councillor Peter Smith	<p>Could he explain why the principle of co-operative working had failed in the resolution of the Customer Services dispute?</p> <p>Could he advise what the financial risks were by not resolving this?</p>
<p>Response:</p> <p>Councillor Smith responded that the negotiations were ongoing and had not failed. He was meeting again tomorrow and were hoping to resolve it.</p>			
20	Councillor Stevens	Councillor Peter Smith	<p>Did he agree that resolving differences with the workforce were best done in the Council Chamber or done by careful negotiations by professionals? How many requests had he had for a position statement and, since he took up post, how many Trades' Unions had been derecognised?</p> <p>Would he make a commitment that he would not derecognise Trades' Unions and who was responsible?</p>
<p>Response:</p> <p>Councillor Smith responded that he had been keeping the Leader of the Opposition informed and had received his support by email. He was still in conversation and hoping to resolve the dispute.</p> <p>He gave a categoric assurance that as a Trade Union representative, he would not derecognise Trade Unions as Councillor Bowyer had done so in 2011 by derecognising Unison.</p>			
21	Councillor Mike Leaves	Councillor Vincent	<p>Could he categorically say that the fumes from the chimney of the Energy From Waste Plant were not toxic and were of no harm to anybody?</p> <p>Was he happy now, with all of his knowledge, that restrictions had been put in place and there were no worrries about the plant or toxic fumes?</p>

	<p>Response: Councillor Vincent responded that extra monitors had been put in place so that they had a before and after position. If there was an increase anywhere across the city, then it would be addressed. They had a responsibility for all residents, and the direction of fumes depended on the atmospheric conditions and the winds etc. He indicated that no one would be happy with any form of pollution and it would be monitored continually.</p>
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Please note that questions, answers, supplementary questions and supplementary answers have been summarised.

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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