



#plymcouncil

Democratic and Member Support

Chief Executive's Department
Plymouth City Council
Ballard House
Plymouth PL1 3BJ

Please ask for Judith Shore
T 01752 304494
E judith.shore@plymouth.gov.uk
www.plymouth.gov.uk/democracy
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CITY COUNCIL

Monday 29 February 2016
2.00 pm
Council House, Plymouth

Members:

Councillor Dr. Mahony, Chair

Councillor Ball, Vice Chair

Councillors Mrs Aspinall, Mrs Beer, Bowie, Bowyer, Mrs Bowyer, Mrs Bridgeman, Churchill, Coker, Damarell, Dann, Darcy, Philippa Davey, Sam Davey, Deacon, Downie, Drean, Evans, Fletcher, K Foster, Mrs Foster, Fox, Fry, Hendy, James, Jarvis, Jordan, Kelly, Martin Leaves, Michael Leaves, Sam Leaves, Lowry, McDonald, Morris, Murphy, Nicholson, Mrs Nicholson, Parker-Delaz-Ajete, Penberthy, Mrs Pengelly, Rennie, Ricketts, Riley, Dr. Salter, Singh, Smith, Sparling, 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.

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For further information on attending Council meetings and how to engage in the democratic process please follow this link - <http://www.plymouth.gov.uk/accesstomeetings>

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 - 8)

To approve and sign the minutes of the meeting held on 5 January 2016 as a correct record.

3. DECLARATIONS OF INTEREST

(Pages 9 - 10)

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. CONTINUING TO DELIVER THE CO-OPERATIVE VISION AND PROPOSED COUNCIL TAX LEVELS FOR 2016/2017 - TO FOLLOW

The City Council will be asked to –

- consider the updated report of the Assistant Director for Finance on delivering the co-operative vision and the proposed Council Tax levels for 2016/17;
- approve the proposed net revenue budget requirement for 2016/17;
- approve the capital budget 2016 to 2020;
- approve the Treasury Management Strategy and Annual Investment Strategy 2016/17 (incorporating the authorised limits, operational boundaries and prudential indicators);
- approve the change of policy in the calculation of the Minimum Revenue Provision using the annuity method with effect from 2015/16;
- approve the Council Tax levels for 2016/17.

The following reports considered by Cabinet on 16 February 2016 (and associated minutes of the meeting) will be submitted for consideration –

App 1 – Draft Revenue and Capital Budget report (and minute 75)

App 2 – Treasury Management Strategy and Annual Investment Strategy 2016/2017 report (and minute 76)

App 3 – Revenue Monitoring Report 2015/2016 Quarter 3 (and minute 77)

App 4 – Cabinet's response to the scrutiny recommendations (minute 74) and the scrutiny report

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City Council

Monday 25 January 2016

PRESENT:

Councillor Dr. Mahony, in the Chair.

Councillor Ball, Vice Chair.

Councillors Mrs Aspinall, Mrs Beer, Bowie, Bowyer, Mrs Bowyer, Mrs Bridgeman, Churchill, Coker, Damarell, Dann, Darcy, Philippa Davey, Sam Davey, Deacon, Downie, Drean, Evans, Fletcher, K Foster, Mrs Foster, Fox, Fry, Hendy, James, Jarvis, Jordan, Kelly, Michael Leaves, Lowry, McDonald, Morris, Murphy, Nicholson, Mrs Nicholson, Parker-Delaz-Ajete, Penberthy, Mrs Pengelly, Rennie, Ricketts, Riley, Dr. Salter, Singh, Smith, Sparling, Stevens, Storer, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent, Wheeler and Wiggins.

Apologies for absence: Councillors Martin Leaves and Sam Leaves

The meeting started at 2pm and finished at 6.50 pm.

Note: The full discussion can be viewed on the webcast of the City Council meeting at www.plymouth.gov.uk. 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.

47. MINUTES

Agreed the minutes of the –

- (1) Special meeting on 23 November 2015 (tabled at the meeting);
- (2) Ordinary meeting of the City Council held on 23 November 2015, subject to minute 37 being amended to show that Councillor declared an interest rather than Councillor Mrs Nicholson.

48. DECLARATIONS OF INTEREST

The following declarations of interest were made by councillors in accordance with the code of conduct in respect of items under consideration at the meeting -

Name	Minute Number	Reason	Interest
Councillors Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Fletcher, James, Kelly, Mike Leaves Lowry, Ricketts, Riley, Dr Salter and Wiggins	57b Habitable Private Rented Homes	Private Sector Landlord	Discloseable Pecuniary Interest (DPI)
Councillor Fry	57b Habitable Private Rented Homes	Private Sector Landlord (Outside Plymouth)	DPI

Councillor Dr Mahony	57c Junior Doctors	Member of the British Medical Association	Private
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49. **APPOINTMENTS TO COMMITTEES, OUTSIDE BODIES ETC**

The Assistant Director and Head of Legal Services notified members of the following changes to Committees and Outside Bodies –

	Committee, Outside Body	Membership
(a)	Health & Well Being Board (Chair)	Councillor Tuffin to replace Councillor McDonald as Chair (subsequent to the Leader's Scheme of Delegation being amended on 11 January 2016).
(b)	Plymouth Citizens' Advice Bureau – Trustee Board	Mr Christopher Pattison was nominated as one of the Council's two representatives at the AGM on 22 May 2015. He has now been appointed directly to the Board by the CAB. The Labour Group's replacement nominee is Mr David Evans.

50. **ANNOUNCEMENTS**

(a) **Lord Mayor**

- Ex-Councillor Jack Thompson – announcement of recent death;
- Councillor Evans – award of OBE;
- Mrs Phyl Ainsworth – award of British Empire Medal;
- Reverend Karl Freeman – award of MBE;
- Michelle Newman – award of MBE;
- Namibian World Cup Rugby Team – receipt of certificate and signed rugby ball;
- George Shepperd – Ping! – award of ping personality of the year;
- Sports Development Unit – receipt of the customer service accreditation;
- Street Services Dedicated Learners – award of certificates in Maths and English;
- South West School Chef of the Year winner – awarded to Sharon Cundell and CaterEd;
- Loo of the Year Award – receipt of platinum award;
- Loo attendant of the Year Award – Hazel Natey and Kate Prudence;
- Plymouth Energy Community - Paris UN Climate Summit award;

(b) **The Leader, Cabinet Members or Chairs of Committees**

The Leader

- Inaccurate 'Cities Outlook 2016' report by the Centre for Cities think tank;
- Results of the Peer Review;

- Rail network problems affecting Plymouth;
- Heart of the Southwest Devolution;
- Letter to the Secretary of State regarding the Housing and Planning Bill.

Councillor Penberthy

- Department for Work and Pensions universal credit roll out;
- Ernesettle Solar Farm;
- Bid for funding to tackle rogue landlords;
- Nelson affordable homes project;
- Opening of the fourth round of the Social Enterprise Investment Fund.

Councillor McDonald

- Concerns about children's safeguarding issues raised at the last meeting of the Council.

Councillor Lowry

- Purchase of the site of the former Quality Inn Hotel.

Councillor Philippa Davey

- Syrian refugees

51. **QUESTIONS BY THE PUBLIC**

There were no questions from members of the public.

52. **Council Tax Base Setting 2016/17 and Council Tax Support Scheme 2016/17**

Councillor Lowry (Cabinet Member for Finance) presented and Councillor Penberthy (Cabinet Member for Co-operatives and Housing) seconded a report on the Council Tax Base setting 2016/17 band Council Tax Support Scheme 2016/17 (Cabinet minute 66 refers).

Agreed -

- (1) the Council Tax Base for 2016/17 Tax setting as 69,846 Band D equivalents, which is the tax base after allowing for an estimated collection rate of 98.5%;
- (2) the continuation of the current Council Tax Support Scheme for 2016/17.

53. **Tamar Bridge and Torpoint Ferry Joint Committee Capital and Revenue Budget 2016/17**

Councillor Coker (Cabinet Member for Strategic Transport and Planning) proposed and Councillor Hendy (Joint Tamar Bridge and Torpoint Ferry Joint Committee Chair) seconded the Tamar Bridge and Torpoint Ferry Joint Committee Capital and Revenue Budget (Cabinet minute 67 refers).

Agreed the Tamar Bridge and Torpoint Ferry Joint Committee's 2016/17 Revenue Estimates and Capital Programme.

54. **Tamar Bridge and Torpoint Ferry Joint Committee Audit Arrangements 2015/16 and beyond**

Councillor Coker (Cabinet Member for Strategic Transport and Planning) proposed and Councillor Hendy (Joint Tamar Bridge and Torpoint Ferry Joint Committee Chair) seconded the Tamar Bridge and Torpoint Ferry Joint Committee Joint Committee Audit Arrangements 2015/16 and beyond.

Agreed the Tamar Bridge and Torpoint Ferry Joint Committee's–

- (1) Audit appointment of Cornwall Internal Audit for 2015/16;
- (2) intention to review of the audit arrangements from 2016/17 as outlined in the TBTFJC audit arrangements report;
- (3) request that the specific Value For Money test is conducted by an external agent;
- (4) intention to invite the Mount Edgcumbe Joint Committee to align its audit requirements with the TBTF to increase the scope to improve Value for Money

55. **Publication of Executive Decisions: Constitutional Amendment**

Councillor Smith (Deputy Leader) proposed and Councillor Stevens (Chair of the Constitution, Civic and Councillor Development Working Group) seconded the recommendation in the report on the Publication of Executive Decisions – Constitutional Amendment.

Agreed that -

- (1) executive decisions will normally be published on a Monday;
- (2) the constitution is amended accordingly and;
- (2) the change is implemented on Monday 8 February 2016.

56. **PAY POLICY STATEMENT 2016/2017**

Councillor Smith (Deputy Leader) proposed and Councillor Penberthy (Cabinet member for Cooperatives and Housing) seconded the report of the Chief Executive on the Pay Policy Statement 2016/2017.

Agreed the Pay Policy Statement 2016/17.

57. **MOTIONS ON NOTICE**

(i) Holocaust Memorial Day, 27 January 2016

Councillor P Davey proposed and Councillor Jarvis seconded a motion on the Holocaust Memorial Day, 27 January 2016.

Agreed to –

- (1) promote the importance of Holocaust Memorial Day and other annual events which take a stand against genocide, anti-Semitism, racism, xenophobia and hate crimes;
- (2) continue our development and promotion of Plymouth as a welcoming and inclusive City;
- (3) condemn unfair discrimination against anyone - residents, visitors and new comers including refugees we have recently welcomed to Plymouth;
- (4) foster a shared responsibility to create a better present and future for Plymouth by challenging the prejudiced views of a minority of people in our society who believe that race, religion, disability or sexuality makes some people's lives worth less than others.

(ii) Habitable Private Rented Homes

Councillor Kate Taylor proposed and Councillor Penberthy seconded a motion on Habitable Private Rented Homes.

Following a request from ten councillors for a recorded vote the motion Council agreed to -

- (1) write to the Minister of State for Housing and Planning, Brandon Lewis and our Members of Parliament expressing our concerns that they vote against new rules requiring Private Sector Landlords to ensure their properties are fit for human habitation;
- (2) continue to champion the Private Rented Charter in Plymouth and to work with Private Sector Landlords, Property Owners, Letting agents, and the Voluntary and Community Sector to improve the standards of Private Rented Homes across the City;
- (3) call on all of Plymouth's Private Sector Landlords to ensure that their properties are fit for human habitation and complies with all legislative requirements and to seek advice if they are unsure what this entails;
- (4) encourages all of Plymouth's Private Sector Landlords to join a recognised Landlords Association.

For the motion (29) –

Councillors Mrs Aspinall, Bowie, Mrs Bridgeman, Coker, Damerall, Dann, P

Davey, S Davey, Evans, Fox, Hendy, Jarvis, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, Sparling, Stevens, Storer, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent and Wheeler.

Against the motion (11) –

Councillors Ball, Darcy, Deacon, Downie, Drean, Foster, Mrs Foster, Jordan, Nicholson, Mrs Nicholson and Mrs Pengelly

Abstentions (1) -
Lord Mayor

(Councillors Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Fletcher, Fry, James, Kelly, Mike Leaves, Lowry, Ricketts, Riley, Dr Salter and Wiggins declared a Discloseable Pecuniary Interest in the above matter item and left the chamber for the duration of the discussion).

(iii) Junior Doctors

Councillor Stevens proposed and Councillor Kate Taylor seconded a motion on notice in regard to Junior Doctors.

Following a request from ten councillors for a recorded vote the motion Council agreed to reaffirm support for a world class National Health Service, free at the point of use, with high quality care and safety standards and a justly recognised and rewarded body of staff.

To deplore the heavy handed approach of the Conservative government in negotiations with Junior Doctors and their subsequent threat to impose a uniform contract described by the British Medical Association as "unsafe and unfair" and "bad for patients, bad for junior doctors and bad for the NHS." Measures such as the reduction in pay for working anti-social hours and the removal of the GP Trainee Supplement will be bad news for health care in Plymouth and could lead to a worrying reduction in coverage as Doctors are forced to work abroad instead.

Noting the overwhelming support for Junior Doctors in Plymouth, to call upon our Conservative Members of Parliament to join us in calling for the Government to resume meaningful talks and ensure Junior Doctors are rightly recognised with a just pay and reward system reflecting their vital role at the heart of the National Health Service.

For the motion (29) –

Councillors Mrs Aspinall, Bowie, Coker, Damerall, Dann, P Davey, S Davey, Evans, Fox, Hendy, Jarvis, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Riley, Rennie, Singh, Smith, Sparling, Stevens, Storer, Jon Taylor, Kate Taylor, Tuffin, Tuohy and Wheeler.

Against the motion (21) –

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Fletcher, Foster, Mrs Foster, Fry, James, Jordan, Kelly, Mike Leaves, Nicholson,

Mrs Nicholson, Ricketts, Mrs Pengelly and Wigen.

Abstentions (2) –
Lord Mayor and Councillor Mrs Bridgeman.

58. **QUESTIONS BY COUNCILLORS**

From	To	Subject
Councillor Mrs Pengelly	Councillor McDonald	Number of children home tutored.
Councillor Mrs Bowyer	Councillor Evans	Parking charges.
Councillor Parker-Delaz-Ajete	Councillor Penberthy	Effect of benefits changes to Plymouth residents.
Councillor Kate Taylor	Councillor James	Cross party EU scrutiny review group.
Councillor Riley	Councillor Evans	Plymouth Airport site and the Plymouth Plan.
Councillor Mrs Beer	Councillor Evans	Lead content in children's playground equipment.
Councillor Wheeler	Councillor Nicholson	Housing and Planning Bill - developer's ability to select their preferred organisation to consider planning appeals.
Councillor Evans	Councillor Stevens	Housing and Planning Bill - developer's ability to select their preferred organisation to consider planning appeals.
Councillor Bowyer	Councillor Evans	Letter regarding trident nuclear submarine programme.
Councillor Kate Taylor	Councillor Coker	Restoration of the North Corner pontoon.
Councillor Stevens	Councillor Evans	Parking Charges.
Councillor Morris	Councillor Smith	Investment in Sports and Leisure in the north of the City.
Councillor Kelly	Councillor Evans	Cruise liner terminal.
Councillor Kate Taylor	Councillor Penberthy	House of Lords vote to abolish income related child poverty targets

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

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DECLARING INTERESTS – QUESTIONS TO ASK YOURSELF

What matters are being discussed?

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

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

No

Yes

Declare interest and leave (or obtain a dispensation)

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

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

Yes No You can speak and vote

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

Yes No

Declare the interest and speak and vote

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

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

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

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