

# City Council

Monday 3 July 2017

## PRESENT:

Councillor Mrs Foster, in the Chair.

Councillor Kelly, Vice Chair.

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

The meeting started at 2.00 pm and finished at 8.30 pm.

*Note: The full discussion can be viewed on the webcast of the City Council meeting at [www.plymouth.gov.uk](http://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.*

## 10. Minutes

The minutes of the meeting held on 20 March 2017 and 19 May 2017 were agreed subject to amendment to the Church represented by the Lord Mayor's Chaplain.

## 11. 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
Councillor Stevens	18.6	Employee of Devon and Cornwall Police	Disclosable Pecuniary Interest
Councillor Lowry	18.3	Undertaking review on behalf of the Dockyard.	Disclosable Pecuniary Interest
Councillor Tuohy	15	Member of Plymouth Community Homes Board	Personal
Councillor Winter	18.3	Employee of Devonport Dockyard Ltd	Personal
Councilor Hendy	18.5	Financial Interest	Disclosable Pecuniary

Name	Minute Number	Reason	Interest
			Interest
Councillor Dann	15	Member of Plymouth Community Homes Board	Personal
Councillor Churchill	15	Member of Plymouth Community Homes Board	Personal
Councillor Nicholson	18.3	Involved in successor solution	Disclosable Pecuniary Interest
Councillor Darcy	18.6	Employee Devon and Cornwall Police	Disclosable Pecuniary Interest
Councillor Beer	18.6	Employee Devon and Cornwall Police	Disclosable Pecuniary Interest

## 12. **Appointment to Committees, outside bodies etc**

The following changes reported to the Head of Legal Services were noted -

	Committee	Membership
(a)	Planning Committee	Cllr Winter to replace Cllr Wheeler and Cllr Ball to replace Cllr Leaves.

## 13. **Announcements**

### (a) The Lord Mayor

The Lord Mayor moved a procedural motion that all votes were recorded in line with the electronic voting process as circulated by email to members, and that the Monitoring Officer made the necessary changes to the constitution so that this new technology can be used future meetings of the council. The motion was seconded by Councillor Riley.

Following a vote the motion was carried.

The Lord Mayor moved a second procedural motion to vary the order of items on the agenda. The motion was seconded by the Deputy Lord Mayor. Following a vote the motion was carried.

*For the Motion (57);*

*Lord Mayor, Deputy Lord Mayor, Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs*

*Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, K Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Wiggins, Mrs Bridgeman, Riley, Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.*

The Lord Mayor made further announcements and presented awards as follows

- Bethany Warne, Boxer, England call up
- Carole Burgoyne, awarded MBE in the Birthday Honours List
- School Leaver Award 2017 – Top employer public sector
- National Apprenticeship Awards 2016/17
- Fairtrade Certification for the City Council
- Finance Award – Council Integrated Fund
- Four Greens Community Trust

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

The Leader

- Cladding on Devonport Towers
- Investigation into General Election Processes.

14. **Questions by the Public**

There were no questions from members of the public.

15. **Plan for Libraries**

Councillor Bowyer (Leader) proposed and Councillor Jordan (Cabinet Member for Culture) seconded a report and recommendations on the Plan for Libraries.

During the debate, Councillor Evans proposed and Councillor Jon Taylor seconded a procedural motion without notice under Part B, procedure rule 14.6 of the constitution. The motion was to refer the new Plan for Libraries to Cabinet, following further consideration by the Scrutiny Select Committee before a final decision is taken by Council, in order to prevent an application for Judicial Review of the Council's decision, based on a flawed or non-existent consultation and scrutiny process.

Following a vote, the motion was lost.

For the motion (27)

*Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Sparling, Mavin and Winter.*

Against the Motion (28)

*Deputy Lord Mayor, Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr*

*Mahony, Nicholson, Mrs Pengelly, Ricketts, Wiggins, Carson, Mrs Loveridge, Cook, Mrs Bridgeman, Riley and Storer.*

Abstentions (1)

*Lord Mayor*

Absent / Did not vote (1)

*Councillor K Foster*

Following a debate on the substantive item Council agreed to -

1. note that the statutory 12-week consultation process for the Plan for Libraries had been carried out in line with the Council's duties under the Equalities Act 2010 and guidance in relation to the Public Libraries and Museums Act 1964;
2. note the recommendations of the Scrutiny Select Committee of 15 May 2017 and the Cabinet's response to them;
3. adopt the 'Plan for Libraries' as its annual plan for libraries fulfilling the Council's duties under the Public Libraries and Museums Act 1964 which requires Local Authorities to deliver a comprehensive and efficient public library service;
4. approve the outline delivery plan for the new library service, performance measures and outline communication, engagement and marketing plan for the new service.

For the motion (29)

*Deputy Lord Mayor, Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Wiggins, Carson, Mrs Loveridge, Cook, Mrs Bridgeman, Riley and Storer.*

Against the Motion (27)

*Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Sparling, Mavin and Winter.*

Abstentions (1)

*Lord Mayor*

## 16. **Financial Outturn 2016 - 2017**

Councillor Darcy (Cabinet Member for Finance/ICT) presented the report on the Financial Outturn 2016 – 2017 for noting. Council noted:

1. the provisional outturn position as at 31 March 2017
2. the use of capital receipts - £0.267m - to write down Minimum Revenue Provision (MRP) to ensure a balanced budget position is achieved in 2016/17.
3. the additional transfers to and from reserves reflected within the outturn figures:

- Release the Business Rates Reserve (£1.000m).
  - Transfer to Housing Benefits Overpayments Provision (£1.000m).
  - Release of Stock Transfer Reserve (£1.005m).
4. the release of £0.350m from Working Balances and transfer to the Redundancy reserve.
  5. the Capital Report including the Capital Financing Requirement of £90.423m.

17. **Annual Report on Treasury Management Activities for 2016/17**

Councillor Darcy (Cabinet Member for Finance/ICT) proposed and Councillor Nicholson seconded the Annual Report on Treasury Management Activities for 2016/17 for approval.

Following a vote the recommendations were approved.

For the motion

*For the Motion (49);*

*Deputy Lord Mayor, Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Penberthy, Smith, Stevens, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Mrs Beer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drear, Fletcher, K Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Mrs Bridgeman, Riley, Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.*

Against the motion (0)

Abstentions (1)

*Lord Mayor*

Absent / Did not vote (7)

Councillors Bowyer, Rennie, Singh, J Taylor, Ball, Bowyer, Wigen and Parker-Delaz-Ajete.

18. **Motions on Notice**

- (i) Proposed Funding Cuts to Schools within the City  
Councillor McDonald proposed and Councillor Smith seconded a motion on proposed funding cuts to schools within the city.

Following a vote, the motion was carried

*For the motion (56)*

*Deputy Lord Mayor, Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drear, Fletcher, K Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Wigen, Mrs Bridgeman, Riley, Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.*

*Against the motion (0)*

*Abstentions (1)*  
*Lord Mayor*

*Absent / Did not Vote (0)*

- (ii) Retention of Universal Infant Free School Meals  
Councillor McDonald proposed and Councillor Penberthy seconded a motion on the retention of universal infant free school meals.

Following a vote, the motion was carried

*For the motion (56)*

*Deputy Lord Mayor, Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drear, Fletcher, K Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Wiggins, Mrs Bridgeman, Riley, Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.*

*Against the motion (0)*

*Abstentions (1)*  
*Lord Mayor*

*Absent / Did not Vote (0)*

- (iii) Ministry of Defence Guard Service  
Councillor Stevens proposed and Councillor Kate Taylor seconded a motion on the Ministry of Defence Guards Service.

Following a vote, the motion was lost.

*For the motion (26)*

*Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Sparling, Mavin and Winter.*

*Against the Motion (28)*

*Deputy Lord Mayor, Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drear, Fletcher, Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Mrs Pengelly, Ricketts, Wiggins, Carson, Mrs Loveridge, Cook, Mrs Bridgeman, Riley and Storer.*

*Abstentions (1)*  
*Lord Mayor*

*Absent / Did not vote (0)*

*Councillors Nicholson and Lowry.*

*(Due to declared Disclosable Pecuniary Interests Councillors Nicholson and Lowry were absent for this item)*

- (iv) *Road Works Causing Chaos on Plymouth Roads*  
Councillor Jon Taylor proposed and Councillor Mavin seconded a motion on Road Works causing chaos on Plymouth roads.

Councillor Nicholson moved and the Leader seconded an amendment to the motion. Following a vote the amendment was carried.

*For the motion (56)*

*Deputy Lord Mayor, Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Eddie Rennie, Chaz Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drear, Fletcher, Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Wiggins, Mrs Bridgeman, Riley, Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.*

*Against the motion (0)*

*Abstentions (1)*

*Lord Mayor*

*Absent / Did not Vote (0)*

Following a vote the amended motion was carried. The amended motion was as follows -

*Plymouth sympathises with the frustration of many road users across Plymouth of the recent spate of major road works they have had to endure, particularly at Outland Road, Derriford and Deep Lane. The second Deep Lane scheme and the Forder Valley link road are still to commence. Whilst these improvement schemes are vital to Plymouth's transport future the scheduling and communication with the travelling public has been unacceptable warrants a thorough review to minimise the impacts on the travelling public.*

*We therefore request the relevant scrutiny panel to review the timeline of each of these schemes highlighting the key milestones in each and reviewing whether or not scheduling and public communication could be improved. This is to include a request to Devon County Council to participate in the review of the Deep Lane scheme of which they are the lead Authority.*

*For the motion (56)*

*Deputy Lord Mayor, Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Eddie Rennie, Chaz Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie,*

*Drean, Fletcher, Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Wiggins, Mrs Bridgeman, Riley, Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.*

*Against the motion (0)*

*Abstentions (1)  
Lord Mayor*

*Absent / Did not Vote (0)*

- (v) The Conservative/UKIP controlled council's war on small business  
Councillor Evans proposed and Councillor Smith seconded a motion on the Conservative/UKIP controlled council's war on small business.

Following a vote, the motion was lost.

*For the motion (26)  
Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Sparling, Winter and Mavin.*

*Against the motion (28)  
Deputy Lord Mayor, Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Mrs Bridgeman, Riley, Storer, Carson, Mrs Loveridge and Heath Cook*

*Abstentions (1)  
Lord Mayor*

*Absent / Did not Vote (2)  
Councillor Hendy and Wiggins*

*(Due to declared Disclosable Pecuniary Interests Councillor Hendy was absent for this item)*

- (vi) No confidence in the Police and Crime Commissioner  
Councillor Penberthy proposed and Councillor Evans seconded a motion of no confidence in the Police and Crime Commissioner.

Councillor Evans and Councillor Rennie seconded a procedural motion to move to the vote. Following a vote the procedural motion was carried.

*For the motion (49)  
Deputy Lord Mayor, Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Eddie Rennie, Chaz Singh, Smith, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Bowyer, Churchill, Deacon, Downie, Drean, Fletcher, Fry, James, Jordan, Martin*



Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Mrs Bridgeman, Riley, Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.

Against the motion (1)  
Councillor John Riley

Abstentions (1)  
Lord Mayor

Absent / Did not Vote (0)  
Councillors Stevens, Mrs Beer, Bowyer, Darcy, Foster, Wigans.

Councillor Penberthy summed up and following a vote, the motion was carried.

For the motion (26)  
Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Sparling, Winter and Mavin.

Against the motion (25)  
Lord Mayor, Councillors Ball, Mrs Bowyer, Churchill, Deacon, Downie, Drear, Foster, Fry, James, Jordan, Deputy Lord Mayor, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Mrs Bridgeman, Riley, Storer, Carson, Mrs Loveridge and Cook.

Abstentions (0)

Absent / Did not Vote (6)  
Councillors Mrs Beer, Darcy, Stevens, Fletcher, Bowyer and Wigans.

## 19. Questions by Councillors

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

<b>From</b>	<b>To</b>	<b>Subject</b>
Councillor Mrs Beer	Councillor Downie	Gypsy and Traveller encampments.
Councillor Sparling	Councillor Riley	Young people and student voting.
Councillor Davey	Councillor Michael Leaves	Representations from Stoke Village
Councillor Murphy	Councillor Nicholson	Real time information in bus shelters. (written response on programme roll out)
Councillor Evans	Councillor Nicholson	Sutton Harbour Bridge and Ferry (written response to be provided)
Councillor Morris	Councillor Nicholson	Young people and student voting.

<b>From</b>	<b>To</b>	<b>Subject</b>
Councillor Sparling	Councillor Beer	Sprinklers in schools.
Councillor McDonald	Councillor Leaves	Victoria Park, Policy on hazardous waste removal (written response to be provided)
Councillor Coker	Councillor Nicholson	Devonport tower blocks.
Councillor Stevens	Councillor Nicholson	Comments made by Councillor Fletcher.
Councillor Penberthy	Councillor Riley	Pay cap review.
Councillor Coker	Councillor Michael Leaves	Waiting lists for garden waste.
Councillor Evans	Councillor Michael Leaves	Bin aperture.
Councillor Stevens	Councillor Riley	Comments by Councillor Fletcher.