



#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 21 March 2016
2 pm
Council House, Plymouth

Members:

Councillor Dr. Mahony, Chair
Councillor Ball, Vice Chair

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

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

This meeting will be webcast and available on-line after the meeting. By entering the Council Chamber, councillors are consenting to being filmed during the meeting and to the use of the recording for the webcast.

The Council is a data controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with authority's published policy.

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

1. Apologies

To receive apologies for absence submitted by councillors.

2. Minutes (Pages 1 - 4)

To approve and sign the minutes of the meeting held on 29 February 2016 as a correct record.

3. Declarations of Interest (Pages 5 - 6)

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

4. Appointments to Committees, Outside Bodies etc (Pages 7 - 8)

The Head of Legal Services will submit a schedule of vacancies on committees, outside bodies etc and of changes notified to him.

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 the Co-operative Scrutiny Board and the Lord Mayor's Selection Committee

7. European referendum - impact on Plymouth (Pages 9 - 32)

Chair of the Co-operative Scrutiny Board, Councillor James

The City Council will be asked to note the recommendations agreed by the Co-operative Scrutiny Board on 2 March 2016.

8. Lord Mayoralty 2016 - 2017 (Pages 33 - 34)

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.

9. Motions on Notice

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

10. Ernest Brock Home for the Aged Charity (Pages 35 - 38)

The Head of Legal Services will submit a report about the Council and the Lord Mayor no longer nominating persons for appointment as Trustees to the Ernest Brock Home for the Aged charity.

11. Report of the Leader on urgent key decisions (Pages 39 - 40)

The Council Leader will submit a report on urgent key decisions taken since May 2015, for noting (paragraph 18.3 of the Access to Information Rules in the Constitution refer).

12. Council and committee meetings 2016/2017 (Pages 41 - 48)

The City Council will be asked to approve the draft Calendar of the Council and Committees for 2016/17 up to the next Annual General Meeting of the Council.

13. Questions by Councillors

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

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City Council

Monday 29 February 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, Dreaan, 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, Smith, Sparling, Stevens, Storer, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent, Wheeler and Wigens.

The meeting started at 2.00 pm and finished at 5.20 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.

59. MINUTES

The minutes of the meeting held on the 21 January were agreed.

60. DECLARATIONS OF INTEREST

David Shepperd (Assistant Director and Head of Legal Services) reminded councillors of the dispensation granted to all of them under the constitution at paragraph 21.2 in regard to Council Tax setting (minute 62).

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
Councillor Mrs Aspinall	62	Chair of Governors at Salisbury Road Primary School	Private
Councillor Mrs Beer	62	Employee of Devon and Cornwall Police	Private
Councillor Bowie	62	Governor at Mount Tamar School	Private
Councillor Darcy	62	Employee of Devon and Cornwall Police	Private
Councillor Stevens	62	Employee of Devon and Cornwall Police	Private

61. ANNOUNCEMENTS

(a) Lord Mayor

- UK Youth Parliament Elections;
- Long Service Awards for Plymouth City Council staff;

- Exception Centre of the Year Award – Plymouth Life Centre;
- Top 100 Apprenticeship Employer, National Apprenticeships Awards 2015;
- Plymouth Library PatLib Centre.

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

The Leader

- Local Government Chronicle Awards – Driving Growth;
- Submission of Devolution proposals;
- The Book of Wonder 2.

Councillor Smith

- Investment in playing pitches.

Councillor Penberthy

- Plan for Homes;
- Community Energy and Climate Change Project;
- Fair Trade fortnight.

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

At the start of the debate Councillor Evans proposed, Councillor Bowyer seconded and Council agreed 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 the Leader of the Opposition

Councillor Evans (Leader) proposed and Councillor Lowry (Cabinet Member for Finance) seconded a report and the amended recommendations on continuing to deliver the co-operative vision and proposed Council Tax levels for 2016/17.

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

- (1) to consider an Adult Social Care Council Tax precept and council tax levels for 2016/17;
- (2) to approve the proposed net revenue budget requirement for 2016/17 of £186.702m;
- (3) to approve the total capital budget of £419.116m to 2020;
- (4) to note that the Office of the Devon and Cornwall & 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, reflecting a one point nine nine per cent (1.99%) increase for 2016/17;
- (5) to note that the Devon and Somerset Fire and Rescue Authority precepts have been confirmed reflecting a one point nine nine per cent (1.99%) increase for 2016/17;
- (6) the Annual Treasury Management Strategy and Annual Investment Strategy 2016/17 (incorporating the authorised limits, operational boundaries and prudential indicators) as submitted;
- (7) to approve the change of policy in the calculation of the Minimum Revenue Provision using the annuity method with effect from 2015/16;

- (8) to note the Capital and Revenue Monitoring Report Quarter Three 2015/16;
- (9) that using the Council Tax base for 2016/17 as 69,846 [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 2016/17 is £94,081,975;
- (10) that the following amounts are calculated for the year 2016/17 in accordance with Sections 31 to 36 of the Act:
- (a) £531,512,693 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) £437,430,718 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) £94,081,975 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) £1,346.99 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;
- (11) 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 2016/17 for each part of its area and for each of the categories of dwellings -

Total annual council tax charge 2016/17**Plymouth City Council**

	A	B	C	D	E	F	G	H
2015/16	£880.38	£1,027.12	£1,173.85	£1,320.58	£1,614.04	£1,907.50	£2,200.96	£2,641.15
2016/17 - Council Tax Freeze	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
2016/17 - Adult Social Care Precept 2%	£17.61	£20.54	£23.48	£26.41	£32.28	£38.15	£44.02	£52.82
Total	£897.99	£1,047.66	£1,197.33	£1,346.99	£1,646.32	£1,945.65	£2,244.98	£2,693.97

Devon and Cornwall Police and Crime Commissioner

	A	B	C	D	E	F	G	H
2015/16	£112.98	£131.81	£150.64	£169.47	£207.13	£244.79	£282.44	£338.93
2016/17 - 1.99% Increase	£2.25	£2.62	£3.00	£3.37	£4.12	£4.87	£5.63	£6.75
Total	£115.23	£134.43	£153.64	£172.84	£211.25	£249.66	£288.07	£345.68

Devon and Somerset Fire and Rescue Authority

	A	B	C	D	E	F	G	H
2015/16	£52.28	£60.99	£69.71	£78.42	£95.85	£113.27	£130.70	£156.84
2016/17 - 1.99% Increase	£1.04	£1.22	£1.38	£1.56	£1.90	£2.26	£2.60	£3.12
Total	£53.32	£62.21	£71.09	£79.98	£97.75	£115.53	£133.30	£159.96

Aggregate of Council Tax Requirements

	A	B	C	D	E	F	G	H
	£1,066.54	£1,244.30	£1,422.06	£1,599.81	£1,955.32	£2,310.83	£2,666.35	£3,199.61

- (12) that in relation to (9) above Council confirms its commitment by a statement signed by the S151 Officer to allocate the additional funding raised by the two per cent (2%) council tax increase to adult social care in 2016/17 and in future years;
- (13) that in accordance with the principles approved under the Local Government Finance Act 1992 as amended by the Localism Act 2011, the Council's relevant basic amount of council tax for 2016/17 is not more than four per cent (4%) higher than the relevant basic amount of council tax for 2015/16 and that it is therefore determined; that the Council's relevant basic amount of Council Tax for 2016/17 is not excessive and for this reason a referendum will not be required;
- (14) that the use of one-off Minimum Revenue Provision savings as set out in the report is increased from £2.351m to the revised required draw down of £3.926m to close the budget gap of £1.575m.

For the motion (28) –

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

Against the motion (0)

Abstained (27) –

Lord Mayor, Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Churchill, Darcy, Deacon, Downie, Drear, Fletcher, Foster, Mrs Foster, Fry, James, Jordan, Kelly, Martin Leaves, Mike Leaves, Sam Leaves, Nicholson, Mrs Nicholson, Mrs Pengelly, Ricketts, Dr Salter and Storer.

DECLARING INTERESTS – QUESTIONS TO ASK YOURSELF

What matters are being discussed?

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

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

No

Yes

Declare interest and leave (or obtain a dispensation)

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

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

Yes

No

You can speak and vote

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

Yes

No

Declare the interest and speak and vote

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

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

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

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CITY COUNCIL

21 January 2016

**APPOINTMENTS TO COMMITTEES, OUTSIDE BODIES ETC**

Report of the Monitoring Officer and Head of Legal Services, Mr David Shepperd

The City Council is asked to note the following changes notified:

	Committee, Outside Body etc	Membership
(a)	North Yard Community Trust (Membership is four councillors)	Councillor Stevens to replace Councillor Kate Taylor
(b)	Incinerator Liaison Committee (Current membership is one councillor. This is increasing to two councillors.)	Councillor Wheeler One nomination required. Must be a ward member from Ham, Devonport or St Budeaux.

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

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Co-operative Scrutiny Board – EU Referendum Review

City Council: 21 March 2016



Co-operative Scrutiny Board Minute 112 (9 March 2016)

At Full Council on 23 November 2015 a motion was debated and agreed which required the Co-operative Scrutiny Board to undertake a review into the EU Referendum. Following this directive the Co-operative Scrutiny Board held a session which scrutinised the advantages and disadvantages of European Union membership on the City of Plymouth.

The Lead Officer, Ross Jago, presented the EU Referendum Review report for the Board's consideration.

The Board agreed to recommend the following to Full Council, that -

- (1) the Assistant Director for Learning and Communities encourages schools in Plymouth to hold debates on the EU Referendum;
- (2) the content of the report is forwarded to Full Council on 21 March 2016 as directed by the motion on notice agreed at the meeting on 23 November 2015.

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EU REFERENDUM

Co-operative Scrutiny Board



1. Purpose of Report
 2. Fiscal Impacts
 3. Trade
 4. Inward Investment
 5. EU Regulation of Products and Markets
 6. Inward Investment
 7. Agriculture
 8. Fisheries
 9. Safety and Security
 10. Conclusions and Recommendations
- Appendices

1. Purpose of Report

- 1.1 At Full Council on the 23 November 2015 a motion was debated and agreed to - *Ask the Chair of the Co-operative Scrutiny Board to create a cross party EU task group, including representatives from all parties, that will invite evidence from local business leaders, the LEP, trade unions, local universities, the police, the NHS, agricultural representatives, charities, district and parish councils and other partner agencies in order to compile a comprehensive report that will be presented to full Council, all partner agencies, the Secretary of State for Business, Innovation and Skills and be made available to the public prior to the referendum. The Co-operative Scrutiny Board is required under the constitution to undertake work as directed by Full Council.*
- 1.2 This report provides the findings of a session of the Co-operative Scrutiny Board into the advantages / disadvantages of European Union membership on the City of Plymouth.
- 1.3 Due to the Budget Scrutiny process the request was agreed by the Board on the 17th February 2016.
- 1.4 In preparation for the session the Board invited local representatives to provide evidence on the advantages / disadvantages of EU membership for Plymouth. Requests were made to representatives of –
- Other Local Authorities
 - Blue Light Emergency Services
 - National Health Service
 - Voluntary and Community Sector
 - Universities and Higher Education
 - The Business Community
 - Fisheries and Agriculture
- 1.6 In addition all members of the Council were invited to submit evidence and take part in the scrutiny process and to distribute the call for evidence amongst their networks.
- 1.7 As a result of the Call for Evidence two written submissions were provided. Submissions from the Devon and Cornwall Police and Crime Commissioner and the Chair of the Plymouth and Devon Chamber of Commerce are attached as appendices to this report. In addition the City Council's Economic Development service was asked to prepare a short report as outlined in the Project Initiation Document and Full Council Motion.
- 1.8 In order to achieve a wider response to the call for evidence the Chair and Vice Chair of the Board agreed to post-pone the initial meeting in February until early March 2016, during which time the Prime Minister concluded negotiations and the timing of the referendum was announced. The Board

agreed to meet on 2nd March 2016 to consider evidence put forward by witnesses and to receive information from council officers.

- 1.9 This report draws on the information provided at the meeting of the 2 March 2016 and the extensive *Reading list on UK-EU relations 2013-16: reform, renegotiation and withdrawal*¹.

2. Fiscal Impacts

- 2.1 It is almost impossible to quantify the advantages and disadvantages of EU membership for Plymouth in monetary terms.
- 2.2 It is not possible to extrapolate fiscal data down to a local level as figures relating to national contributions and receipts are only available at national or regional level. For example, European Social Fund allocations are only available at a regional level and there is no further project data available publicly. Similarly we are unable to obtain local data for other European funds such as INTERREG or FP 7 (Europe's research programme).
- 2.3 Data on the European Regional Development Fund (ERDF) investments in the last programme round (2007-2013) for the South West are available publically. From this data it was possible to identify projects that were primarily based in Plymouth (Appendix 1) and as such have benefitted Plymouth.
- 2.4 Further to this, ERDF has funded several programmes which targeted the whole South West region, meaning that while not exclusively aimed at Plymouth or located in Plymouth, Plymouth businesses were able to participate and benefit from these projects. The investments presented in Appendix 2 show these regional-wide ERDF funded programmes.
- 2.5 Without project data from each project it is impossible to identify to what extent Plymouth's businesses have benefitted from these programmes.

3 Trade

- 3.1 The UK has traditionally had strong trade links with Europe. Despite changes in the composition of the global economy, the EU in 2015 accounted for 43.9% of UK exports of goods and services, and 53.4% of UK imports of goods and services². As the Eurozone economy continues to underperform against forecast, the proportion of British trade accounted for by the rest of the EU is falling.
- 3.2 Within the South West region dependency on trade with EU countries appears to be higher than nationally: 59.2% of all South West exports are to the EU (£8.2bn out of £13.8bn), compared with 45% nationally; 40% of SW imports are from the EU (£7.6bn out of £11.5bn).

3.3 South West Exports

	2014	2013	2012
EU	£8,180m	£8,015m	£7,465m
EU (%)	59.2%	58.6%	58.6%
Non-EU	£5,631m	£5,662m	£5,268m
Non-EU (%)	40.8%	41.4%	41.4%

South West Imports

	2014	2013	2012
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¹ <http://researchbriefings.files.parliament.uk/documents/CBP-7220/CBP-7220.pdf>

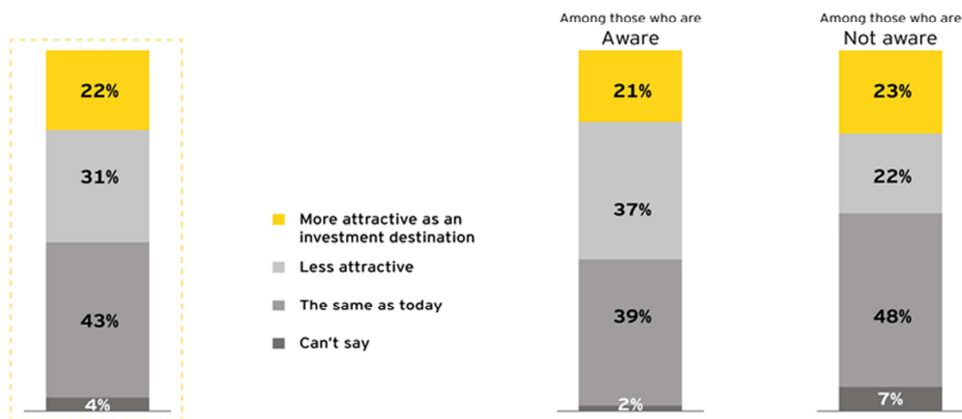
² Source: UK Regional Trade Statistics, HMRC 2015

EU	£7,626m	£7,750m	£7,093m
EU (%)	39.9%	39.9%	39.5%
Non-EU	£11,489m	£11,683m	£10,866m
Non-EU (%)	60.1%	60.1%	60.5%

4 Inward Investment

- 4.1 In their latest UK attractiveness survey, EY have highlighted that the UK remains the 4th most attractive Foreign Direct Investment (FDI) location in the world, after US, China and India and before any other European country.³
- 4.2 EU countries are an important source of FDI for the British economy. In 2014, the EU countries accounted for 46% of the United Kingdom’s stock of inward foreign direct investment. However, inflows of foreign direct investment by EU countries have been slowing over recent years and more investment has been flowing in from non-EU countries.
- 4.3 Of the largest 20 companies by sales turnover registered in Plymouth (excluding education and government), 50% are owned in the UK and 50% are foreign owned. Of these half are owned by an EU company and the other half are subsidiaries of multinational US or Japanese firms.
- 4.4 72% of surveyed investors in the EY report stated that access to the European market was an important part of the UK’s attractiveness. Furthermore, several foreign government leaders have named the UK as their preferred entry point to Europe and the European market⁴.
- 4.5 The extent to which a decision to leave the European Union will influence future FDI decisions is unclear and assessments regarding this are contested.⁵ Already the prospects of an EU referendum seem to have an impact on FDI, with 31% of investors stating they were likely to reduce or put on hold any investments before the EU referendum.⁶ When asked whether leaving the EU (while still maintaining access to the Single Market) would affect the UK’s attractiveness, 22% believed it would be more attractive and 31% believed the UK would become less attractive as a FDI destination.⁷

4.6 If the UK did vote to leave the EU but retained access to the single market on similar terms as today but with no political links to the EU, would this make the UK more or less attractive as an FDI location, or the same as today?



Source: EY 2015 UK attractiveness survey

³ <http://www.ey.com/UK/en/Issues/Business-environment/2015-UK-attractiveness-survey>

⁴ http://www.uk.emb-japan.go.jp/en/japanUK/governmental/130711_UKEU.html

<http://www.bbc.co.uk/news/uk-politics-33647154>

<http://www.cityam.com/228670/eu-referendum-indian-prime-minister-narendra-modi-says-uk-is-indias-entry-point-into-the-eu>

⁵ <http://assets.woodford.in/the-economic-impact-of-Brexit.pdf>

⁶ <http://www.ey.com/UK/en/Issues/Business-environment/2015-UK-attractiveness-survey>

⁷ <http://www.ey.com/UK/en/Issues/Business-environment/2015-UK-attractiveness-survey>

5. EU regulation of products and markets

- 5.1 The Board has not received evidence from local stakeholders on whether local businesses feel that EU regulations have a negative or positive impact on their business.
- 5.2 The Confederation of British Industry (CBI) has stated in their report 'Our global future: the business vision for a reformed EU' that, "Despite frustrations with a number of specific pieces of legislation, the majority of CBI members continue to believe that the benefits of EU membership through enhanced market access and competitiveness outweigh the costs of regulation. 71% of CBI member companies reported that, on balance, the UK's membership of the EU has had a positive impact on their business – with over half (52%) saying that they had directly benefitted from the introduction of common standards. Only 15% suggested this had had a negative impact."⁸
- 5.3 Much of the UK's public procurement is regulated by the European Union. The rules which are summed up in terms such as OJEU⁹ and Alcatel¹⁰ are often criticised as being too bureaucratic and a barrier to buying British¹¹. Withdrawal from the EU may lead to such regulations disappearing however; the potential for public body decisions to be subject to judicial review will remain. As such public bodies are unlikely to be left to regulate themselves, and it is likely that the UK government would step in to provide regulation and the Small Business, Enterprise and Employment Act 2015 provides the opportunity to do so. In addition, if the UK was to exit the EU but negotiate to remain a member of the European Economic Area (EEA) bodies in the UK would continue to be subject to EU regulation but would be unlikely to be able to influence their review in 2024.¹²

6. Agriculture

- 6.1 The Board has not received evidence from local stakeholders regarding this issue.
- 6.2 Farms surrounding Plymouth, registered in PL1 to PL9 postcodes received £4.5million total payments under the CAP in 2014. Included within this were payments to Plymouth City Council of approx. £20k in Rural Payments and Market Schemes¹³.
- 6.3 The National Farmers Union has not established a position on the question of whether to leave or remain within the EU. The NFU in *UK Farming's Relationship with the EU*¹⁴ highlighted a number of industry benefits derived from EU membership including the Single Market, labour availability, market standards and the CAP's ability to protect Farmers from volatile markets and ensuring a fair income. Latest figures from Defra show that 55%¹⁵ of UK Total Income from Farming comes from CAP support payments.
- 6.4 The NFU are more critical of the UK rebate and suggest that the rebate causes reluctance on the part of the UK Government to draw down discretionary funds which results in the UK's share of the Rural Development Fund being one of the lowest of all member states.¹⁶
- 6.5 Withdrawal from the EU could allow the UK to negotiate bilateral trade deals with countries outside the EU and at the WTO which could have a positive economic impact; benefits would depend on the terms on which the UK joined a different trade area, if it chose to do so.¹⁷

7 Fisheries

- 7.1 The Board has not received evidence from local stakeholders regarding this issue.

⁸ <http://news.cbi.org.uk/reports/our-global-future/>

⁹ Official Journal of the European Union (S Series, Invitation to Tender)

¹⁰ Alcatel mandatory standstill period a period of at least ten calendar days following the notification of a contract award decision tendered via OJEU before the contract is signed

¹¹ <http://researchbriefings.files.parliament.uk/documents/CBP-7213/CBP-7213.pdf>

¹² <http://www.cips.org/en-gb/supply-management/analysis/2015/september/what-would-a-brexite-mean-for-public-procurement-in-the-uk/>

¹³ <http://cap-payments.defra.gov.uk/SearchResults.aspx?Page=1&Sort=ARuralDevelopmentTotal>

¹⁴ <http://www.nfuonline.com/assets/52824>

¹⁵ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/480012/agriaccounts-tiffstatsnotice-26nov15.pdf

¹⁶ <http://www.nfuonline.com/assets/52824>

¹⁷ <http://researchbriefings.files.parliament.uk/documents/CBP-7213/CBP-7213.pdf>

- 7.2 The European Maritime and Fisheries Fund (EMFF) is the fund for the EU's maritime and fisheries policies for 2014-2020. It is one of the five European Structural and Investment (ESI) Funds which complement each other and seek to promote a growth and job based recovery in Europe. The fund attempts to –
- help fishermen in the transition to sustainable fishing
 - support coastal communities in diversifying their economies
 - finance projects that create new jobs and improve quality of life along European coasts
 - make it easier for applicants to access financing.¹⁸
- 7.3 Plymouth Fisheries is now the second largest fresh fish market in England and sustains over 600 direct and indirect jobs.¹⁹ A recent investment of £1.2million into facilities based at Sutton Harbour has been part-funded by grants totalling more than £500,000 from the European Fisheries Fund (EFF).²⁰
- 7.4 Total allowable catches (TACs) or fishing opportunities, are catch limits (expressed in tonnes or numbers) that are set for most commercial fish stocks. The Commission prepares the TAC proposals, based on scientific advice on the stock status from advisory bodies. TACs are set annually for most stocks (every two years for deep-sea stocks) by the Council of fisheries ministers. TACs are shared between EU countries in the form of national quotas. For each stock a different allocation percentage per EU country is applied for the sharing out of the quotas.²¹
- 7.5 EU countries have to use transparent and objective criteria when they distribute the national quota among their fishermen. They are responsible for ensuring that the quotas are not overfished. When all the available quota of a species is fished, the EU country has to close the fishery.²² In the UK management of quotas is delivered by the Marine Management Organisation, an executive non-departmental public body, sponsored by the Department for Environment, Food & Rural Affairs.²³
- 7.6 In December 2014 south west fisheries quotas remained stable however the Council of Ministers agreed to cuts of 10 per cent to channel-caught plaice and sole, 26 per cent of cod, 14 per cent whiting and 12 per cent haddock, all species regularly caught and landed at ports in Devon and Cornwall. The Manager of Plymouth Fisheries and Harbour Master of Sutton Harbour said in 2014 “The new quotas are the best result for the South West fishing industry that we could have hoped for from what is now accepted to be a bad management system, and admittedly not the disaster we first feared. But whilst they may not herald the demise of the industry entirely, they will still increase the pressure on fishermen already struggling to operate viable businesses.²⁴

8 Safety and Security

- 8.1 There is no evidence that Britain's membership, or lack thereof, of the European Union would directly impact Britain's membership of NATO or seat on the UN Security Council. However it is not possible to accurately assess whether and to what extent intelligence sharing would cease if the UK left the EU and what the effects of this would be.
- 8.2 The submission from the Devon and Cornwall Police and Crime Commissioner outlined a number of European Treaties and Agencies which increase co-operation, security and intelligence sharing such as Europol, Eurojust and the European Arrest Warrant.

9 Conclusions and Recommendations

- 9.1 Whilst the Board has provided information in this report regarding the advantages and disadvantages for Plymouth of EU membership as far as it has been able, the Board has not been able to provide a

¹⁸ http://ec.europa.eu/fisheries/cfp/emff/index_en.htm

¹⁹ <http://www.plymouthfisheries.co.uk/news/2015/3/9/plymouth-fisheries-fact-file>

²⁰ <http://www.plymouthfisheries.co.uk/news/2015/2/24/plymouth-fisheries-celebrates-20th-anniversary-as-turnover-soars-by-1795million-in-two-decades>

²¹ http://ec.europa.eu/fisheries/cfp/fishing_rules/tacs/index_en.htm

²² http://ec.europa.eu/fisheries/cfp/fishing_rules/tacs/index_en.htm

²³ <https://www.gov.uk/government/organisations/marine-management-organisation>

²⁴ <http://www.plymouthfisheries.co.uk/news/2014/12/17/fishing-industry-experts-respond-to-new-eu-quotas>

comprehensive report as set out in the motion on notice.

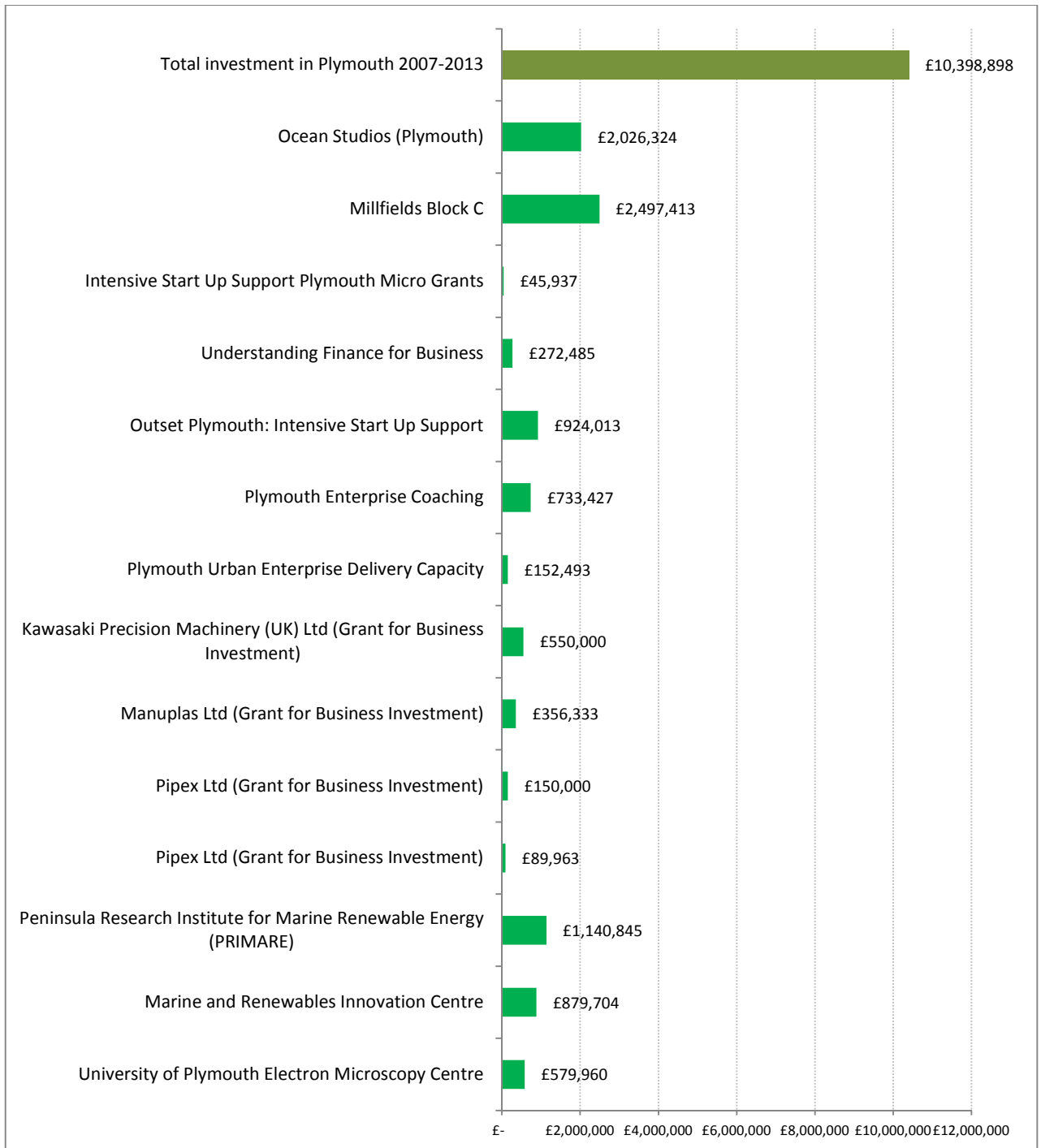
- 9.2 Members were struck by the vast amount of information available on a national and regional level and the lack of information on how the EU has impacted on Plymouth at a local level.
- 9.3 Overall the Board concluded that the EU is a subjective decision for every eligible voter with advantages and disadvantages being interchangeable dependent on personal beliefs and circumstance. As a result voters would be well advised to consider carefully the large amount of information available in the public domain, particularly with a decision of this gravity which is likely to impact upon subsequent generations.
- 9.4 To assist the public, the Board requested the lead officer to investigate the feasibility of holding an EU debate at the Plymouth Guildhall and the City Council website hosting information for the public on the arguments for and against continued membership of the European Union.
- 9.5 The date of the referendum pre-election period (15 April to 23 June) will overlap with regulatory timeframes for the May 2016 polls. This pre-election period is regulated by the Political Parties, Elections and Referendums Act 2000. Section 125 (7) of the Act places a specific restriction on the publication by a local authority of material relating to a referendum and as such it is not considered feasible for information to be placed on the City Councils website on the advantages and disadvantages of EU membership. It is also felt that this would preclude free use of the Plymouth Guildhall for an EU debate, but further information will be sought from the Monitoring Officer when official Leave and Remain campaigns have been designated by the Electoral Commission.
- 9.6 The Board identified the European Referendum as an opportunity to encourage eligible people to register to vote. The Electoral Commission has confirmed that they will run a public awareness campaign ahead of the referendum to provide voters with clear, neutral and accessible information to enable them to cast their vote confidently. The Commission will send an information booklet to every household in the United Kingdom which will include a page from designated campaigns setting out their position and web address where voters can find more information on the consequences of a remain/leave decision.

Recommendations

1. Recommend to the Assistant Director for Learning and Communities that schools in Plymouth are encouraged to hold debates on the EU referendum
2. the content of this report is forwarded to Full Council on the 21st March 2016 as directed by the motion on notice agreed at Council on the 23rd November 2016.

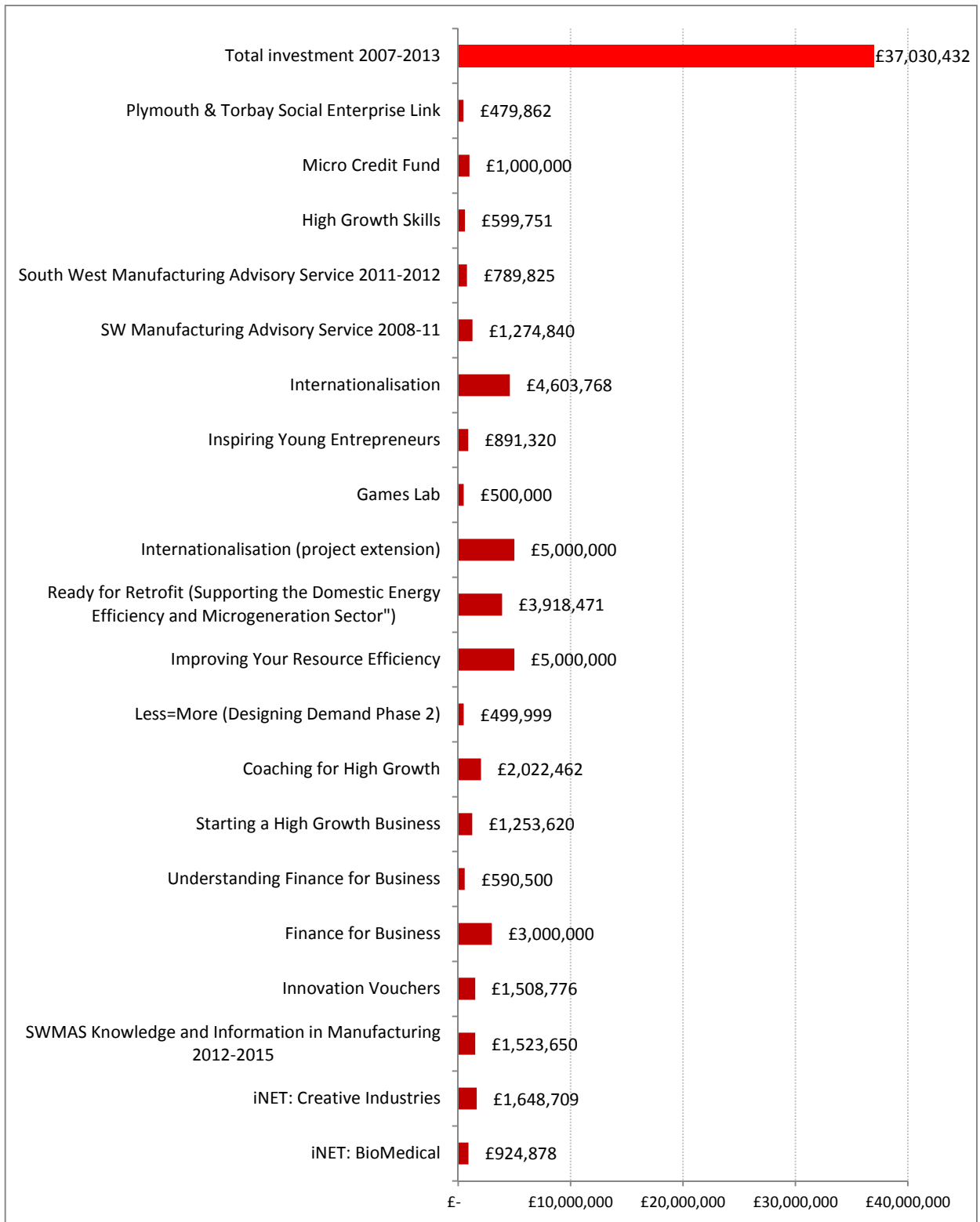
Appendix I

Total ERDF Structural Investment in Plymouth 2007 – 2013



Appendix 2

Additional ERDF Structural Investment with benefits to Plymouth 2007 – 2013



Appendix 3

Call for Evidence – Organisations Contacted

- Theatre Royal Plymouth City Council
- Plymouth Hospitals NHS Trust
- University of St Mark and St John
- University of Plymouth
- Heart of the South West Local Enterprise Partnership
- Livewell South West
- NEW Devon CCG
- Local Members of Parliament
- Devon District Councils
- Devon and Somerset Fire Service
- Federation of Small Businesses
- Growth Board
- Plymouth and Devon Chamber of Commerce
- Plymouth Octopus Project
- Plymouth Trade Union Council
- The Fishermen's Mission
- New under Ten Fishermen's Association
- National Farmers Union
- Interfish
- Devon Communities Together
- Devon and Cornwall Police
- Devon and Cornwall Police and Crime Commissioner
- National Farmers Union
- Devon Local Pharmaceutical Committee
- Plymouth Association of Secondary Heads
- Plymouth Association of Primary Heads
- City College Plymouth City Council
- Devon County Council
- Plymouth Fisheries at Sutton Harbour

All elected members of Plymouth City Council

From: George Cowcher
Sent: 24 February 2016 17:00
To: Scrutiny
Cc: Amanda Bishop
Subject: European Referendum

I write on behalf of the Devon Chamber of Commerce which represents more than a 1000 businesses of all sizes and sectors and over 40,000 employees. The Chamber would wish to make the following points:-

- In the last survey of Members 60% of respondents said that they preferred to stay in the European Union and 30% responded that they wanted to leave. The percentage in favour was even greater amongst those companies who trade in the European Union. The Chamber is about to survey its Members again and will have up- dates on these figures in March.
- Companies who currently receive economic support from Europe are concerned that they will suffer, unless assurances are given that a future UK Government would replace any money lost as a result of exit.
- There is a similar concern that public infrastructure currently funded by Europe will not be provided unless the UK Government gives assurances that it will replace any money lost.

Yours faithfully

George Cowcher

f [Facebook.com/chamberdevon](https://www.facebook.com/chamberdevon)
t [@Chamber_Devon](https://twitter.com/Chamber_Devon)
www.devonchamber.co.uk





Plymouth City Council EU Referendum Scrutiny Review
Plymouth City Council
Ballard House, West Hoe Road
Plymouth
PL1 3BJ

Email to Scrutiny@plymouth.gov.uk.

24 February 2016

Dear Sir

I offer the following submission to Plymouth City Council's EU Referendum Scrutiny Review which is offered solely from the perspective of crime, policing and community safety in the city.

Individual Member States remain responsible for ensuring internal security within their own borders but with growing and complex threats posed by continental criminality, EU members increasingly rely on the support and assistance from other countries.

As part of UK policing, Devon and Cornwall Police benefits from a number of European agencies and treaties aimed at increasing co-operation, security and intelligence sharing.

A number of such are outlined here.

Europol - the European Union's law enforcement agency. Europol's main goal is to achieve a safer Europe by assisting Member States tackle serious international crime and terrorism.

Europol assesses that the biggest security threats to EU citizens come from terrorism, international drug trafficking and money laundering, organised fraud, counterfeiting of the euro currency, and people smuggling. New dangers are also accumulating, in the form of cybercrime, trafficking in human beings, and other modern-day threats.

Eurojust - the EU's Judicial Cooperation Unit which coordinates investigations and prosecutions and improves the cooperation between Member States. Eurojust supports EU countries to make their investigations and prosecutions more effective when dealing with cross-border crime.

European Judicial Network- a network of national contacts for the facilitation of judicial cooperation in criminal matters.

Schengen Information System – This is the largest law enforcement exchange platform in Europe, containing over 62 million alerts on wanted persons and objects which led to over 128,000 police actions in 2014.

European Agenda on Security – This agreement assists the police and other law enforcement services in different Member States to share data and better cooperate against cross-border crime. Member States can rely on support by EU Agencies to improve information exchange, increase operational cooperation, and through supporting actions such as training and co-funding.

Eurodac - The EU asylum fingerprint database to address data protection concerns and to help combat terrorism and serious crime. When someone applies for asylum or is apprehended having crossed an external border, their fingerprints are transmitted and updated to the Eurodac central system within 72 hours,.

European Criminal Records Information System – This supports information exchange between EU law enforcement authorities. Approximately 100,000 messages are exchanged between national authorities each month.

European Arrest Warrant – Applied throughout the EU, the European Arrest Warrant replaced lengthy extradition procedures within the EU's territorial jurisdiction. It improves and simplifies judicial procedures designed to surrender people for the purpose of conducting a criminal prosecution or executing a custodial sentence or spell in detention.

EU countries can no longer refuse to surrender, to another EU country, their own citizens who have committed a serious crime or are suspected of having committed such a crime in another EU country, on the grounds that they are nationals

Financial Intelligence - A platform bringing together Financial Intelligence Units from the Member States is now fully in place. Its purpose is to detect and disrupt terrorist finance and money laundering activities and packages to deter money laundering. FIU's closely cooperate with EUROPOL.

Internet Referral Unit - Europol's Internet Referral Unit aims to help reduce the volume of terrorist material online.

Prüm - An information exchange tool offers automated comparison of DNA profiles, fingerprint data and vehicle registration data – which are key to detecting crime and building an effective case for prosecutions.

Border Package and Smart Borders: The Border Package to be presented before the end of the year will create a European Border Guard with much stronger obligations in terms of cooperation. The Smart Borders initiative – planned for 2016 – will provide for a much more effective EU entry/exit system permitting to trace the movements of third country nationals across the EU's external border. This information could be highly valuable for law enforcement



The EU debate is a complex matter. I do not offer an opinion on whether the UK should remain a member.

However, given the provisions set out above, I am of the view that there are clear benefits to the public and policing in Devon and Cornwall by being a member of the EU.

Tony Hogg
Police and Crime Commissioner

EU Referendum Scrutiny Review

Submission from the UKIP Group to Co-operative Review to evaluate the advantages and disadvantages of EU membership on Plymouth.

The scope of this review has been set out as a consideration of a number of issues which may include.

1. How leaving or remaining in the EU will impact on UK influence and security both in Europe and Globally;
2. The overall economic advantages and disadvantages of membership on the City of Plymouth;
3. The EU's regulation of products and markets;
4. The economic effects of the free movement of people on the economy, market and public finances;
5. The extent to which EU membership attracts and maintains inward investment into the UK, and how this might be affected by "Brexit".

We would argue the Review group may have set itself an almost impossible task, the reason being, so many of the issues under consideration are a matter of opinion, whether they are individuals or organisations/employers, will have a direct bearing on their opinion. Also, the actual quantification of the financial impact of the topics listed above would take months of work and possibly thousands of Freedom of Information requests of Plymouth City Council.

We would also argue that to demonstrate the impact EU legislation has on local authorities is far easier. It is important to understand almost everything is affected by European Law, and this includes the operations of our local Councils.

Most people are unaware of the extent to which Local Government officers spend their lives enacting legislation that comes from the EU Parliament.

To give a perspective of the volume of legislation that is involved, in the three year period between the 2010 election and 2013 Brussels handed down 3600 pieces of new regulation and directives affecting British businesses. See note 1.

A number of these laws are worth mentioning.

Firstly, the EU Procurement Rules which have several adverse effects. Public bodies now have to acquire tenders for goods and services not only from British companies but from member states across the entire European Union. This costs time, especially when there is the bickering of unsuccessful bidders to deal with. It also costs money, which has to be provided by the tax-payer.

Building new houses is affected by these rules as well and these, according to the National Housing Federation, cost £30 million annually, reducing the Association's financial ability to build new homes. The Procurement Rules are also considered both complex and costly by the Partnership for Schools who say they bring no obvious benefit. See note 2.

Transport may soon be affected further by EU legislation. At present there is a draft proposal to compel Britain, in the name of EU harmonisation, to accept lorries which are substantially longer and heavier than those at present onto our roads. Enlarged roads and the inevitable surface damage they cause will, of course, be paid for by our local Councils and so, ultimately by the taxpayers. The British Government may not want these huge lorries but if the law goes through the Brussels Parliament, they will have no choice in the matter.

It is EU legislation that has caused the closure of so many of our smaller post offices by opening up postal services to other EU countries, such as Deutsche Post which now undercuts our Post Office deliveries in such lucrative markets as business post. In rural areas these post offices often form part of the only shop in the village and are an essential of the community yet without the postal service these shops would not be viable. Knowing this, the Government has tried its best to keep them open by offering subsidies, but Brussels now insists that Britain must ask for permission before doing so. So, our Post Office is currently in a critical

financial state so that post office closures have become inevitable, to the benefit of other EU countries.

Population growth, due largely to the EU's basic right of 'Free Movement of Peoples' throughout the Union, has resulted in over 300,000 people per year for the last two years coming to the UK to live, work and claim benefits.

We know the Prime Minister has recently negotiated a separate set of rules for new migrant benefits, how much this will stem the flow of migration is again debateable, but neither central nor local government will be able to control the demand for services which will obviously follow.

Open door immigration is having a massive effect on local councils, on planning and house building and therefore on schools, hospitals and social services.

The extra population will inevitably cause extra waste, but EU Rules state that by 2020, half of our waste must be diverted from landfills, possibly to incinerators which are being built around the country. Because of this, householders are now seeing their council taxes go up while waste collections in many areas have gone down to once in two weeks.

EU Rules can have a farcical effect. In 2005 an EU Regulation on 'Working at Heights' came into effect which means that any work involving ladders is banned. To avoid litigation, some Councils now ban ladders across their estates' properties and have introduced the expensive alternative of scaffolding instead, more money for the taxpayer to find.

They can also have a disastrous effect, a Draft Efficiency Directive will compel Councils to refit local properties, both old and new-build, to the highest energy efficiency standards. This would, for instance, make Victorian Town Halls and other old buildings obsolete if the local authority did not have the required funding to meet the new efficiency standards.

And the Local Government Association estimates that applying this legislation would cost Councils £50 billion — at a time when they really don't need yet more financial pressure. See note 3.

There is also the “Membership Fee”, we pay to belong to the EU, currently estimated at 13 billion pounds per annum. We do, of course, receive subsidies in return but our net contribution to the EU is roughly 8.5 billion pounds per year. Could we use this money more effectively if we had control of it? We believe we could. See note 4.

Councils around this country are mainly full of people with a genuine desire to serve their community through Local Government who now find themselves powerless because all the big decisions are taken elsewhere in the EU.

Nationally and even locally, whether it is our post offices, our bin collections, the lorries which drive on our roads or how our homes are built — the European Union, of which Britain is merely a 28th part, rules on everything.

Now, returning to our argument that the demonstration of EU legislation on PCC is relatively easy, we do acknowledge what one person or organisation will consider an advantage, another may consider a disadvantage, so it follows that even if a piece of legislation has a financial impact on a Local Council some may consider that a price worth paying, ie good value for money, others not.

And so, all of the above could be considered our opinion, arguments or views on EU legislative impact on local authorities to a greater or lesser extent.

However, we in the UKIP Group, believe there are two undisputable Facts regarding the upcoming EU referendum if the UK votes to Leave.

1. We will make own laws in our own Parliament, and,
2. We will control the quantity and quality of those wishing to come here to live and work from wherever in the world.

So, in a world in which we are constantly being told is uncertain and unsafe we would conclude that the two certainties listed above would be the best mechanism by which the UK and therefore, PCC would best serve the citizens in their care.

Some legislative areas and EU rules that apply but by no means all.

Agriculture which together with Fisheries accounts for about 30% of all legislation.

Impact on food prices.

School meals, school milk, meals on wheels and food in care homes.

Public Contracts Directive 2004/18/EC and Public Procurement Remedies Directive 2007/66/EC
Cost of Council contracts

The Landfill Directive 99/31/EC
Direct Cost to Council

Agency Workers Directive COD 2002/0149

Working Time Directive 93/104/EC

Energy Efficiency Directive 2012/27/EU

Drivers Hours Directive 2006/561/EC

Environmental Impact Assessment Directive 85/337/EEC as amended by Directive 97/11/EC

Note 1. Source <http://www.bbc.co.uk/news/uk-politics-35658731>

Note 2. Source <http://www.insidehousing.co.uk/eu-tendering-costs-9000-homes-a-year/6513618.article>

Note 3. Source http://www.local.gov.uk/eu-policy-and-lobbying-/journal_content/56/10180/2944145/ARTICLE

Note 4. Source <https://fullfact.org/europe/our-eu-membership-fee-55-million/>

EUROPEAN UNION

Call for Evidence



The Government is committed to holding an in-out referendum on the UK's membership of the EU by the end of 2017. At the request of Council the Co-operative Scrutiny Board is establishing Co-operative Review to evaluate the advantages and dis-advantages of EU membership on Plymouth.

The review will consider a number of issues which may include:

- How leaving or remaining in the EU will impact on UK influence and security both in Europe and Globally;
- the overall economic advantages and disadvantages of membership on the City of Plymouth;
- the EU's regulation of products and markets;
- the economic effects of the free movement of people on the economy, market and public finances;
- the extent to which EU membership attracts and maintains inward investment to the UK, and how this might be affected by "Brexit".

Written Evidence

In its evidence-gathering, the review wishes to hear from all organisations, both public and private, and individuals with an interest in this subject. In particular we are keen to hear from –

- Local business leaders and the local enterprise partnership
- Trade unions
- Local education establishments
- Police
- Representatives of the NHS
- Agricultural / Fisheries Representatives
- Charities
- Other partner agencies

Written submissions are sought in word version. Ideally, they should be no more than five sides of A4 and should be emailed to by **as soon as possible to Scrutiny@plymouth.gov.uk, please let us know in your submission whether you would be prepared to attend the Review public meetings as a witness.**

Our normal practice is to publish all relevant evidence that is sent to us on our website and we may also include it in the hard copy of any report. Therefore, if you wish your evidence to be treated as confidential, or for your evidence to be published anonymously, please contact us via Scrutiny@plymouth.gov.uk or by contacting the Democratic Support Officer before you submit your evidence. For further information on how we deal with evidence please see our [policy](#).

For organisations and individuals giving evidence:

The information you give to the review will be used only for the purposes of the review. **The only exception is information received that suggests someone is currently at significant risk of harm or an indication of criminal activity. In that case there would be an obligation for the review to report that information to the appropriate authorities, but it would keep you informed about any action it intended to take.**

REQUEST FOR A COOPERATIVE REVIEW



Please submit this document to Democratic Support once complete.

The request will be submitted to the Co-operative Scrutiny Board for consideration against the approval criteria and you will be notified of its success. If the Board approve the request for a Co-operative Review on the subject matter below then a project plan will be completed and you may be asked for further information.

<p>What is the name of the review?</p>	<p>EU Referendum Task Group</p>
<p>Please provide a brief outline of the subject and scope of the review?</p>	<p>This review request follows a motion on notice moved and agreed at the meeting of the City Council on the 23 November 2015. The motion noted that -</p> <ul style="list-style-type: none"> ● That the United Kingdom had been a member of the European Union since 1973, and that the Council recognised that the UK’s continued membership of the EU is now in question and will be subject to a national referendum. ● That the Council believed that the people of Plymouth have a right to take part in the forthcoming referendum. ● That the Council further believed that it has a responsibility to ensure that local residents have the facts regarding the socio-economic impact that the UKs membership of the EU has on Plymouth before the referendum takes place.
<p>Please outline the reasons as to why you believe a review needs to take place?</p>	<p>The main reasons of the review are:</p> <ul style="list-style-type: none"> ● This is the result of a motion at council. The scrutiny function has a duty, under the constitution, to implement the wishes of full council. ● The EU referendum is likely to be of significant interest to the general public.
<p>What will the review attempt to achieve?</p>	<p>The Co-operative Scrutiny Board will establish a cross party EU Co-operative Review which will seek to include representatives from all parties.</p> <p>The review will invite evidence from -</p> <ul style="list-style-type: none"> ● Local business leaders and the Local Enterprise Partnership

	<ul style="list-style-type: none"> ● Trade Unions ● Local Education Establishments ● Devon and Cornwall Police ● Representatives of the NHS ● Agricultural Representatives ● Charities ● District and Parish Councils ● Other Partner Agencies <p>A comprehensive review report will be provided to full council before the referendum vote.</p>
Who will benefit from the review?	The beneficiaries will be the Plymouth citizens for whom the review will establish and identify the social, economic and cultural benefits and disadvantages that the UK's membership of the EU has on Plymouth.
How long do you think the review might take?	The review is anticipated to be undertaken over three public meetings and will report before the EU referendum, date yet to be confirmed.
When do you think the review should commence and why?	The review will commence in February 2016.
When do you think the review should be completed by and why?	The review is anticipated to be completed in March 2016. This will allow adequate time for the panel to complete the review and consider all the relevant and required evidence and witness statements and ensure that any recommendations are prepared in sufficient time to be presented at the next available Cabinet meeting.
Review requested by?	Full Council

Received in Democratic Support Section:	Reviewed by the Co-operative Scrutiny Board:
Date:	Date:
Scrutiny Review Approved/Rejected	
If approved initial Project Plan meeting date:	

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LORD MAYORALTY 2016/17

City Council: 21 March 2016

**LORD MAYOR'S SELECTION COMMITTEE, MINUTE 4**

The Committee sought nominations for the Lord Mayoralty 2016/17. Having been nominated by Councillor Mrs Aspinall and seconded by Councillor Mrs Beer, it was agreed unanimously to extend a cordial invitation to Councillor Pauline Murphy to accept the office of Lord Mayor for the following municipal year.

Councillors waited upon Councillor Pauline Murphy who, on arrival, expressed her appreciation at the nomination which she was delighted to accept.

Agreed that it is unanimously recommended to City Council that it approves the appointment of Councillor Pauline Murphy as Lord Mayor for the 2016/17 municipal year.

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PLYMOUTH CITY COUNCIL

Subject: Ernest Brock Home for the Aged Charity
Committee: City Council
Date: 21 March 2016
Cabinet Member: Councillor Penberthy
CMT Member: David Shepperd, Head of Legal Services
Author: Stephen Crane, Legal Services
Contact details: Tel: 01752 306039
E mail: steve.crane@plymouth.gov.uk
Ref: I488/SC
Key Decision: No
Part: I

Purpose of the report:

This report is subsequent to the report considered at the City Council meeting on 22 June 2015 at which the Council resolved to release its and the Lord Mayor's respective rights to nominate persons for appointment as trustees to the Ernest Brock Home for the Aged Charity.

This resolution was made on the premise that Plymouth Community Homes (PCH) would apply to the Charity Commission to be appointed as sole corporate trustee and for a scheme to amend the Trust's objects so they are broadly compatible with PCH's social housing objects.

Legal advice obtained by the trustees now indicates that a merger with PCH is the preferred way forward for the trustees. This will mean that the Trust will cease to exist from the merger and the Brock House units would instead be managed by PCH as part of its corporate estate. Brock House is managed as a 'housing with support scheme' for older people so would still be let only to older persons. The existing capital fund of the Trust will be protected as outlined in the background to this report.

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

Co-operative Values: The grant of consent demonstrates how the Council can co-operate and work with charity and public sector partners to facilitate the future operation and success of the charity.

Caring Plymouth: The grant of consent will enable the continued provision of residential accommodation to persons in need, including the aged.

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

Financial and resource implications are minimal though there would be administrative costs savings within the Democratic Support Service and Legal Service as the council would no longer have any involvement in the appointment of trustees to the charity.

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

To grant consent to the release of the nomination rights will ensure continued provision of secure residential accommodation to persons in need, including the aged

Equality and Diversity:

Has an Equality Impact Assessment been undertaken? Yes

Recommendations and Reasons for recommended action:

Recommendation: To approve the grant of consent to release the rights of the Council and the Lord Mayor to nominate persons for appointment as Trustees to the charity on the revised premise described.

Reasons: To ensure continued provision of secure residential accommodation to persons in need, including the aged.

Alternative options considered and rejected:

To refuse or withdraw the existing consent to the release of the nomination rights of the Council and Lord Mayor. Rejected on the basis that legal advice obtained by the Trust recommends this course as the best way to ensure continued secure residential accommodation for the elderly.

Published work / information:

Background papers:

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	
Report to Plymouth City Council for 22/06/15 meeting	x									
Decision of Plymouth City Council dated 22/06/15	x									

Sign off:

Fin	djn 1516 .47	Leg		Mon Off	DVS /242 91	HR		Assets		IT		Strat Proc	
Originating SMT Member													
Has the Cabinet Member(s) agreed the content of the report? Yes													

Ernest Brock Home for the Aged – Proposed Release of Trustee Appointment Rights

1. Introduction

On 22 June 2015 Plymouth City Council agreed the grant of consent to release the rights of the Council and the Lord Mayor to nominate persons for appointment as Trustees of the charity. This consent was given on the premise that Plymouth Community Homes Ltd (PCH) would become the sole corporate Trustee and the objects of the Trust would be amended so as to be broadly compatible with PCH's social housing objects.

2. Advice from the Charity Commission

- 2.1 Subsequent to the decision of the City Council the Charity Commission suggested to the trust that a merger with PCH should also be considered as this would also attain the objective of regularising administrative arrangements and ensuring the continuing provision of secure accommodation for elderly persons in need.
- 2.2 The trust considered the suggestion with its legal representatives and resolved to agree the proposal for a merger subject to suitable protection measures being put in place for the protection of the trust's existing capital fund and detailed in 3 below.

3. Resolution of PCH

- 3.1 On 22 September PCH agreed the merger of the Brock Trust with PCH.
- 3.2 Pursuant to the requirements of the Trustees, PCH also agreed;
 - a) The existing Brock Trust funds are spent on Brock House only,
 - b) Should the flats that were formerly in the ownership of the Brock Trust be sold – either separately or as part of the sale of Brock House, that the proceeds are used in relation to the housing of 'the aged and deserving poor residing in Plymouth'
- 3.3 As part of the arrangements for the merger the Trustees will require measures to be put in place to ensure the original objects of the trust benefitting the aged and deserving poor residing in Plymouth are protected where possible.
- 3.4 From the perspective of PCH, governance arrangements would be simplified with the Brock Trust monies being kept in a ring fenced account.
- 3.5 The lease of the eight units within Brock House would be surrendered and the existing residents of these units would be consulted as the proposal for merger developed. These residents already occupy the units under PCH tenancy agreements.
- 3.6 The Trustees have requested the Council and Lord Mayor to affirm their consent to the release of their respective rights to nominate persons for appointment as Trustees on the new premise identified.

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CITY COUNCIL

21 March 2016

**REPORT OF THE COUNCIL LEADER ON URGENT KEY DECISIONS**

In accordance with paragraph 18.3 of the Access to Information Rules in the constitution, urgent key decisions are reported annually to Council for noting.

This report covers the period from May 2015 – March 2016.

LOAN TO SUPPORT CONSTRUCTION OF COMMUNITY OWNED SOLAR ARRAY AT ERNESETTLE

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

9 October 2015

Decision:

1. To approve the business case to provide a wholly owned subsidiary of Plymouth Energy Community Renewables Ltd (PECR) with short term construction finance for a community owned solar array at Ernesettle.
2. To approve the short term (12 month) loan of up to £4.804m to the proposed wholly owned subsidiary of PEC Renewables Ltd, conditional on PECR providing evidence that the project will be able to secure the subsidy rates required for a viable project.
3. To allocate £3.736m for the project within the Capital Programme.
4. To delegate approval of the loan agreement to the Strategic Director for Place in consultation with the Cabinet Member for Strategic Transport and Planning.

Reason for urgency:

Following publication of a notice in the forward plan, the decision could not be taken until the expiry of the statutory 28 day notice period. The decision is required before this because PEC Renewables need to be in a position to sign contracts for the solar arrays construction during first week of November 2015 and to delay the decision would significantly escalate risks of project not being completed before the required subsidy is cut.

The project must be completed at the very latest by 1st April 2016 because government is proposing drastic cuts to the Renewables Obligation (RO) subsidy that underpins the business case. Projects completed in advance of this will have current level of subsidy 'grandfathered' for 20 years. PCC is being asked for a bridging loan to allow PEC Renewables the time to complete the project in advance of these cuts, and then the time to raise the longer term package of debt and share equity.

Due to the drastic nature of the anticipated cuts this project will not be viable after March 2016 and therefore this is the last opportunity to provide a community owned solar at this scale within the city. To minimize risk of project not being energised by end March 2016 PECRs construction contractor have advised we should be signing by first week of November to ensure sufficient lead in and build time.

Government is currently implementing a range of cuts to the financial support mechanisms for renewable energy, and an announcement to clarify the exact level of support this project will be able to receive under RO and when any forecast cuts are to be implemented, is due in the next 3 weeks. Some parts of the industry are forecasting the cuts may land earlier than end of March 2016 and therefore it is prudent to move as quickly towards project completion.

CITY STRATEGIC SITE ACQUISITION

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

11 January 2016

Decision:

1. To allow the Council to proactively address urban blight and bring forward one of the city's key sites for redevelopment and regeneration.
2. To proactively "drive" the delivery of additional hotel accommodation in advance of the Mayflower 400 celebrations in 2020.
3. To proactively "drive" the delivery of new residential apartments within the city.
4. To better control the detailed design process and mix of uses in advance of the submission of a planning application.
5. To increase the New Homes Bonus; Council Tax and Non Domestic Business Rates receipt for the Council.
6. To create new training and employment opportunities within the city.
7. To de-risk one of the city's key development sites.
8. To work with private sector developers to redevelop the site providing a new hotel and residential apartments.

Reason for Urgency:

The agreed site acquisition Heads of Terms targets an exchange of contracts in the second week of January 2016. Council approval for the acquisition is required before contracts can be exchanged. If the decision is delayed and published in the subsequent Forward Plan the Council will be in breach of the agreed Heads of Terms and the transaction is unlikely to proceed.

Programme of Ordinary Meetings of the Council and Committees 2016/17

MAY 2016		JULY 2016	
Th 5	CITY COUNCIL and D&C POLICE AND CRIME COMMISSIONER ELECTIONS		
F 6		F 1	Devon & Cornwall Police and Crime Panel 10.30am
M 9		M 4	Transformation Advisory Group 4pm
T 10		M 4	Ambitious Plymouth 10am
W 11		T 5	Licensing Sub Committee 10am
Th 13		W 6	Working Plymouth 4pm
F 14		Th 7	Planning Committee 4pm
M 16		F 8	Mount Edgcumbe Joint Committee 10am
T 17		M 11	CITY COUNCIL 2pm (outturn 2015/16)
W 18		T 12	
Th 19		W 13	Co-operative Scrutiny Board 4pm (Provisional)
F 20	ANNUAL MEETING OF THE CITY COUNCIL 10.30am	Th 14	Taxi Licensing 10am
M 23		F 15	Appointments Panel 10am
T 24		M 18	Your Plymouth 4pm
W 25		T 19	Licensing Sub Committee 10am
Th 26	Safer Plymouth 10am	W 20	Corporate Parenting Group 2pm
F 27		W 20	Co-operative Scrutiny Board 4pm (Provisional)
M 30	BANK HOLIDAY	Th 21	Safer Plymouth 10am
T 31		Th 21	Caring Plymouth 2pm
	JUNE 2016	F 22	
W 1	Co-operative Scrutiny Board 4pm (Provisional)	M 25	
Th 2	Taxi Licensing 10am	T 26	
F 3	Appointments Panel 10am	W 27	Co-operative Scrutiny Board 4pm
		Th 28	
		F 29	
			AUGUST 2016
M 6		M 1	
T 7	Licensing Committee 10am		
T 7	Licensing Sub Committee 11am	T 2	Licensing Sub Committee 10am
W 8		W 3	Co-operative Scrutiny Board 4pm (Provisional)
Th 9	Planning Committee 4pm	Th 4	Planning Committee 4pm
F 10	Tamar Bridge and Torpoint Ferry Joint Committee 10am	F 5	
M 13	Local Access Forum 10.30am	M 8	Transformation Advisory Group 4pm
T 14		T 9	Cabinet 2pm
W 15	Co-operative Scrutiny Board 4pm (Provisional)	W 10	Co-operative Scrutiny Board 4pm (Provisional)
Th 16	Taxi Licensing 10am	Th 11	Taxi Licensing 10am
F 17		F 12	
M 20	SACRE 10am	M 15	
T 21	Licensing Sub Committee 10am	T 16	Licensing Sub Committee 10am
W 22	Co-operative Scrutiny Board (Provisional)	W 17	Co-operative Scrutiny Board 4pm
Th 23	EU REFERENDUM	Th 18	
F 24	Plymouth Safeguarding Children's Board 9.30am	F 19	
M 27	Constitutional Review Group 4.30pm	M 22	
T 28		T 23	
W 29	Co-operative Scrutiny Board 4pm	W 24	Co-operative Scrutiny Board 4pm (Provisional)
Th 30	Health and Wellbeing Board 10am	Th 25	
Th 30	Audit Committee 2pm	F 26	Appointments Panel (P) 10am
		M 29	BANK HOLIDAY
		T 30	Licensing Sub Committee 10am
		W 31	

KEY

SACRE = Standing Advisory Council on Religious Education

SEPTEMBER 2016		NOVEMBER 2016	
		M 1	
		W 2	Co-operative Scrutiny Board 4pm (Provisional)
Th 1	Planning Committee 4pm	Th 3	Taxi Licensing 10am
Fr 2			
M 5	Ambitious Plymouth 10am	M 7	Transformation Advisory Group 4pm
M 5	Constitutional Review Group 4.30pm	M 7	
T 6		T 8	Licensing Sub Committee 10am
T 6	Cabinet 2pm	T 8	Cabinet 2pm
W 7	Working Plymouth 4pm	W 9	Co-operative Scrutiny Board 4pm (Provisional)
Th 8	Taxi Licensing 10am		
Th 8	Caring Plymouth 2pm	Th 10	
F 9	Tamar Bridge and Torpoint Ferry Joint Committee 10am	F 11	
M 12	Transformation Advisory Group 4pm	M 14	SACRE 10am
M 12	Your Plymouth 4pm		
T 13	Licensing Committee 10am		
T 13	Licensing Sub Committee 11am	T 15	
T 13	Cabinet 2pm	T 15	
W 14	Co-operative Scrutiny Board 4pm (Provisional)	W 16	Co-operative Scrutiny Board 4pm
Th 15	Audit Committee 10am	Th 17	
F 16	Plymouth Safeguarding Children's Board 9.30am	F 18	
M 19	CITY COUNCIL 2pm	M 21	CITY COUNCIL 2pm
T 20		T 22	Licensing Sub Committee 10am
W 21	Corporate Parenting Group 2pm		
	Co-operative Scrutiny Board 4pm	W 23	Co-operative Scrutiny Board 4pm (Provisional)
Th 22	Health and Wellbeing Board 10am	Th 24	Planning Committee 4pm
Th 22	Safer Plymouth 10am	F 25	Mount Edgcombe Joint Committee 10am
F 23	Appointments Panel (P) 10am	F 25	Appointments Panel (P) 10am
M 26	Local Access Forum 10.30am	M 28	Constitutional Review Group 4.30pm
T 27	Licensing Sub Committee 10am	T 29	
		W 30	Corporate Parenting Group 2pm
W 28	Co-operative Scrutiny Board 4pm (Provisional)	W 30	Co-operative Scrutiny Board 4pm (Provisional)
			DECEMBER 2016
Th 29	Planning Committee 4pm	Th 1	Taxi Licensing 10am
		Th 1	Caring Plymouth 2pm
		F 2	Plymouth Safeguarding Children's Board 9.30am
F 30		F 2	Tamar Bridge and Torpoint Ferry 10am
	OCTOBER 2016		
M 3		M 5	Ambitious Plymouth 10am
		M 5	Transformation Advisory Group 4pm
		T 6	Licensing Committee 10am
		T 6	Licensing Sub Committee 10am
T 4		T 6	Cabinet 2pm
W 5	Co-operative Scrutiny Board 4pm (Provisional)	W 7	Co-operative Scrutiny Board 4pm
Th 6	Taxi Licensing 10am	Th 8	Audit Committee 2pm
F 7	Devon & Cornwall Police and Crime Panel 10.30am	F 9	Devon & Cornwall Police and Crime Panel 10.30am
M 10	Ambitious Plymouth 10am	M 12	Local Access Forum 10.30am
		M 12	Your Plymouth 4pm
T 11	Licensing Sub Committee 10am	T 13	
T 11	Cabinet 2pm	T 13	
W 12	Co-operative Scrutiny Board 4pm (Provisional)	W 14	Working Plymouth 4pm
Th 13	Caring Plymouth 2pm	Th 15	Planning Committee 4pm
F 14		F 16	Appointments Panel (P) 10am
M 17		M 19	
T 18		T 20	Licensing Sub Committee 11am
W 19	Co-operative Scrutiny Board 4pm	W 21	Co-operative Scrutiny Group 4pm (Provisional)
TH 20		TH 22	
F 21	Appointments Panel 10am	F 23	
M 24	Transformation Advisory Group 4pm	M 26	BANK HOLIDAY
T 25	Licensing Sub Committee 10am	T 27	BANK HOLIDAY

W 26	Corporate Parenting Group 2pm		
W 26	Co-operative Scrutiny Board 4pm (Provisional)	W 28	CLOSED
Th 27	Planning Committee 4pm	Th 29	CLOSED
F 28		F 30	CLOSED
M 31		M 1	
		T 2	

JANUARY 2017		MARCH 2017	
M 2	BANK HOLIDAY		
T 3			
W 4	Budget Scrutiny Workshop	W 1	Working Plymouth 4pm
W 4	Co-operative Scrutiny Board 4pm (Provisional)	Th 2	Caring Plymouth 2pm
Th 5	Taxi Licensing 10am	Th 2	Taxi Licensing 10am
F 6		F 3	Plymouth Safeguarding Children's Board 9.30am
M 9	Budget Scrutiny Day 1	M 6	Ambitious Plymouth 10am
M 9		M 6	Constitutional Review Group 4.30pm
T 10	Licensing Sub Committee 10am	T 7	Licensing Sub Committee 10am
T 10		T 7	Cabinet 2pm
W 11	Budget Scrutiny Day 2	W 8	Co-operative Scrutiny Board 4pm (Provisional)
Th 12	Planning Committee 4pm	Th 9	Planning Committee 4pm
F 13		F 10	Tamar Bridge and Torpoint Ferry 10am
M 16		M 13	Your Plymouth 4pm
M 16	Constitutional Review Group 4.30pm	T 14	
T 17	Cabinet 2pm	T 14	
W 18	Co-operative Scrutiny Board 4pm (Provisional)	W 15	Co-operative Scrutiny Board 4pm
Th 19	Safer Plymouth 10am	Th 16	Audit Committee 2pm
F 20		F 17	Appointments Panel (P) 10am
M 23	Transformation Advisory Group 4pm	M 20	CITY COUNCIL 2pm
T 24	Licensing Sub Committee 10am	T 21	Licensing Committee 10am
		T 21	Licensing Sub Committee 11am
W 25	Co-operative Scrutiny Board 4pm (Provisional)	W 22	Co-operative Scrutiny Board 4pm (Provisional)
Th 26	Health and Wellbeing Board 10am	Th 23	Health and Wellbeing Board 10am
F 27	Appointments Panel (P) 10am	F 24	
M 30	CITY COUNCIL 2pm	M 27	Transformation Advisory Group 4pm
		M 27	SACRE 10am
T 31		T 28	
	FEBRUARY 2017		
W 1	Corporate Parenting Group 2pm	W 29	Co-operative Scrutiny Board 4pm (Provisional)
W 1	Co-operative Scrutiny Board 4pm (Provisional)		
Th 2	Taxi Licensing 10am	Th 30	Taxi Licensing 10am
F 3	Devon & Cornwall Police and Crime Panel 10.30am	F 31	
			APRIL 2017
M 6	Ambitious Plymouth 10am	M 3	
T 7	Licensing Sub Committee 10am	T 4	Licensing Sub Committee 10am
T 7	Cabinet 2pm	T 4	
W 8	Co-operative Scrutiny Board 4pm (Provisional)	W 5	Co-operative Scrutiny Board 4pm (Provisional)
		Th 6	Safer Plymouth 10am
Th 9	Planning Committee 4pm	Th 6	Planning Committee 4pm
F 10	Devon & Cornwall Police and Crime Panel 10.30am (P)	F 7	Devon & Cornwall Police and Crime Panel 10.30am
M 13	Local Access Forum 10.30am	M 10	
M 13	Constitutional Review Group 4.30pm	T 11	
T 14			
W 15	Co-operative Scrutiny Board 4pm	W 12	Co-operative Scrutiny Board 4pm (Provisional)
Th 16	Caring Plymouth 2pm	Th 13	
F 17	Lord Mayor Selection Committee 10am	F 14	BANK HOLIDAY
M 20	Transformation Advisory Group 4pm	M 17	BANK HOLIDAY
T 21	Licensing Sub Committee 10am	T 18	Licensing Sub Committee 10am
W 22	Co-operative Scrutiny Board 4pm (Provisional)	W 19	
		W 19	Co-operative Scrutiny Board 4pm (Provisional)
Th 23		Th 20	
F 24	Appointments Panel (P) 10am	F 21	
M 27	CITY COUNCIL (Budget) 2pm	M 24	
T 28		T 25	

T 28	Licensing Sub Committee 10am	W 26	Co-operative Scrutiny Board 4pm (Provisional)
		W 26	Corporate Parenting Group 2pm
		Th 27	Taxi Licensing 10am (provisional)
		F 28	
			MAY 2017
		M 1	BANK HOLIDAY
		Th 4	NO COUNCIL ELECTIONS
		F 19	ANNUAL MEETING OF THE CITY COUNCIL 10.30am

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