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Democratic and Member Support

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Published 13 March 2015

CITY COUNCIL

Monday 23 March 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.

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.

If you are seated in the public area at the rear of the Council Chamber, it is likely that your image will be captured by the recording cameras and this will result in your image becoming part of the broadcast. This may infringe your Human Rights and if you wish to avoid this, you should move to the public seating area in the public gallery above the Chamber.

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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 - 12)

To approve and sign the minutes of the meeting held on 23 February 2015 as a correct record.

3. DECLARATIONS OF INTEREST

(Pages 13 - 14)

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

Any proposed changes to committees or outside bodies will be reported to the Council meeting.

5. 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.

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, Ballard House, West Hoe Road, Plymouth, PL1 3BJ, or email to democraticsupport@plymouth.gov.uk. Any questions must be received at least five complete working days before the meeting.

RECOMMENDATIONS FROM CABINET, CO-OPERATIVE SCRUTINY BOARD AND OTHER COMMITTEES

7. BARBICAN CUMULATIVE IMPACT POLICY (Pages 15 - 42)

Cabinet Member: Councillor Vincent (Cabinet Member for Environment).

The City Council will be asked to approve the amendment of the Statement of Licensing Policy to include an extended Barbican Cumulative Impact Area as outlined in the map contained in Appendix 3 to the Cabinet report.

The minute of Cabinet held on 10 March 2015 will be submitted together with the report considered at Cabinet.

8. CITY CENTRE BUSINESS IMPROVEMENT DISTRICT (BID) VETO (Pages 43 - 44)

Chair of the Co-operative Scrutiny Board: Councillor James.

The City Council will be asked to approve the recommendation of the Working Plymouth Scrutiny Panel, subject to approval by the Co-operative Scrutiny Board.

The minute of the Working Plymouth Scrutiny Panel held on 18 March 2015 will be submitted (to follow) together with the report considered at the scrutiny panel.

9. LORD MAYORALTY 2015/16 (Pages 45 - 46)

Chair of the Lord Mayor's Selection Committee: Councillor Evans (Council Leader)

The City Council will be asked to approve the recommendation of the Lord Mayor's Selection Committee, prior to the Annual Meeting, in accordance with Article 5.1.1 of the Council's Constitution.

10. APPOINTMENT OF THE COUNCIL'S SECTION 151 OFFICER (ASSISTANT DIRECTOR FOR FINANCE) (TO FOLLOW)

Chair of the Chief Officer Appointments Panel: Councillor Evans (Council Leader)

The City Council will be asked to approve the recommendation of the Chief Officer Appointments Panel on the appointment of the Council's Section 151 Officer (Assistant Director for Finance).

The minute of the Chief Officer Appointments Panel held on 17 March 2015 and a supporting report will be submitted.

11. MOTIONS ON NOTICE

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

Constitution.

11.1. Land Disposals **(Pages 47 - 48)**

Proposed by Councillor Patrick Nicholson and seconded by Councillor Mahony

11.2. Car Parking **(Pages 49 - 50)**

Proposed by Councillor Ricketts and seconded by Councillor Mrs Bowyer

11.3. Transit Site **(Pages 51 - 52)**

Proposed by Councillor Mrs Beer and seconded by Councillor Churchill

11.4. Towns against Tax Dodging **(Pages 53 - 54)**

Proposed by Councillor Lowry and seconded by Councillor Philippa Davey

11.5. Land Registry Proposals for Local Land Charges **(Pages 55 - 56)**

Proposed by Councillor Evans and seconded by Councillor Stevens

12. CALENDAR OF MEETINGS OF THE COUNCIL AND COMMITTEES 2015/16 (TO FOLLOW)

The City Council will be asked to approve the draft Calendar of the Council and Committees for 2015/16 up to the next Annual General Meeting of the Council.

13. REPORT OF THE LEADER ON URGENT KEY DECISIONS (Pages 57 - 58)

The Council Leader will submit a report on urgent key decisions taken since May 2014, for noting (paragraphs 3.5 of the Cabinet Procedure Rules and 18.3 of the Access to Information Rules in the Constitution refer).

14. QUESTIONS BY COUNCILLORS

Questions to the Council 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(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 23 February 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, 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, 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 Wigans.

For part of the meeting: Councillors Mrs Nelder and Wheeler.

Also in attendance: Tracey Lee (Chief Executive), David Shepperd (Head of Legal Services), Malcolm Coe (Assistant Director for Finance), David Northey (Head of Corporate Strategy), Judith Shore (Democratic and Member Support Services Manager) and Nicola Kirby (Democratic Support Officer).

Apology for absence: Councillor Darcy.

The meeting started at 2.00 pm and finished at 5.55 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.

68. **MINUTES**

Agreed the minutes of the meeting held on 26 January 2015 subject to the amendment of minute 57 to reflect the current Cabinet Member positions of Health and Adult Social Care and Children, Young People and Public Health.

69. **DECLARATIONS OF INTEREST**

David Shepperd (Head of Legal Services) reminded councillors of the dispensation granted to all of them under the constitution at paragraph 21.2 Part G (Codes and Protocols) in regard to decisions about council tax setting.

The following declarations of interest were made in accordance with the code of conduct from councillors in relation to minute 72 on Delivering the Co-operative Vision within a Four Year Budget and Proposed Council Tax Levels 2015/16, which was under consideration at this meeting –

Councillor	Interest	Reason
Councillor Mrs Beer	Private	Employee of Devon and Cornwall Police
Councillor Sam Leaves	Private	Employee of the NEW Devon Clinical Commissioning Group
Councillor Stevens	Private	Employee of Devon and Cornwall Police
Councillor Jon Taylor	Private	Employee of the NEW Devon Clinical Commissioning Group

70. **ANNOUNCEMENTS**

The Lord Mayor –

(a) Former Councillor Peter Berrow

referred to the recent death of former councillor Peter Berrow who was elected to the City Council in 2008 as a Conservative councillor for the Southway Ward and served until 2012 when he stood down after joining UKIP. Councillors were advised of the funeral arrangements for 11 March 2015 and the Council stood in silence as a mark of respect;

(b) Lord Mayor Designate 2015/16

congratulated Councillor Dr John Mahony on his nomination by the Lord Mayor's Selection Committee, as Lord Mayor for 2015/16. The Council was advised that the recommendation would be formally considered at the next meeting of the Council to be held on 23 March 2015;

(c) 2015 Councillor Achievement Awards

congratulated Councillor Evans on his shortlisting by the Local Government Information Unit and the CCLA (Church, Charity and Local Authority Investment Management) for Leader of the Year as part of the 2015 Councillor Achievement Awards and wished him well at the Awards Ceremony in London on 2 March 2015;

(d) Improvement and Efficiency Awards

reported that the Council had been shortlisted in two categories of the national Improvement and Efficiency Awards 2015. He advised that the Council's approach to being a partner had been recognised in the Working Together category where the partnership with the social enterprise sector had been acknowledged as being exemplary.

The Lord Mayor thanked the Plymouth Social Enterprise Network and the Council's Economic Development Team for their work.

The Council was also advised that its work in supporting the development of Plymouth Energy Community had been recognised in the Innovation category and the Lord Mayor thanked all of the Plymouth Energy Community members, volunteers and staff together with the Council's Climate Change team for the difference they were making to the city;

(e) **2014 UK Social Enterprise Award for Investment Deal of the Year**

announced that Plymouth Energy Community (PEC) and PEC Renewables had been awarded the UK Social Enterprise Award for 'Investment Deal of the Year', in recognition of their first community share offer in 2014 which resulted in free solar panels for 21 city schools and community buildings.

The Council was advised that the second share offer had now been launched which hoped to raise a further £950,000.

The Lord Mayor congratulated Dave Garland, Chair of PEC Renewables, Peter Flukes, former Chair of PEC and Andrew Shadrake, Member of PEC Renewables and presented the award to them;

(f) **Fair Trade Certificate**

sought support from councillors for the various events that were taking place over the next fortnight to celebrate Fair Trade fortnight and in particular for the ecumenical celebration of Fairtrade being held at St Andrew's Church on 5 March 2015 to which they had all been invited.

The Lord Mayor thanked supporters of the Fairtrade initiative as follows –

- staff and students at Plymouth University and the City College;
- pupils, staff and parents at the Council's schools and the education catering lead Katie Fremlin;
- Andy Hawkins (Absolute Recycling);
- Fairport (local worker's co-operative);
- Local churches and faith groups, especially Hope Baptist, St Andrews and CAFOD;
- Local retailers, particularly the Coop, Sainsbury and Lush for their ongoing support;
- members of the Plymouth Fairtrade Network Steering Group.

The Lord Mayor presented the certificate to Clare-Louise Mains, on behalf of the Steering Group, in recognition of the support the Council gave and her hard work in taking us through Plymouth's re-accreditation as a Fair Trade City.

The Leader -

- (g) referred to a Sports Summit that had been hosted by the College of St Mark and St John with speakers which included representatives from Sport England. He thanked all the Council staff who had been involved in the event and also the College and their staff for their work;
- (h) reported that he had attended part of the British Diving Championships which had been held at the Life Centre over the weekend. He thanked all the participants and all concerned in the event with particular reference to John Bird (Vice President of Amateur Swimming Association). He also congratulated Plymouth divers: Rhea Gayle, Tonia Couch, Sarah Barrow and Matthew Dixon and also Tom Daley.

Following the above item, Councillor Casey sought clarification of the reason for the absence of public questions at the meeting and David Shepperd (Head of Legal Services) advised that public questions were not included on the agenda of budget Council meetings as set out in the Council's Constitution, paragraph 5.2 of the Council Procedure Rules.

DELIVERING THE CO-OPERATIVE VISION WITHIN A FOUR YEAR BUDGET AND PROPOSED COUNCIL TAX 2015/16

71. Length of Debate for the Leader and the Leader of the Opposition

Councillor Evans (Council Leader) moved that in accordance with Part B, Council Procedure Rule 14.6 of the Constitution, Rule of Debate 4.2 (in Appendix One) (which limits speeches to five minutes) is suspended for this item in relation to the speeches by the Leader and Leader of the Opposition.

The proposal was seconded by Councillor Bowyer (Leader of the Opposition) and following a vote, the proposal was agreed.

72. Updated Report on Delivering the Co-operative Vision Within a Four Year Budget and Proposed Council Tax 2015/16

The Chief Executive submitted a written report updating members following the Cabinet meeting on 10 February 2015 on Delivering the Co-operative Vision within a Four Year Budget and Proposed Council Tax Levels 2015/16.

The City Council also considered –

- (a) Cabinet minute 125 (of 10 February 2015) and the Cabinet report on delivering the co-operative vision within a four year budget;

- (b) Cabinet minute 124 (of 10 February 2015) on Cabinet's response to the Scrutiny Recommendations together with the Budget Scrutiny Report 2015/16;
- (c) Cabinet minute 126 (of 10 February 2015) on the Treasury Management Strategy and Annual Investment Strategy 2015 /16 (together with the mid-year review of the Treasury Management Strategy;
- (d) the Capital and Revenue Monitoring Report 2014/15;
- (e) recommendations following confirmation that the Devon and Somerset Fire and Rescue Authority had agreed to increase the precept on the Council by 1.99% and from the Chief Officers Appointments Panel with regard to the appointment of David Northey as interim Assistant Director for Finance S151 Officer pending the appointment of a permanent replacement.

Councillor Evans (Council Leader) -

- (f) thanked Councillor Lowry and the officers in the finance team for their hard work in enabling the recommendations for such a forward looking budget in very difficult circumstances and delivering last year's budget almost on target;
- (g) thanked Malcolm Coe (Assistant Director for Finance) for his work as this was his last meeting and wished him well in his new role with another Council;
- (h) indicated that the government had cut funding for local services in Plymouth this year from £62m to £44m;
- (i) referred to the discrepancy in government funding which was being called the 'missing millions' particularly with regard to public health funding, roads and train services and pledged to continue to lobby for a fair deal for the city;
- (j) reported that with the proposed budget, the Council would be prioritising jobs, skills and opportunities for young people, homes, cleaner and safer streets and care for vulnerable adults and children;
- (k) referred to the transformation programme which would enable the Council to change the way it delivered services by making it more efficient and joining with partners to protect and improve services;
- (l) highlighted forthcoming developments such as the new coach hub in the City Centre, the transformation of the Bretonside site and the History Centre;

- (m) thanked Councillor Coker (Cabinet Member for Transport) for his leadership and negotiating skills in securing funding for Plymouth. The Council was advised that an extra £4.8m would be spent on roads and pavements in 2015/16, in addition to the existing £5m revenue budget and transport improvements schemes would be implemented in the north of the city and for the Forder Valley Link Road;
- (n) gave a commitment to keep weekly rubbish collections;
- (o) referred to the work of each of the Cabinet Members and thanked them for their work;
- (p) indicated that the Council would continue to improve schools for example at Pennycross Primary School;
- (q) reported that adult social care continued to put pressures on budgets due to rising demands and costs and that the service would undergo a radical change as the Council worked co-operatively with Plymouth Community Health Care to create an integrated health and social care provider from 1 April 2015;
- (r) advised Council that following the Ofsted inspection this year, the Council would continue with their plans to deliver improvements in social care and would support and protect from harm more than 400 vulnerable children;
- (s) indicated that the Council had delivered its 100 pledges given in 2012 and that, of a further 50, over half had already been delivered with the remainder on target to be delivered by the end of next year.

Councillor Lowry (Cabinet Member for Finance) formally seconded the proposal and moved the following amendment –

‘This administration is committed to equality and supporting the most vulnerable and needy residents within our city and the importance of the West End of the city centre as a place to go.

We therefore propose the following amendment to the revenue budget:

- (a) amend our current contractual terms with Pertemps by paying our agency staff at least the Living Wage from day one of their contract;
- (b) extend our discretionary rate relief policy to offer ‘one off’ rates relief to organisations to cover the administrative cost of becoming accredited with the Living Wage Foundation; relief of up to a maximum of £5,000 per organisation.

The revenue cost of implementing our two Living Wage amendments is circa £200,000 which will be prioritised and funded through the Discretionary Rate Relief budget which this administration created in 2013.

And propose the following amendment to the Capital Programme:

- (c) we will pledge and prioritise further capital investment of £3.555m in the West End to include a major refurbishment of the City Market and a City Centre 'Shop Front' scheme to improve the physical appearance of retail buildings. This will increase the Capital Programme from £237.405m to a revised £240.960m.'

Following a short adjournment to allow the amendment to be circulated and Members to consider it, Councillor Lowry presented the amendment and Councillor Peter Smith seconded the proposal.

During the debate, issues were raised about –

- (t) the lack of notice given to the opposition about the amendment and the lack of detail on the implications of the proposals;
- (u) the lack of a proper debate on the development of the West End;
- (v) the opportunity to use the Plymouth Plan for a debate on the redevelopment of and regeneration of the city centre;
- (w) the benefits of the payment of the living wage including the treatment of all staff equally and the benefits to employers and the city generally.

On summing up, Councillor Lowry indicated that he would make an announcement in due course on how the living wage would be included in Council contracts and procurement and gave an assurance that the City Centre Shop Front scheme would not support pay day lenders, betting premises etc. He further advised that traders had asked for the investment as part of the City Centre Business Improvement District consultation.

Following the debate and a request by ten councillors for a recorded vote, the vote was –

For the motion (27)

Councillors Mrs Aspinall , Bowie, Coker, Damarell, P. Davey , S Davey , Evans, Hendy, Jarvis, Lowry, McDonald, Morris, Murphy (Deputy Lord Mayor), Parker Delaz Ajete, Penberthy, Rennie, Singh, J. Smith, P. Smith, Sparling, Stevens, J. Taylor, K. Taylor, Tuffin, Tuohy, Vincent and the Lord Mayor (Councillor Fox).

Against the motion (27)

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Casey, Churchill, Downie, Drean, Foster, Mrs Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Sam Leaves, Dr Mahony, Nicholson, Mrs Nicholson, Mrs Pengelly, Ricketts, Riley, Dr Salter, Stark, Storer and Wigans.

Abstentions (0)

The following members were absent (3)

Councillors Darcy, Mrs Nelder and Wheeler.

The Lord Mayor, having made his second and casting vote, declared that the amendment was carried.

Following an adjournment, David Shepperd reported that the amended motion was now before the Council for consideration.

Councillor Bowyer responded to the amended motion and associated himself with Councillor Evans' comments with regard to Malcolm Coe.

Councillor Bowyer referred to –

- (x) inflation which was close to or at zero;
- (y) total public spending which had only fallen modestly since 2010;
- (z) no account had been taken of specific grants;
- (aa) the need to ensure that provision had been made to implement the improvements recommended by Ofsted;
- (bb) the lack of information on Clinical Commissioning Group spending;
- (cc) the budget scrutiny by the Co-operative Scrutiny Board.

Councillors continued to debate the amended motion.

Councillor Casey addressed the Council and following a number of points of order, rulings by the Lord Mayor and advice from David Shepperd concerning the content of her speech, Councillor Rennie sought an adjournment and following a vote, an adjournment was agreed.

Following the adjournment, the debate resumed and the following additional issues were raised –

- (dd) salaries and benefits had not increased;
- (ee) no bids had been submitted for schools;
- (ff) alternative sources of income had not been sought.

Following summing up by Councillor Evans and a request by ten councillors for a recorded vote, there voted –

For the motion (28)

Councillors Mrs Aspinall , Bowie, Coker, Damarell, P. Davey , S Davey , Evans, Hendy, Jarvis, Lowry, McDonald, Morris, Murphy (Deputy Lord Mayor), Mrs Nelder, Parker Delaz Ajete, Penberthy, Rennie, Singh, J. Smith, P. Smith, Sparling, Stevens, J. Taylor, K. Taylor, Tuffin, Tuohy, Vincent and Wheeler.

Against the motion (27)

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Casey, Churchill, Downie, Drean, Foster, Mrs Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Sam Leaves, Dr Mahony, Nicholson, Mrs Nicholson, Mrs Pengelly, Ricketts, Riley, Dr Salter, Stark, Storer and Wigans.

Abstentions (0)

The following member was absent (1)

Councillor Darcy.

Agreed -

- (1) that the additional one-off resources as determined through the December 2014 Settlement are deployed to the 2015/16 revenue budget and allocated to the provision of social care within the People Directorate;
- (2) to approve an increase of 1.99% in Council Tax for 2015/16;
- (3) to approve the proposed net revenue budget requirement for 2015/16 of £193.009m, subject to the following amendments with a revenue cost of circa £200,000 which will be prioritised and funded through the Discretionary Rate Relief budget which this administration created in 2013 –
 - (a) to amend the Council's current contractual terms with Pertemps by paying the Council's agency staff at least the Living Wage from day one of their contract;
 - (b) to extend the Council's discretionary rate relief policy to offer 'one off' rates relief to organisations to cover the administrative cost of becoming accredited with the Living Wage Foundation; relief of up to a maximum of £5,000 per organisation;

- (4) to approve the total capital budget of £240.960m for 2014 to 2018 to include prioritising further capital investment of £3.555m in the West End to include a major refurbishment of the City Market and a City Centre 'Shop Front' scheme to improve the physical appearance of retail buildings. Any changes to the overall capital funding available to be sanctioned by the Council's Section 151 Officer;
- (5) to agree that all newly approved capital schemes are incorporated within regular public finance reporting;
- (6) to agree that using the Council tax base for 2015/16 as 68,460.0 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; calculate that the **Council tax requirement** for the Council's own purposes for 2015/16 is £90,406,907;
- (7) to agree that the following amounts are calculated for the year 2015/16 in accordance with Sections 31 to 36 of the Act:
 - (a) £541,135,291 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act (**Gross Expenditure and Transfers to Reserves**);
 - (b) £450,728,384 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act (**Gross Income and Transfers from Reserves**);
 - (c) £90,406,907 being the amount by which the aggregate at 7(a) above exceeds the aggregate at 7(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its **Council tax requirement** for the year. (Item R in the formula in section 31B of the Act);
 - (d) £1,320.58 being the amount at 7(c) above (Item R), all divided by Item T (6 above), calculated by the Council, in accordance with Section 31B of the Act, as the **basic amount of its Council tax** for the year;
- (8) to note that the Office of the Devon and Cornwall and Isles of Scilly Police Commissioner has issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area. These are included in the tables below, reflecting a 1.99% increase;
- (9) to note that the Devon and Somerset Fire and Rescue Authority has agreed precepts to the Council of 1.99% increase;

- (10) in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, to set the indicative aggregate amounts shown in the tables below as the amounts of Council Tax for 2015/16 for each part of its area and for each of the categories of dwellings -

Plymouth City Council after 1.99% increase

A	B	C	D
£880.38	£1,027.12	£1,173.85	£1,320.58
E	F	G	H
£1,614.04	£1,907.50	£2,200.96	£2,641.15

Devon and Cornwall Police and Crime Commissioner after 1.99% increase

A	B	C	D
£112.98	£131.81	£150.64	£169.47
E	F	G	H
£207.13	£244.79	£282.44	£338.93

Devon and Somerset Fire and Rescue Authority after 1.99% increase

A	B	C	D
£52.28	£60.99	£69.71	£78.42
E	F	G	H
£95.85	£113.27	£130.70	£156.84

Aggregate of Council Tax Requirements 2015/16

A	B	C	D
£1,045.64	£1,219.92	£1,394.19	£1,568.46
E	F	G	H
£1,917.01	£2,265.56	£2,614.11	£3,136.93

- (11) that in accordance with the principles approved under 52ZB of the Local Government Finance Act 1992, the Council's relevant basic amount of council tax for 2015/16 is not more than 2% higher than the relevant basic amount of council tax for 2014/15 and that it is therefore determined that the Council's relevant basic amount of Council Tax for 2015/16 is not excessive and for this reason a referendum will not be required;

- (12) to agree the annual Treasury Management Strategy and Annual Investment Strategy 2015/16 (incorporating the authorised limits, operational boundaries and prudential indicators) as submitted;
- (13) to note the mid-year review of the 2014/15 Treasury Management Strategy;
- (14) to note the Capital and Revenue Monitoring Report 2014/15;
- (15) to approve the recommendation from the Chief Officer's Appointments Panel to appoint the existing Deputy S151 Officer (David Northey) as the Council's interim Assistant Director for Finance S151 Officer pending the appointment of a permanent replacement.

DECLARING INTERESTS – QUESTIONS TO ASK YOURSELF

What matters are being discussed?

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I**

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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PLYMOUTH CITY COUNCIL

Subject:	Barbican Cumulative Impact Policy
Committee:	Cabinet
Date:	10 March 2015
Cabinet Member:	Councillor Vincent
CMT Member:	Kelechi Nnoaham (Director of Public Health)
Author:	Andy Netherton, Service Manager, Public Protection Service
Contact details:	Tel: 01752 304742 Email: andy.netherton@plymouth.gov.uk
Ref:	
Key Decision:	No
Part:	I

Purpose of the report:

The Licensing Act 2003 places a duty on the Licensing Authority to publish a statement of licensing policy. The policy forms the basis of decision making when considering applications for the sale of alcohol, provision of entertainment or late night food. The current statement of licensing policy was published and became operative from March 2014.

At the time the policy was adopted Cabinet agreed to undertake a consultation exercise to consider extending the area covered by the current Barbican Cumulative Impact Policy (CIP). This consultation was in response to a recommendation made by Devon and Cornwall Police.

This report contains details of the consultation responses and information regarding the operation and impact of extending the Barbican CIP.

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

The policy aims to assist in the delivery of a safer, more vibrant Plymouth. This in turn should attract more visitors to the City and also support an increase in the numbers of citizens of Plymouth who will utilise the social, cultural and sporting offers available. Opportunities for increased levels of employment should follow.

Confident Plymouth

A safe and vibrant leisure economy will allow Plymouth to be positively marketed attractive destination both nationally and internationally.

Caring Plymouth

The policy will allow for effective control of alcohol supply, which will assist in reducing alcohol harm and thereby reduce inequality. Whilst alcohol misuse affects individuals from all sections of society, those from the most disadvantaged communities experience the highest burden of harm.

The late night economy can adversely impact local communities due to noise and antisocial behaviour. The policy seeks to balance the need for economic activity and the protection of local communities.

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

Government has set fees at a level that they believe will achieve full recovery of the administrative, inspection and enforcement costs falling on the Licensing Authority associated with their licensing functions under the Licensing Act 2003. The review of the Licensing Policy is a core part of the licensing function and there are no future financial implications.

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

Section 17 of the Crime and Disorder Act 1998 puts a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

The Licensing Policy has a key role in reducing alcohol related crime and disorder, the fear of crime and the prevention of nuisance or anti-social behaviour. Risk taking behaviour, such as irresponsible alcohol usage can affect individual, their families, local communities and society as a whole. This policy aims to play its part in minimising the negative aspects of alcohol supply and use.

Equality and Diversity:

Has an Equality Impact Assessment been undertaken? Yes

Recommendations and Reasons for recommended action:

It is recommended to the City Council that :

The Statement of Licensing Policy is amended to include an extended Barbican Cumulative Impact Area as outlined in the map contained in Appendix 3.

Reason

There is sufficient evidence to support the extension of the cumulative impact policy for Barbican area. On balance the extension of the CIP appears to be appropriate and proportionate. The consultation responses were generally supportive of the changes.

Alternative options considered and rejected:

No change to the Licensing Policy -

The evidence submitted as part of the consultation has established a number of crimes occur within the night time economy within the proposed area associated with the supply or use of alcohol and local communities are affected by late night anti-social behaviour. The majority of consultation responses were supportive of the boundary changes.

Adopt a smaller area -

The majority of the consultation responses contained no specific objections to the largest proposed area (Zone I).

Appendices:

- Appendix 1: Consultation responses
- Appendix 2: Police submission and crime data
- Appendix 3: Map of proposed boundary

Published work / information:

[SI82 Statutory Guidance, issued by the Home Office Regulators Code \(Better Regulation Delivery Office\)](#)

Background papers:

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	
Equalities Impact Assessment	X									

Sign off:

Fin	ODPHF PC1415 003.	Leg	22055/ag/ 30/1/2015	Mon Off	22055 /DVS	HR		Assets		IT		Strat Proc	
Originating SMT Member:													
Has the Cabinet Member(s) agreed the content of the report? Yes													

1.0 Background

- 1.1 The Licensing Act 2003 places a duty on the Licensing Authority to publish a policy with respect to its licensing functions. This policy establishes the licensing restrictions and controls placed on the sale of alcohol, provision of entertainment and the operation of premises for late night refreshment.
- 1.2 Alcohol is an important component of Plymouth's economy, particularly within the city's Evening and Night Time Economy (ENTE). Analysis of the ENTE using 2011 data considered the scale and value of accommodation, restaurants (including unlicensed venues, take away food shops and mobile food outlets) and licensed clubs, pubs and bars. It estimated that Plymouth's overall ENTE supported approximately 6,400 employees and was worth around £93.2 million in terms of Gross Value Added (GVA). Licensed clubs, pubs and bars accounted for 2,000 of those employees and the largest share of the GVA at £28.6 million. Overall the ENTE accounted for 6% of the city's total employment; this compares to the UK average of 5.7%.
- 1.3 The use of alcohol, however, can have a negative impact on individuals, families, local communities and Plymouth as a whole. Whilst it is not possible to fully quantify the impact of alcohol misuse across the city a number of indicators provide evidence of harm. During 2011/12 there were 2,513 recorded crimes attributable to alcohol – and nearly 7,000 hospital admissions. Every year a significant number of children experience poor care and neglect due to parental alcohol misuse. In organisations across the city countless working days are lost due to alcohol affecting productivity and economic progress. There is a strong association between deprivation and an increased burden of harm linked to alcohol misuse. People living in the most deprived areas of the city are nearly twice as likely to be admitted to hospital because of alcohol as those living in the least deprived areas. The cost of alcohol related harm within Plymouth is estimated at £80M per year.
- 1.4 The provision of alcohol is important to the economic vitality of Plymouths night time and leisure economy, but this has to be carefully balanced against alcohols negative potential. For most people and in most situations alcohol is used responsibly. Businesses that operate responsibly are to be encouraged, where they will form part of the larger night time and leisure economy. Any legislative controls should be targeted, proportionate, consistent and transparent
- 1.5 In response to the levels of alcohol harm the Strategic Alcohol Plan for Plymouth (2013-2018) was adopted by Cabinet in August 2013. The plan identifies four impact areas, these being:
- Prevent
 - Protect
 - Treat
 - Enforce and Control
- 1.6 When considering applications it is relevant for the Licensing Authority to take into account the location, density of licensed premises and their combined impact. This is achieved through the adoption of a cumulative impact area (CIP)

2.0 Cumulative Impact Policy (CIP)

- 2.1 The current policy includes a special policy in relation to Cumulative Impact. Guidance under s182 of the Licensing Act 2003 describes this as the potential impact, on the promotion of the licensing objectives, of a significant number of licensed premises concentrated in one area.

- 2.2 There must be an evidential basis for the decision to adopt cumulative impact areas.
- 2.3 The steps to be followed in considering whether to adopt a policy within the statement of licensing policy are:
- 1 Identify concern about crime and disorder or public nuisance
 - 2 Consider whether there is good evidence that crime and disorder or nuisance are happening and are caused by the customers of licensed premises, or that the risk of cumulative impact is imminent.
 - 3 Identify the boundaries of the area where problems are occurring
 - 4 Consult with those specified in the Licensing Act 2003 and subject to the outcome of the consultation
 - 5 Include and publish details of a special policy in the licensing policy statement.
- 2.4 The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications or variations that are likely to significantly add to the existing cumulative impact will normally be refused, following relevant representations. This is unless the applicant can demonstrate in their operating schedule that there will be no significant negative cumulative impact on one or more of the licensing objectives.
- 2.5 The Police have provided a report which is an evidence based problem profile, identifying those areas affected by violent crime associated with the evening and night-time economy and seeking the extension of the Cumulative Impact Policy within the Statement of Licensing Policy.
- 2.6 The current Licensing Policy already contains the following CIP areas:
- Union Street
 - Mutley Plain
 - North Hill
 - Stoke Village
- 2.7 A Cumulative Impact Policy requires applicants to deliver an increased standard of application and operating practices in order to establish that the Policy should not be applied on that case. It does not prohibit future approval of new applications or variations to existing licenses. In every case the Licensing Committee must still prove the need for conditions or for the refusal of a licence following a representation from either a responsible authority or interested party.

3.0 Consultation Process

- 3.1 For this review the consultation period commenced on the 10th October for 4 weeks

The Licensing Act 2003 states that before determining its policy a Licensing Authority must consult –

- The chief officer of police for the Licensing Authority's area
- The Fire Authority for that area
- Primary Care Trust (now the Office of the Director of Public Health)
- Such persons as the licensing authority considers to be representative of holders of premises licences issued by the authority
- Such persons as the licensing authority considers to be representative of holders of club premises certificates issued by the authority

- Such persons as the licensing authority considers to be representative of holders of personal licences issued by the authority
- Such other persons as the licensing authority considers to be representative of businesses and residents in its area.

3.2 Letters were sent to all premises holding either a 'premises licence' or club premises certificate' advising them of the consultation. A similar letter was sent to the Resident / Community groups and faith groups for which contact details were available. A press release was issued and local media coverage was obtained. In addition the responsible authorities were consulted (Police, Child Protection, Trading Standards, Environmental Health, Public Health, Transport & Planning Service, Maritime & Coastguard Agency).

3.3 All ward Councillors and the Plymouth Waterfront Partnership Board were sent copies of the consultation documentation.

3.4 A total of 6 responses were received as a result of the consultation process.

4.0 Responses

4.1 The written responses are contained in Appendix 1.

4.2 The responses are generally supportive of the proposed extension. The proposed CIP area is seen as a mechanism to control the number and nature of licences issued. Both the Planning Officers and Sutton Harbour Holdings wish to see the CIP promote those businesses that will have a positive impact on both the local economy and local community amenity.

4.3 Any CIP, if inappropriately applied, can be seen as a barrier to inward investment and reduce the drive by competitors for improvements in existing businesses. Within the existing Barbican CIP there have been 15 new applications for premise licences, all of which have been deemed suitable and granted, since 2008.

4.4 Any new business which can operate to the correct quality, with an appropriate business model and be sensitive to the local community is would be encouraged.

5.0 Need for the Cumulative Impact Policy

5.1 The Police submission and crime data is contained in Appendix 2 Although the level of crimes in the ENTE has fallen (24% in the current CIP, 18% in Zone 1, 22% in Zone 2), over 80% of the analysed crimes occurred within the Evening and night time economy.

5.2 The proposed development at Bretonside and Sutton harbour Holdings aspirations are likely to attract an increased interest in late night outlets within both Zones. This increasing density of premises could have a negative impact on crime and disorder or public nuisance and detract from the area being promoted as a safe and vibrant night time area. It is important that any proposed CIP promotes the type of suitable businesses that complement the future economic and community aspirations of the area.

5.3 The Bretonside development was not recommended by the Police to be within the proposed CIP area as the development itself is unlikely to add to crime and disorder issues.

- 5.4 In general the majority of public nuisance issues relate to noise from entertainment held on the premises or noise and anti-social behaviour in the vicinity of premises or transit routes between the evening and night time economy areas and places of residence.
- 5.4 Noise directly attributable to individual premises can be adequately controlled using existing legislation from within the Licensing Act or the Environmental Protection Act. Nuisance not attributable to individual premises is difficult to control using powers available to the Local Authority.
- 5.5 Both proposed areas contain residential areas giving rise to residents' concerns regarding public nuisance and anti-social behaviour. The majority of these incidents go unreported due to their transient nature and the inability of the agencies to have an impact on this problem.
- 5.6 The extension of licensing hours to beyond 2.00 am and increased capacity of venues will obviously impact on the likelihood of public nuisance occurring in residential areas over a prolonged period of time. Officer's discussions with residents and experience during night time visits over the years have highlighted this issue to be a major concern.
- 5.7 The cumulative impact policy provides a suitable mechanism to assess and control the impact that additional licences or amendments to licences may have on residents. The existing policy has successfully been applied to prevent the extension of licensing hours and capacity where cumulative impact has been an issue.

6.0 **Alternatives to a Cumulative Impact Policy**

6.1 The Police and other agencies have worked closely with the trade to successfully introduce measures to reduce crime and disorder and public nuisance associated with the Evening and Night Time Economy (ENTE). An annual action plan is produced.

6.2 Examples of this work includes;

- Support for Pubwatch, Plymouth Licensing Forum and the Best Bar None award scheme
- Support for street pastors
- Investment in CCTV coverage
- Environmental improvements
- Under age sales campaigns
- Alcohol education campaigns
- Introduction of Alcohol Designated Public Places Orders
- Activities to identify, assist and control persistently violent offenders
- Continuation of the Street Safe Treatment Point

This work has contributed to reducing crime linked to the Evening and Night Time Economy (ENTE). A range of alternative strategies will continue to be used and developed through working groups that operate under Safer Plymouth.

7.0 **Regulatory Impact**

7.1 Regulators must have regard to the principles contained in the Regulators Code when undertaking regulatory activities, including the establishment of policies.

7.2 Regulators should avoid imposing unnecessary regulatory burdens through their regulatory activities and should assess whether similar social, environmental and economic outcomes could be achieved by less burdensome means. Regulators should choose proportionate approaches to those they regulate, based on relevant factors including, for example, business size and capacity.

- 7.4 No evidence has been submitted that confirms a disproportionate detrimental economic effect of the policy. Local experience appears to demonstrate that there is not a disproportionate effect. Alternative approaches are in place and will continue to evolve in partnership with the trade.
- 7.5 A Cumulative Impact Policy will only affect businesses in areas where evidence exists of crime and disorder or public nuisance, thereby targeting further regulatory controls to areas of need. The policy is applied equally to all business sizes and would not have a disproportionate effect on small business. It is possible that small businesses may have greater scope to convince the Licensing Committee or the responsible authorities that their operations would not add further negative impact.
- 7.6 In order to allow for greater flexibility in decision making the wording of the policy was amended when last reviewed. The Licensing Committee will now consider whether an application will have significant negative impact on the area, rather than no negative impact.

8.0 Conclusion

- 8.1 The responses received in relation to the extension of the Barbican CIP are welcomed. Where possible and appropriate they have been incorporated into the proposed new policy.
- 8.2 The operation of the Cumulative Impact Policy to date has been undertaken in a proportionate way to balance the need to promote the licensing objectives and the needs of the evening and night time economy.
- 8.3 The level of crime and disorder has reduced since the introduction of the policy in 2008, but our ENTE areas still account for the majority of violent crimes.
- 8.4 The extension of the Barbican cumulative impact area will help to guide future business growth in this area to ensure it is sensitive to the local community environment.

APPENDIX I – CONSULTATION RESPONSES

Licensing Act 2003 – Cumulative Impact Policy (CIP) - The Barbican Representations to the Public Consultation - November 2014			
Number	Respondent	Main points/representations	Officers response
1	Councillor Ricketts Drake Ward Conservative Party	"There is no need to further restrict the night time economy when we want to make Plymouth the Greatest city on earth. This will hurt business, tourism and stop the economic recovery we are seeing in the City"	Comments noted.
2	Capt. T Charlesworth Chief Executive & Harbour Master Cattedown Harbour Commissioners	I favour Option 2, but remain disappointed that the Option has ignored) the Barbican Landing Stage. P.C.C. is responsible for the licencing of the harbour tour craft with regard to the sale of alcohol. The MCA (Maritime and Coastguard Agency) only licence the vessel and crew. ASB (Anti-Social Behaviour) is not part of the MCA regime You will know that the party trips these vessels undertake can be quite 'lively' and there have been cases of passengers 'exiting' the craft before it is safely moored alongside. There are numerous cases of passengers disembarking when heavily influenced by alcohol consumption. These persons populate public realm (the landing stage) owned by PCC whist they move from vessel to shore. The suggested boundary of Option 2 is so close to the BLS (Barbican Landing Stage) it seems obvious to deviate the line to include it. Consultation Response letter supplied.	Comments noted. The Barbican landing stage will be included within any future boundary

3	<p>Adam Williams Planning Officer Strategic Planning and Infrastructure Plymouth City Council</p>	<p>Given our understanding of the policy now, we wouldn't raise any objections, only observations; Our main priority to safeguard in the barbican is its vibrancy and to retain its function as a prime cultural and leisure destination in the city. It would appear licencing will still be granted providing the applicant can display how its operation will not cause further nuisance (for instance in relation to opening times and capacity of people) which would perhaps begin to help the barbican to return to a more casual and family friendly place.</p> <p>On the 'guide to CIP' the only thing I would suggest to change is to perhaps provide guidance as to what would 'prove that they will not add to the existing problems'. Having this information laid out might ease concerns of a legitimate business who would like to open a new premise in the area, so as to avoid stagnation on the barbican.</p> <p>The only thing which I haven't been able to find information for is, if for example the council or other organisation wanted to stage an event (such as festivals) on the barbican would the cumulative impact policy provide a hindrance and make the organisation of events more challenging? Just a thought</p>	<p>Comments noted.</p> <p>Applicants for the grant of alcohol sales are granted where no representations received, regardless of whether the premise is located within a CIP area.</p> <p>Existing guidance information recommends that the applicant discusses their proposals with the appropriate responsible authority in order to overcome potential difficulties.</p> <p>One off events will have specific additional security and safety arrangements which will normally mitigate concerns. The existing CIP has not been a barrier to events across the City</p> <p>Officers will review guidance provided.</p>
4	<p>Sgt M Worthington Licensing Department Devon & Cornwall Police</p>	<p>The police recommend that the existing CIP area be extended to include the larger Zone 1 area which borders Sutton Road, Lockyers Quay and Exeter St</p> <p>Consultation Response letter supplied.</p>	<p>Comments noted.</p>

5	<p>Jon Turner Asset Manager Sutton Harbour Holdings plc</p>	<p>Sutton Harbour Holdings plc support the extension of the zone as we believe it will provide the regulatory tool to clear the type of operator who has no respect for their neighbourhood, residents, business or visitors.</p> <p>SHH through its structured and logical vision for the harbour embraces the policy to minimise alcohol related disorder and public nuisance in this area and welcomes the licensing authority's acknowledgement that a vibrant and active waterfront is a major contributor to the Cities economy.</p> <p>SHH vision for the Harbour area over the next 10 years, based on advice from Peter Brett Associates, could create in the region of £1.8m of additional business rates per annum to Plymouth City Council. The additional revenue could provide the resources necessary to target existing hot spots in the Barbican as well as additional surveillance in Zone 1 and 2.</p> <p>Consultation Response form supplied.</p>	Comments noted
6	<p>Laura Juett Senior Public Health Manager Office of the Director of Public Health Plymouth City Council</p>	<p>This response is provided within the context of Plymouth's Strategic Alcohol Plan 2013 - 2018 Promote Responsibility, Minimise Harm and the city's 4-4-54 Thrive Programme that is concerned with enabling and encouraging positive choices for better health. It also gives regard to the statutory licensing objectives and an approach where the local licensing framework is used proactively to protect health and wellbeing and prevent harm.</p> <p>There is a growing body of evidence indicating that the number of licensed premises in an area has a direct impact on levels of consumption and subsequent harm. Studies have shown clear relationships between density of outlets and levels of violence, traffic accidents and injuries. High outlet density has been directly linked to increased risky drinking and levels of violence.</p>	Contents noted

		<p>In recent years the sale alcohol from off-licenses, including supermarkets, has risen dramatically and now accounts for nearly half of all alcohol sold.</p> <p>Regular drinking above recommended limits and binge drinking are linked to poor health outcomes. They are also linked to crime, violence and anti-social behaviour. Overall levels of alcohol consumption in Plymouth give cause for concern.</p> <p>Between 2002/03 and 2009/10 alcohol attributable hospital admissions increased by 71% in Plymouth. The burden of health harm and hospital admissions is significantly higher in more deprived areas of the city, in particular in the Devonport, Stonehouse and City Centre neighbourhoods.</p> <p>An extension to the current Barbican cumulative impact area would provide an effective mechanism for managing the supply and availability of alcohol in this area.</p> <p>Therefore I would offer support to the proposed extension of the Barbican Cumulative Impact Area. Consultation Response letter supplied.</p>	
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Problem Profile: Crime and Anti-Social Behaviour

Barbican Areas 1 January 2010 to 31 December 2013

Day/ENTE –

Day - 0700-1859

ENTE (Evening and Night Time Economy) - 1900-0659

Weekday –

Runs from 0700 to 0659 (shift day)

Note: All data is only for offences/incidents/arrests where Day, ENTE & weekday can be identified

Offence types-

All violent crime - homicide, serious assault, other assault, common assault and other violence,

sexual offences and robbery.

Public order - sec 4 and 5 Public Order Act, affray, violent disorder and harassment offences

DTL - direction to leave

Drunkenness - drunk in a highway/public place/licensed premises, drunk premises, drunk and disorderly

Heat map tables –

Red = higher values, green = lower values

Calculation –

#DIV/0! – zero values, % cannot be calculated

The tables below show the number of offences committed between 1 January 2010 and 31 December 2013. By year, Day/ENTE and offence type

Barbican (original)

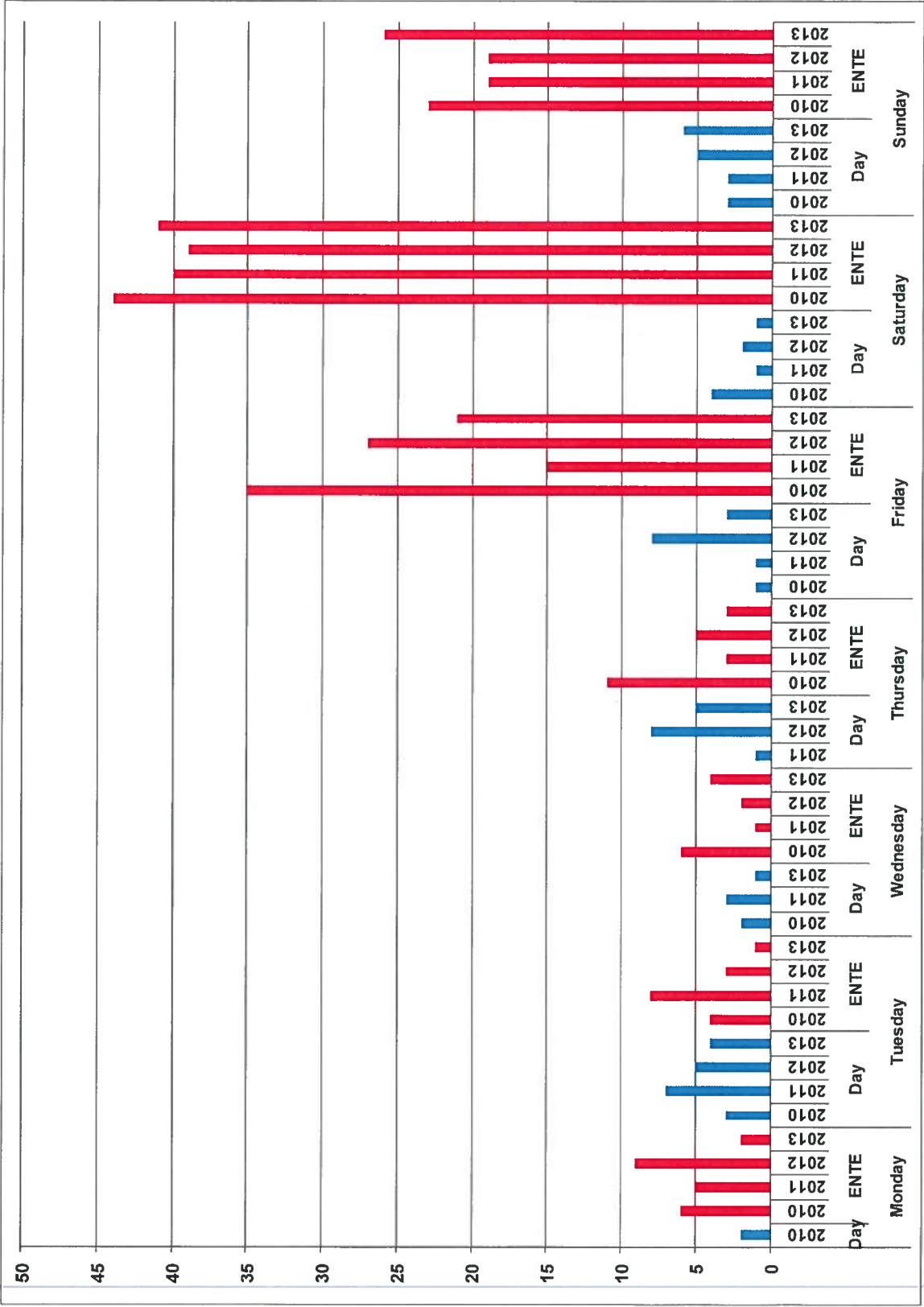
	2010				2011				2012				2013						
	Day	% of Total	ENTE	% of Total	Day	% of Total	ENTE	% of Total	Day	% of Total	ENTE	% of Total	Day	% of Total	ENTE	% of Total			
All violent crime	10	12.5%	70	87.5%	8	11.8%	60	88.2%	68	14	16.9%	69	83.1%	83	7	9.9%	64	90.1%	71
Sexual offences	0	0.0%	3	100.0%	1	25.0%	3	75.0%	4	0	0.0%	3	100.0%	3	2	33.3%	4	66.7%	6
Robbery	0	0.0%	2	100.0%	0	#DIV/0!	0	#DIV/0!	0	0	#DIV/0!	0	#DIV/0!	0	0	0.0%	2	100.0%	2
Public order	5	16.7%	25	83.3%	3	20.0%	12	80.0%	15	10	33.3%	20	66.7%	30	9	37.5%	15	62.5%	24
Fail to obey DTL	0	0.0%	7	100.0%	0	0.0%	8	100.0%	8	1	50.0%	1	50.0%	2	0	0.0%	7	100.0%	7
Drunkenness	0	0.0%	22	100.0%	4	33.3%	8	66.7%	12	3	21.4%	11	78.6%	14	2	25.0%	6	75.0%	30
Total	15	10.4%	129	89.6%	16	15.0%	91	85.0%	107	28	21.2%	104	78.8%	132	20	16.9%	98	83.1%	140

Barbican (Zone 2)

	2010				2011				2012				2013						
	Day	% of Total	ENTE	% of Total	Day	% of Total	ENTE	% of Total	Day	% of Total	ENTE	% of Total	Day	% of Total	ENTE	% of Total			
All violent crime	17	15.2%	95	84.8%	17	19.1%	72	80.9%	89	27	22.3%	94	77.7%	121	16	15.4%	88	84.6%	104
Sexual offences	0	0.0%	4	100.0%	1	12.5%	7	87.5%	8	0	0.0%	5	100.0%	5	2	28.6%	5	71.4%	7
Robbery	0	0.0%	3	100.0%	2	50.0%	2	50.0%	4	0	0.0%	1	100.0%	1	1	25.0%	3	75.0%	4
Public order	7	18.9%	30	81.1%	8	38.1%	13	61.9%	21	14	34.1%	27	65.9%	41	11	36.7%	19	63.3%	30
Fail to obey DTL	0	0.0%	7	100.0%	0	0.0%	9	100.0%	9	1	50.0%	1	50.0%	2	0	0.0%	7	100.0%	7
Drunkenness	0	0.0%	28	100.0%	4	20.0%	16	80.0%	20	4	22.2%	14	77.8%	18	2	20.0%	8	80.0%	10
Total	24	12.6%	167	87.4%	32	21.2%	119	78.8%	151	46	24.5%	142	75.5%	188	32	19.8%	130	80.2%	162

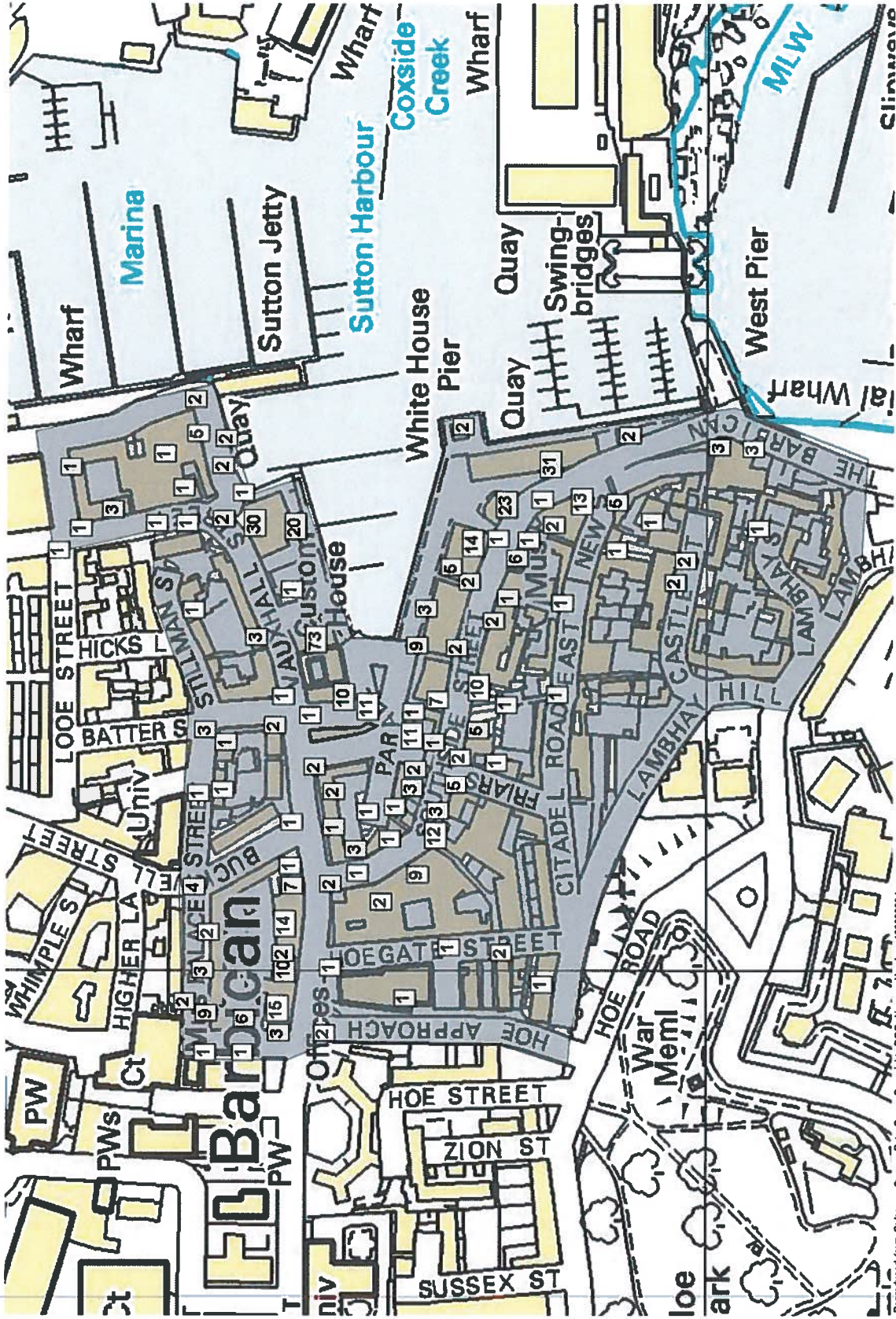
NOT PROTECTIVE MARKED
Version Date: 02/06/14

The graph below shows all offences Day/ENTE, and weekday: Barbican (original)



NOT PROTECTIVELY MARKED
Version Date: 02/06/14

The map below shows all ENTE offences: Barbican (original)



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NOT PROTECTIVE MARKED

Version Date: 02/06/14

The heat map table below shows all offences by hour and yearBarbican (Original)

Hour	2010	% of Total	2011	% of Total	2012	% of Total	2013	% of Total
0700-0759	0	0.0%	0	0.0%	0	0.0%	0	0.0%
0800-0859	0	0.0%	0	0.0%	0	0.0%	0	0.0%
0900-0959	0	0.0%	0	0.0%	0	0.0%	0	0.0%
1000-1059	0	0.0%	2	1.9%	1	0.8%	1	0.8%
1100-1159	3	2.1%	1	0.9%	1	0.8%	1	0.8%
1200-1259	0	0.0%	2	1.9%	0	0.0%	1	0.8%
1300-1359	1	0.7%	3	2.8%	1	0.8%	3	2.5%
1400-1459	1	0.7%	0	0.0%	8	6.1%	3	2.5%
1500-1559	1	0.7%	0	0.0%	0	0.0%	2	1.7%
1600-1659	3	2.1%	3	2.8%	6	4.5%	3	2.5%
1700-1759	3	2.1%	2	1.9%	3	2.3%	5	4.2%
1800-1859	3	2.1%	3	2.8%	8	6.1%	1	0.8%
1900-1959	5	3.5%	4	3.7%	6	4.5%	6	5.1%
2000-2059	10	6.9%	9	8.4%	4	3.0%	5	4.2%
2100-2159	13	9.0%	11	10.3%	16	12.1%	12	10.2%
2200-2259	23	16.0%	20	18.7%	15	11.4%	11	9.3%
2300-2359	27	18.8%	11	10.3%	20	15.2%	14	11.9%
0000-0059	25	17.4%	14	13.1%	17	12.9%	24	20.3%
0100-0159	13	9.0%	16	15.0%	16	12.1%	14	11.9%
0200-0259	9	6.3%	5	4.7%	7	5.3%	6	5.1%
0300-0359	3	2.1%	1	0.9%	2	1.5%	4	3.4%
0400-0459	1	0.7%	0	0.0%	1	0.8%	1	0.8%
0500-0559	0	0.0%	0	0.0%	0	0.0%	1	0.8%
0600-0659	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Total	144		107		132		118	

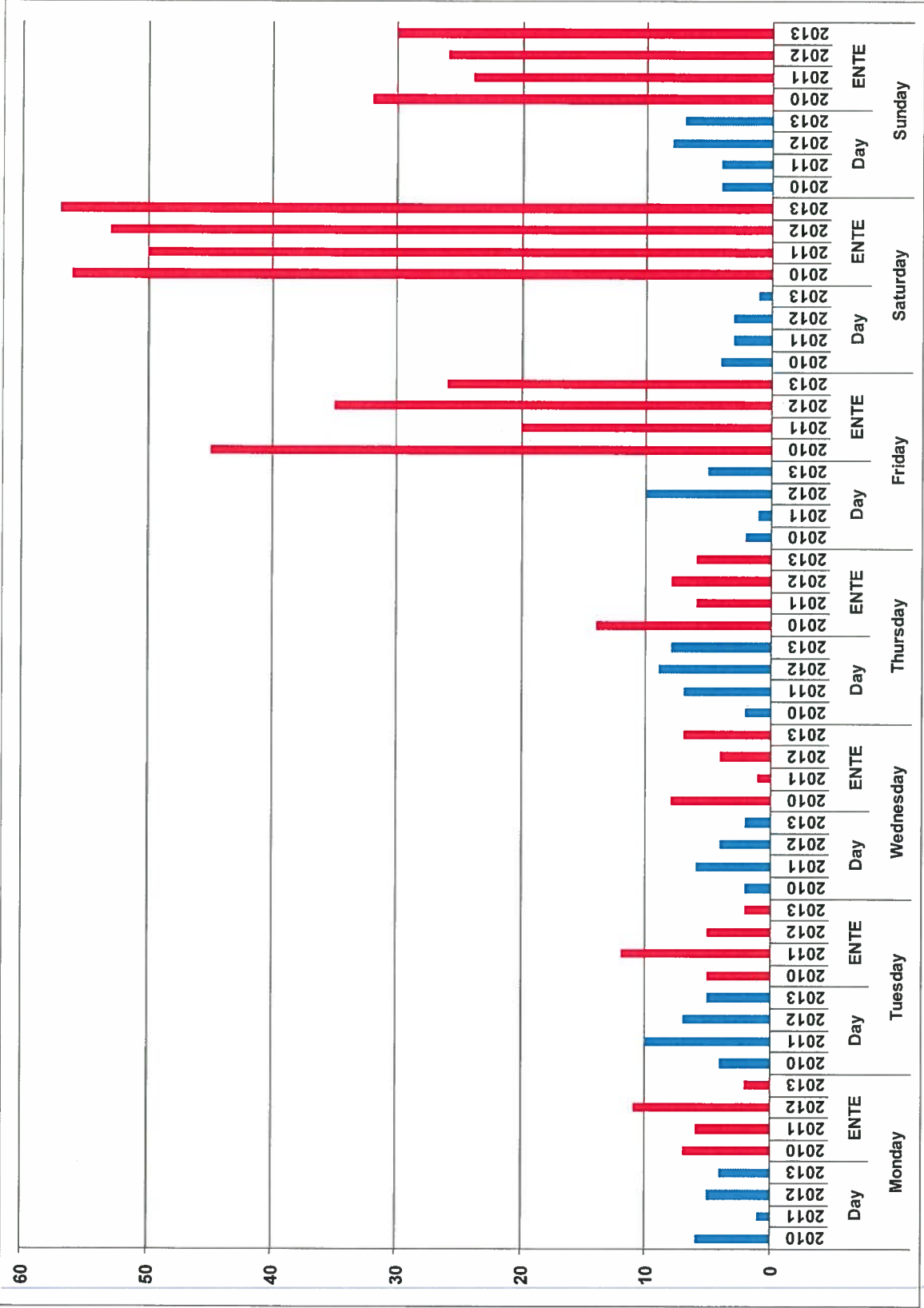
The table below shows all offences Day/ENTE, and weekday

Barbican (Zone 2)

	2010			2011			2012			2013					
	Day	ENTE	Total	Day	ENTE	Total	Day	ENTE	Total	Day	ENTE	Total	% change	% change	% change
Monday	6	7	13	1	6	7	5	11	16	4	2	6	-20.0%	-81.8%	-62.5%
Tuesday	4	5	9	10	12	22	7	5	12	5	2	7	-28.6%	-60.0%	-41.7%
Wednesday	2	8	10	6	1	7	4	4	8	2	7	9	-50.0%	75.0%	12.5%
Thursday	2	14	16	7	6	13	9	8	17	8	6	14	-11.1%	-25.0%	-17.6%
Friday	2	45	47	1	20	21	10	35	45	5	26	31	-50.0%	-25.7%	-31.1%
Saturday	4	56	60	3	50	53	3	53	56	1	57	58	-66.7%	7.5%	3.6%
Sunday	4	32	36	4	24	28	8	26	34	7	30	37	-12.5%	15.4%	8.8%
Total	24	167	191	32	119	151	46	142	188	32	130	162	-30.4%	-8.5%	-13.8%

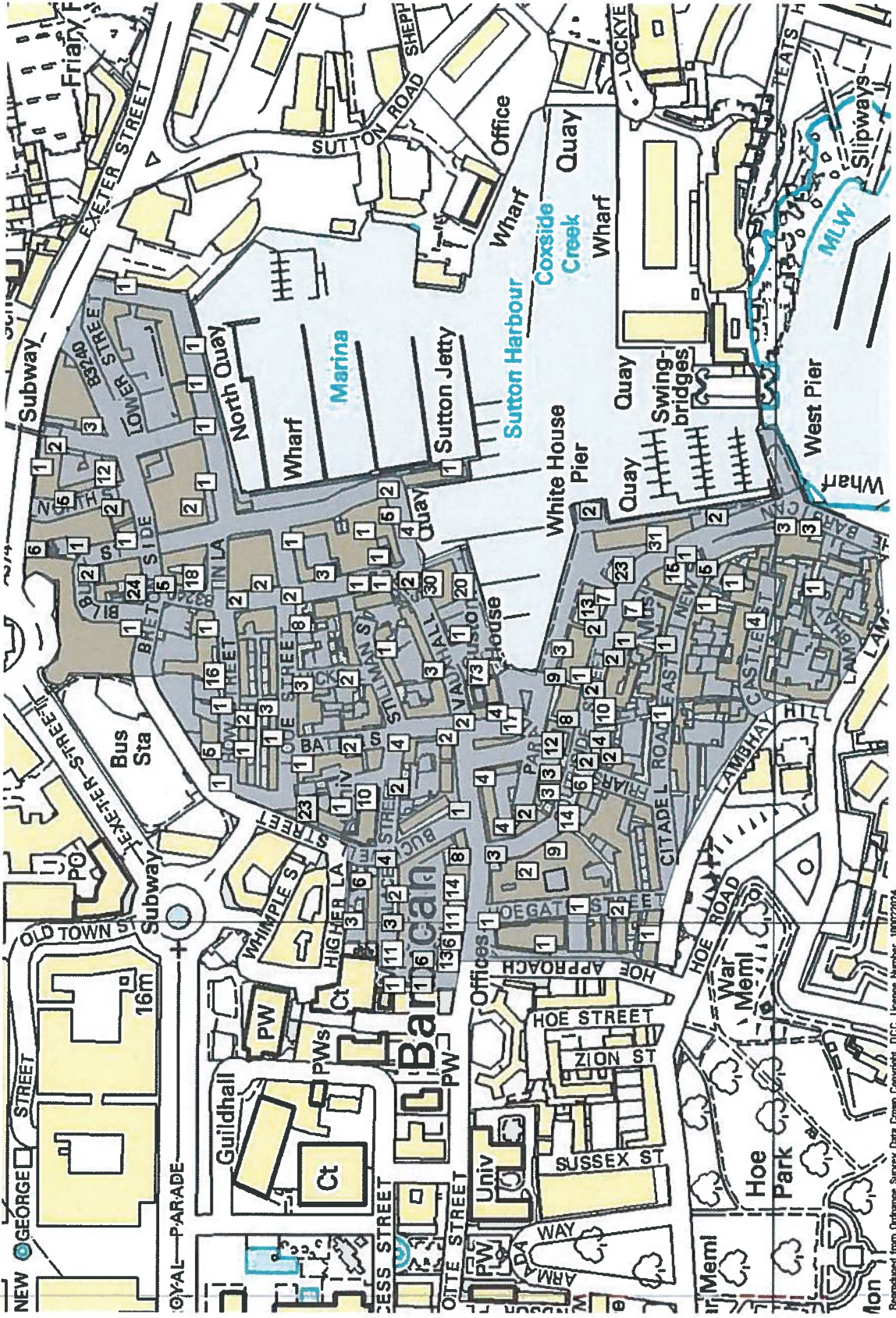
NOT PROTECTIVE MARKED
Version Date: 02/06/14

The graph below shows all offences Day/ENTE, and weekday: Barbican (Zone 2)



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Version Date: 02/06/14

The map below shows all ENTE offences: Barbican (Zone 2)



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Author: Donald Greig, Performance and Analysis Department
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Version Date: 02/06/14

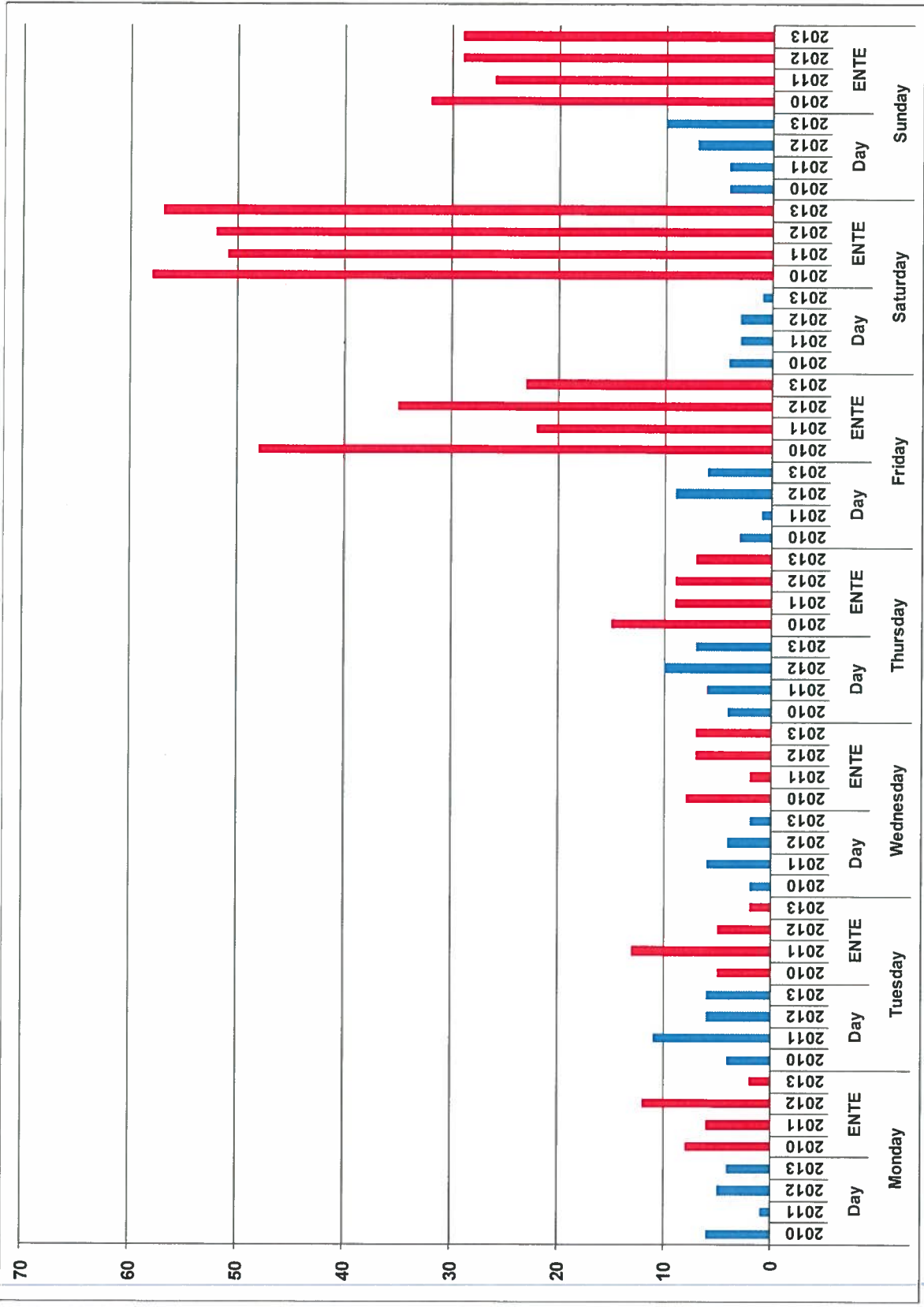
The heat map table below shows all offences by hour and year

Barbican (Zone 2)

Hour	2010	% of Total	2011	% of Total	2012	% of Total	2013	% of Total
0700-0759	0	0.0%	1	0.9%	1	0.8%	0	0.0%
0800-0859	0	0.0%	2	1.9%	0	0.0%	0	0.0%
0900-0959	0	0.0%	1	0.9%	1	0.8%	3	2.5%
1000-1059	3	2.1%	5	4.7%	1	0.8%	1	0.8%
1100-1159	5	3.5%	3	2.8%	2	1.5%	2	1.7%
1200-1259	1	0.7%	5	4.7%	7	5.3%	1	0.8%
1300-1359	3	2.1%	3	2.8%	1	0.8%	5	4.2%
1400-1459	1	0.7%	1	0.9%	10	7.6%	2	1.7%
1500-1559	1	0.7%	1	0.9%	3	2.3%	4	3.4%
1600-1659	3	2.1%	4	3.7%	6	4.5%	4	3.4%
1700-1759	3	2.1%	3	2.8%	4	3.0%	8	6.8%
1800-1859	4	2.8%	3	2.8%	10	7.6%	2	1.7%
1900-1959	7	4.9%	8	7.5%	9	6.8%	6	5.1%
2000-2059	12	8.3%	12	11.2%	6	4.5%	11	9.3%
2100-2159	20	13.9%	17	15.9%	19	14.4%	18	15.3%
2200-2259	24	16.7%	20	18.7%	24	18.2%	14	11.9%
2300-2359	36	25.0%	14	13.1%	24	18.2%	17	14.4%
0000-0059	28	19.4%	18	16.8%	23	17.4%	31	26.3%
0100-0159	16	11.1%	23	21.5%	21	15.9%	16	13.6%
0200-0259	13	9.0%	6	5.6%	13	9.8%	8	6.8%
0300-0359	7	4.9%	1	0.9%	2	1.5%	6	5.1%
0400-0459	1	0.7%	0	0.0%	1	0.8%	1	0.8%
0500-0559	1	0.7%	0	0.0%	0	0.0%	1	0.8%
0600-0659	2	1.4%	0	0.0%	0	0.0%	1	0.8%
Total	191		151		188		162	

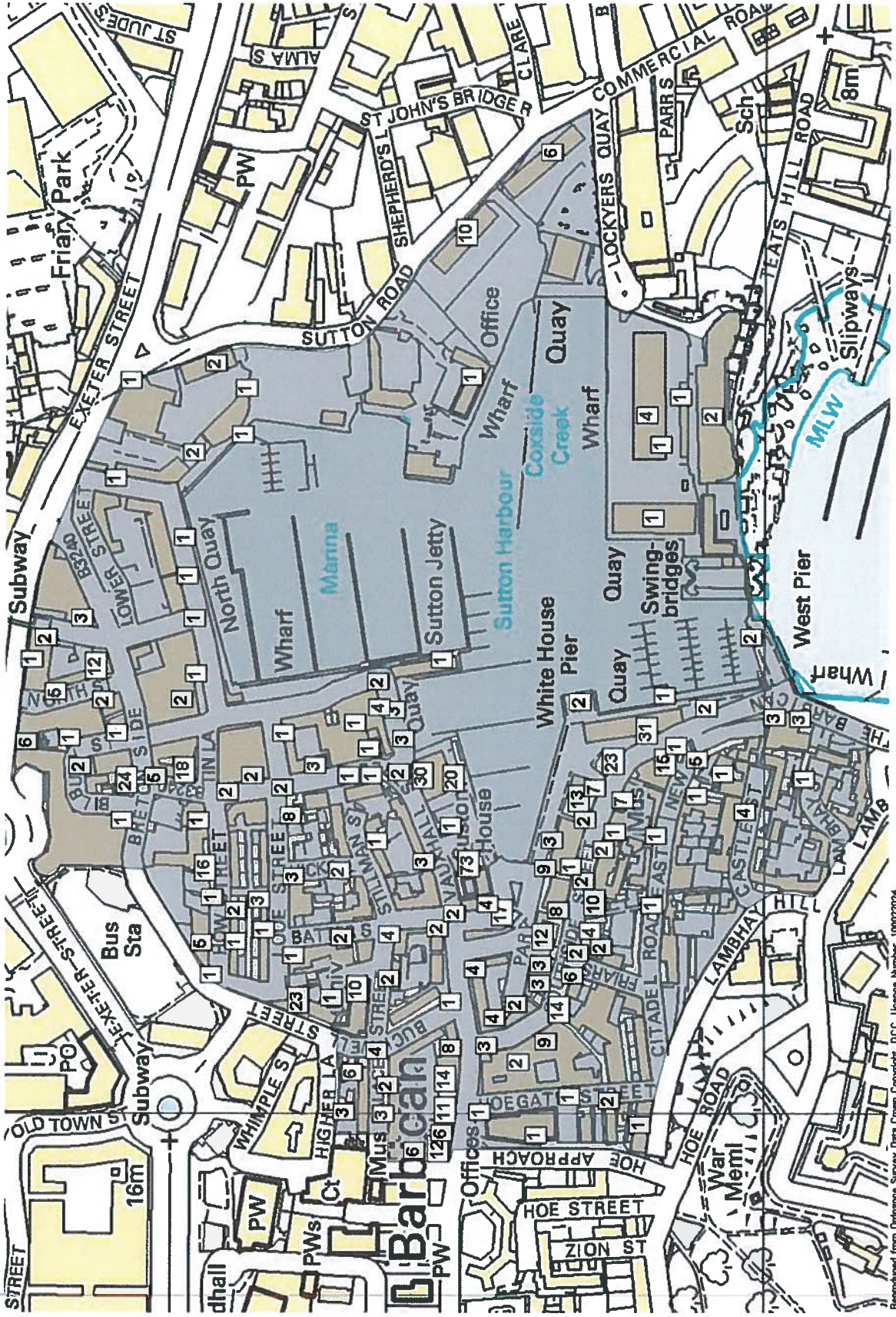
NOT PROTECTIVE MARKED
Version Date: 02/06/14

The graph below shows all offences Day/ENTE, and weekday: Barbican (Zone 1)



NOT PROTECTIVE MARKED
Version Date: 02/06/14

The map below shows all ENTE offences: Barbican (Zone 1)



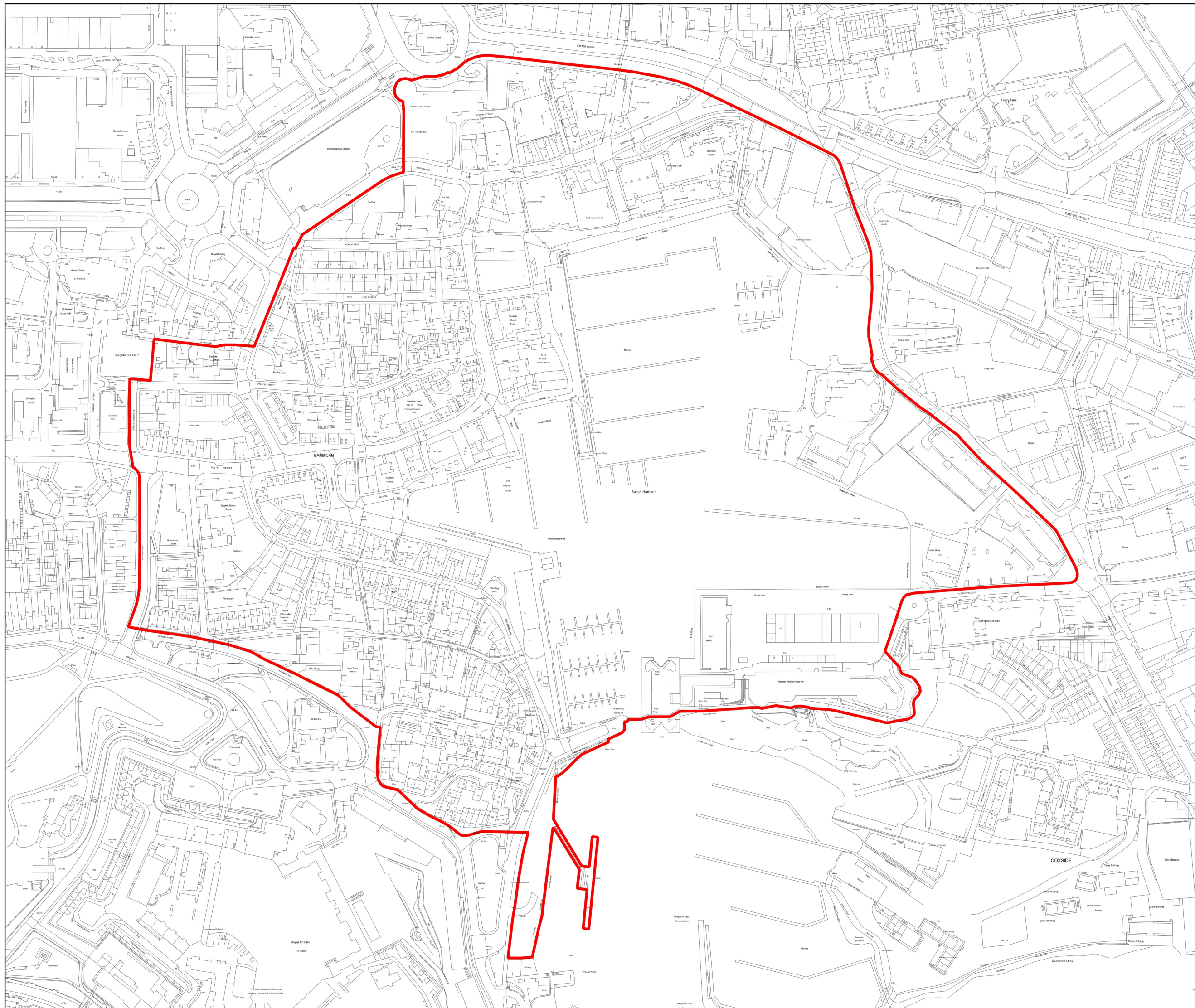
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Author: Donald Greig, Performance and Analysis Department
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The heat map table below shows all offences by hour and year

Barbican (Zone 1)

Hour	2010	% of Total	2011	% of Total	2012	% of Total	2013	% of Total
0700-0759	0	0.0%	1	0.9%	1	0.8%	0	0.0%
0800-0859	0	0.0%	2	1.9%	0	0.0%	0	0.0%
0900-0959	0	0.0%	1	0.9%	1	0.8%	4	3.4%
1000-1059	3	2.1%	5	4.7%	1	0.8%	1	0.8%
1100-1159	6	4.2%	3	2.8%	2	1.5%	2	1.7%
1200-1259	1	0.7%	5	4.7%	7	5.3%	1	0.8%
1300-1359	3	2.1%	3	2.8%	1	0.8%	6	5.1%
1400-1459	1	0.7%	1	0.9%	9	6.8%	2	1.7%
1500-1559	2	1.4%	1	0.9%	3	2.3%	4	3.4%
1600-1659	4	2.8%	4	3.7%	7	5.3%	5	4.2%
1700-1759	3	2.1%	3	2.8%	3	2.3%	9	7.6%
1800-1859	4	2.8%	3	2.8%	9	6.8%	2	1.7%
1900-1959	7	4.9%	8	7.5%	10	7.6%	6	5.1%
2000-2059	12	8.3%	13	12.1%	8	6.1%	11	9.3%
2100-2159	20	13.9%	17	15.9%	22	16.7%	15	12.7%
2200-2259	25	17.4%	23	21.5%	25	18.9%	14	11.9%
2300-2359	36	25.0%	14	13.1%	24	18.2%	17	14.4%
0000-0059	29	20.1%	19	17.8%	24	18.2%	30	25.4%
0100-0159	17	11.8%	24	22.4%	20	15.2%	17	14.4%
0200-0259	14	9.7%	9	8.4%	13	9.8%	8	6.8%
0300-0359	9	6.3%	2	1.9%	2	1.5%	6	5.1%
0400-0459	1	0.7%	0	0.0%	1	0.8%	1	0.8%
0500-0559	2	1.4%	0	0.0%	0	0.0%	1	0.8%
0600-0659	2	1.4%	0	0.0%	0	0.0%	1	0.8%
Total	201		161		193		163	



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PLYMOUTH CITY CENTRE BUSINESS IMPROVEMENT DISTRICT

WORKING PLYMOUTH SCRUTINY PANEL: MARCH 2015



1. Background

Plymouth City Centre Company Ltd established a Business Improvement District for Plymouth City Centre in April 2005 and it was renewed for another 5 year term in 2010.

Plymouth City Council Cabinet, at its meeting on 9th December 2014 received a paper on the proposals for a further 5 year term to take effect from March 2015. The paper ; Renewal of the Business Improvement District for Plymouth City Centre, described the significant achievements and improvements in the city centre over the last 10 years and how the Plymouth City Centre Company has provided a major voice for many businesses, organisations and partnerships within the City.

The Cabinet supported the proposals and approved the recommendations, namely to;

- Continue to endorse the principles and overall approach of the Plymouth City Centre Company BID and their Business Plan for 2015 to 2020
- Approve the City Council's financial and in kind contributions as set out in this report and to demonstrate continued commitment to the City Centre company BID at existing levels through the proposed BID Concordat and Contract for the provision of services within the Plymouth City Centre Business Improvement area.
- Authorise the City Council Chief Executive as returning officer to instruct a Ballot Holder to undertake a ballot of appropriate businesses within the City Centre Company Business Improvement District area.
- Delegate to the Strategic Director for Place authority to vote on behalf of the City Council in the Plymouth City Centre Company Business Improvement District ballot.
- Delegate to the Strategic Director for Place authority to approve the Plymouth City Centre Company Business Improvement District Contract provided that it accords with the general principles set out in this report.

2. The Ballot

The Council, as Ballot Holder are currently undertaking a democratic ballot of all eligible businesses located with the BID boundary with a ballot deadline of 5pm 16th March 2015. The formal ballot proceedings are being conducted by the Electoral Reform Service. The result of the BID ballot will be announced on 17th March 2015 and assuming a majority of businesses vote 'Yes' in the ballot (both by number and rateable value), the BID will be renewed.

3. The legislative framework

The legislative framework for BIDs includes a provision permitting a local authority to veto BID proposals regarding specific matters. With Plymouth BID being effectively a partnership between the Council and the business/retail sector in the shape of the City Centre Company it is considered important that a degree of independence is maintained when the time comes for the Council, as a whole, to consider whether the power of veto is applicable. The Working Plymouth Scrutiny Panel has been asked to review these matters in accordance with the Secretary of State BID regulations;

Question 1. Does the BID conflict to any material extent with any policy formally adopted by the Council?

Answer. No, the city centre in Plymouth is vital to the heart of the community and the businesses which trade within it. It is a key priority for Plymouth City Council and for the future of the city overall.

Question 2. Does the BID significantly disproportionate financial burden on any person/ class of persons in the geographical area of the BID?

Answer. No, the BID if successful will apply a 1.332% levy to all business rate payers within the BID area

Question 3. Has the geographical area of the BID changed? If so why?

Answer. Yes, the BID area has been extended to include Bretonside and Bretonside Bus Station to take account of the forthcoming development in that area.

Question 4. What is the level of support as evidenced by the result of the BID ballot for the BID proposals?

Answer. The voting mandate and the result of the ballot will be provided verbally to the Working Plymouth Scrutiny panel following the announcement of the result the day before

Question 5. What were the costs in developing the BID proposals and canvassing?

Answer. Costs have been met by the Plymouth City Centre Company as BID Proposer

4. Summary

This paper provides evidence that the Plymouth City Centre Business Improvement District, BID proposals and the ballot comply with matters in accordance with the Secretary of State BID Regulations. This information together with details of the voting mandate and result are to be considered by the Working Plymouth Scrutiny Panel in order for it to determine whether it chooses to exercise its power of veto

The Working Plymouth Scrutiny Panel is invited to view the BID Business Plan 2010-15 at: www.plymouthcitycentre.co.uk/BID .

Author: Patrick Knight, Economy and Employment Manager, Economic Development

Date: 2 March 2015

CITY COUNCIL: 23 MARCH 2015

Lord Mayoralty 2015/16

**Lord Mayor Selection Committee minute 4: 13 February 2015**

The Committee sought nominations for the Lord Mayoralty 2015/16. Having been nominated by Councillor Mrs Nicholson, and seconded by Councillor Mrs Beer, it is agreed unanimously to extend a cordial invitation to Councillor Dr John Mahony to accept the office of Lord Mayor for the following Municipal Year.

Members waited upon Councillor Dr John Mahony whom, on arrival, expressed his appreciation at the nomination which he was delighted to accept.

Agreed that it is unanimously recommended to City Council that it approves the appointment of Councillor Dr John Mahony as Lord Mayor for the 2015/16 Municipal Year.

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CITY COUNCIL**23 MARCH 2015****MOTION ON NOTICE****LAND DISPOSALS**

Following the Labour Council's decision in 18 December 2014 to market and dispose of various green open spaces across Plymouth for housing development, the Council resolves to abandon disposals where the majority of community representations oppose such a sale.

Proposed by Councillor Patrick Nicholson

Seconded by Councillor John Mahony

Dated 3 March 2015

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CITY COUNCIL**23 MARCH 2015****MOTION ON NOTICE****PLYMOUTH**
CITY COUNCIL**CAR PARKING**

Council resolves to instruct the Labour Council to review car parking provision on the Barbican before agreeing to sell off the Martin's Gate car park at Bretonside.

The Council further resolves to freeze car parking charges in the City until April 2016 and to continue to maintain free parking at district car parks such as Devonport, Stoke, Whiteleigh, Crownhill, Plympton and Plymstock.

Proposed by Councillor Steve Ricketts

Seconded by Councillor Lynda Bowyer

Dated 3 March 2015

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CITY COUNCIL**23 MARCH 2015****MOTION ON NOTICE****TRANSIT SITE**

This Council instructs the Cabinet Member for Co-operatives, Housing and Community Safety to bring forward a clear action plan to establish a transit site for Gypsies and Travellers to reduce the costs of unauthorised encampments falling as a burden on local taxpayers.

Proposed by Councillor Mrs Terri Beer

Seconded by Councillor Nigel Churchill

Dated 3 March 2015

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CITY COUNCIL**23 MARCH 2015****MOTION ON NOTICE****TOWNS AGAINST TAX DODGING**

The council notes:

- (a) It has been estimated that the UK Treasury loses as much as £12 billion to tax dodging by multinational companies every year. Developing countries lose three times more to tax havens than they receive in aid each year - enough to give a basic education to the 57 million children currently missing out.
- (b) The UK has a particular responsibility to end tax dodging, as it is responsible for 1 in 5 of the world's tax havens in the British Overseas Territories and Crown Dependencies.
- (c) The use of tax havens by UK companies is rife, with 98 of the FTSE 100 companies routinely using tax havens.
- (d) Large multinational companies pay as little as 5% in corporate taxes globally, while smaller businesses pay up to 30%.

This council believes:

- (1) As a local authority we have a duty to provide the best possible public services.
- (2) Our ability to provide quality local services would be significantly enhanced by the increased revenues from the government tackling tax dodging.
- (3) All who benefit from public spending should contribute their fair share.
- (4) The UK must take a lead role in creating a fairer tax system and combatting tax dodging.

This council resolves:

a) To support the campaign for tax justice, supporting the motion:

“While many ordinary people face falling household income and rising costs of living, some multinational companies are avoiding billions of pounds of tax from a tax system that fails to make them pay their fair share. Local governments in developing countries and the UK alike would benefit from a fairer tax system where multinational companies pay their fair share, enabling authorities around the world to provide quality public services. The UK government must listen to the strength of public feeling and act to end the injustice of tax dodging by large multinational companies, in developing countries and the UK. This Council resolves to write to the political party leaders to call on them to pledge support for a Tax Dodging Bill in the first 100 days of parliament after the general election.”

Proposed by Councillor Mark Lowry

Seconded by Councillor Philippa Davey

Dated 12 March 2015

CITY COUNCIL
23 MARCH 2015
MOTION ON NOTICE



LAND REGISTRY PROPOSALS FOR LOCAL LAND CHARGES

This Council notes that its Legal Service operates one of the most efficient Local Land Charges departments in the country (as recognised in 2013 by the Local Land Charges Institute) which generates much needed income for the Authority.

This Council is disappointed and concerned that:

- (a) despite widespread opposition from a variety of organisations including: the LGA; District Councils' Network; Association of Independent Search Agents; and the Local Land Charges Institute, the Government is pushing ahead with its planned transfer of responsibility for Local Land Charges Registers to HM Land Registry;
- (b) the Infrastructure Act, which puts the legislative framework in place to enable a future transfer, received Royal Assent on 12 February 2015 but did not undergo pre-legislative scrutiny;
- (c) the consultation by the Land Registry and subsequent Government response overlooked the substantial opposition to the proposed transfer across business, local authorities and the property sector;
- (d) from the Land Registry's inadequate consultation it is evident that there is no clear detailed implementation plan for these changes;
- (e) any transfer will have an adverse impact on this Council and the customers it serves, not least because of the requirement to provide data for a centralised register during the transition period, despite the withdrawal of funding for such service provision from Government.

Accordingly

- (1) given the genuine concerns that this Council has previously raised with Government regarding the need to fragment a system which is currently operating effectively; and
- (2) the adverse financial impact that this will have on the Council at a time when budgets are already under immense pressure:

This Council mandates the Chief Executive to:

- a) raise its opposition to the Government's proposals with local MPs
- b) writes to the Secretary of State requesting that the proposed transfer is stopped.

Proposed by Councillor Tudor Evans

Seconded by Councillor Bill Stevens

Dated 12 March 2015

CITY COUNCIL

23 March 2015



REPORT OF THE COUNCIL LEADER ON URGENT CABINET AND KEY DECISIONS

In accordance with the provisions of the constitution, the following urgent decision is reported to Council for noting (paragraphs 3.5 of the Cabinet Procedure Rules and 18.3 of the Access to Information Rules apply). This covers the period from May 2014 – March 2015.

PROPERTY INVESTMENT OPPORTUNITY, UNITS 6A-9A KAY CLOSE, NEWNHAM INDUSTRIAL ESTATE, PLYMPTON

Executive Decision by a Cabinet Member: Councillor Evans (Council Leader)

Decision:

- (1) To approve the Business case;
- (2) To add £0.603m for the acquisition to the PCC Capital Programme, funded from ring-fenced capital receipts;
- (3) To approve the acquisition of the long leasehold interest of Units 6A – 9A Kay Close, Newnham Industrial Estate, Plympton.

Urgent key decision	✓	Urgent Executive decision	✓
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Reason for Urgency:

‘The next forward plan will be for the period commencing on 31 March 2015 and it is impracticable to defer the decision because an opportunity has arisen for the Council to acquire the long leasehold interest of the units. The Council is currently the freehold owner and the merger of the freehold and leasehold interests will increase the value of the asset. In order to secure the acquisition, a decision is required by 13 March 2015, otherwise the investment opportunity will be lost.’

Written notice of key decision given to Councillor James (Chair of the Co-operative Scrutiny Board) on 27 February 2015 and agreed as an urgent decision which was implemented immediately on 6 March 2015.

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