City Council

Monday 29 January 2018

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, Drean, 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, Riley, Singh, Smith, Sparling, Stevens, Storer, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent, Wheeler, Wigens and Winter.

Apologies for absence: Councillors Ricketts

The meeting started at 2pm and finished at 7.45pm.

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.

44. MINUTES

Agreed the minutes of the meeting held on 20 November 2017.

45. **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 Jon Taylor	54.1 and 54.2	NHS Employee	Private
Councillor Kate Taylor	54.1	NHS Employee	Private
Councillor Deacon	54.1	Staff nurse	Private
Councillor Sam Leaves	54.1	NHS Employee	Private
Councillor Michael	54.1	Care Home Owner	Private
Leaves			

46. **ANNOUNCEMENTS**

(a) Lord Mayor

- 100 Great Westerners
- Finalist in the Team Leader of the Year category Melanie Wilson Social Worker

- Winner of the Mental Health Social Worker of the Year Award Gareth Benjamin – Social Worker
- Vera Mitchell Volunteer Plymouth Hospital NHS Trust MBE
- Carole Burgoyne MBE
- Library Staff at Christmas

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

Councillor Patrick Nicholson, Deputy Leader and Cabinet Member for Strategic Transport, Housing and Planning

Plymouth and South West Devon Joint Local Plan – Public Examination

47. QUESTIONS BY THE PUBLIC

There were two questions from members of the Public.

Question submitted by: Alan Ramage

Plymouth Green Book Club recently read "An Air That Kills" by Dr John Rieuwerts of Plymouth University. It states air pollution in Plymouth is greatest along arterial routes. Legal exceedances and even low levels are harmful especially to the vulnerable, including schoolchildren. What measures are being proposed to address this?

Response: Councillor Lynda Bowyer, Cabinet Member for Adult Health and Social Care

Response: (for completion by City Council officers and Cabinet Members / Chairs) Plymouth City Council takes air quality seriously and the principles of protecting the air we breathe is contained within the Plymouth & South West Devon Joint Local Plan (JLP), a single strategic plan for the city and the neighbouring district authorities of South Hams and West Devon, that has a timeframe to 2034 and beyond and that is currently in the latter stages of development. The JLP brings together all of the city's long term strategic plans into one place and includes the city's economic, land use planning, housing, transport and environmental policies ensuring a coordinated approach to how the city evolves. The air quality issue is embedded into the JLP as it was previously in the Plymouth Plan and the Local Development Framework before

Air quality monitoring is undertaken in Plymouth continuously at various sites, which meet the criteria for assessment which is prescribed by DEFRA. This includes sites where residents live and could be exposed to increased levels of pollution, such as busy transport routes. This monitoring data is used to compare against the annual air quality objectives, which are set out by Government in regulations. Where levels exceed the objective figures, a Local Authority is required to declare an Air Quality Management Area, including an action plan showing how measures will be implemented to improve air quality.

In Plymouth, an AQMA was declared in 2014 for exceedance of nitrogen dioxide, covering five distinct areas and the adjoining road networks, replacing the previously

declared two individual AQMA's. Transport emissions were identified as the primary contributor. Details of the AQMA are on the Council website.

Plymouth City Council is pleased to report that air quality improvements are being observed in the AQMA, with the majority of the results now being below the air quality objective. We are closely reviewing the situation annually and discussing the observed improvements with DEFRA with a view to revoking or amending the AQMA as soon as we are able.

Key to achieving these results has been the Council's balanced transport strategy that seeks to support the objective of cleaner, healthier air for its residents and visitors. The strategy has a strong focus on encouraging greater sustainable transport use with more trips undertaken by bus, cycle and foot alongside reducing the need to travel and providing and enabling greater use of cleaner fuel vehicles. The numbers of people cycling in particular has seen a dramatic rise with a 51% increase between 2009-2015, which is a trend that the Council is keen to see continue.

Question submitted by: Mr Danny Bamping

Could the Cabinet Member for Finance please confirm how much the Council currently [1/1/18] holds in total in its 'non-ring-fenced' reserves, how much does the council still owe via its LOBO loans and what is the annual interest payments on them?"

Response: Councillor Ian Darcy, Cabinet Member for Finance and IT

Could the Cabinet Member for Finance please confirm how much the Council currently [1/1/18] holds in total in its 'non-ring-fenced' reserves.

The Council's only non – ring fenced reserve is the general fund working balance. As at 1/1/18 this reserve was £9.2m.

How much does the council still owe via its LOBO loans and what is the annual interest payments on them?"

Between 2005 to 2008, the Council took out £100m of borrowing through LOBO (Lenders Option Borrowers Option) loans from various banks. Many Local Authorities were using LOBOs as they offered preferential interest rates at the time. Most LOBO loans are at rates of around 4% to 5%, with long dated maturities. Based upon current implied market expectations, these are unlikely to be called for at least ten years or possibly longer. If lenders do exercise their option to increase the rate despite economic conditions, it is likely that authorities would be able to refinance loans at a similar or lower rate.

The Council now holds £82m of LOBOs and is in discussion with other banks to refinance some of the LOBO loans. The annual interest payments are approx. £3.6m. These arrangements are subject to regular reviews as part of the Treasury Management Board's scope.

48. Torbay Children's Services Contractual Partnership

Councillor Ian Bowyer (Leader) presented the report on the Torbay Childrens' Services Contractual Arrangement, Councillor Evans seconded the report.

Following the vote, the Council <u>agreed</u> to endorse the Cabinet's decision to enter into a formal contractual arrangement for Plymouth City Council to manage Torbay Council's Children's Services with effect from 1 April 2018.

For the Motion (50)

Councillors Bowie, Coker, Davey, Evans OBE, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Rennie, 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, Kelly, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Wigens, Mrs Bridgeman, Riley, Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.

Against the motion (0)

Abstentions (1) Lord Mayor

Absent/Did not vote (6)
Councillors Aspinall, Dann, Davey, Penberthy, Singh and Ricketts.

49. Council Tax Base Setting 2018/19

Councillor Ian Darcy (Cabinet Member for Finance and IT) presented the report on the Council Tax Base Setting 2018/19, Councillor Ian Bowyer (Leader) seconded the report.

Following the vote, the Council agreed to -

- 1. approve the Council Tax Base for 2018/19 as set out in the report;
- approve the continuation of the current Council Tax Support Scheme for 2018/19
 with an update that "The authority may use information provided by the DWP and
 HMRC for the purposes of Council Tax Reduction, council tax liability, billing,
 administration and enforcement".

For the Motion (50)

Councillors Bowie, Coker, Davey, Evans OBE, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Rennie, 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, Kelly, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Wigens, Mrs Bridgeman, Riley, Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.

Against the motion (0)

Abstentions (1) Lord Mayor Absent/Did not vote (6) Councillors Aspinall, Dann, Davey, Penberthy, Singh and Ricketts.

50. Democratic and Community Engagement

Councillor John Riley (Cabinet Member for HR/Democracy and Governance/Licensing) presented the report on Democratic and Community Engagement, Councillor Stevens seconded the report.

Following the vote, the Council agreed to

- Agree the following priorities which comprise the programme of work proposed by CRG:
 - a. Providing a solid induction and good opportunities for follow-up training and development;
 - b. Improving information and data flow about wards/the city;
 - c. Engaging residents in different ways and responding to their concerns;
 - d. Clarifying ways to connect back to the Council through officers and democratic/governance processes;
 - e. Improving responsiveness from Council employees to questions and casework raised by Councillors;
 - f. Appropriately devolved funds that are directed to ward priorities and complement the baseline service;
 - g. Better utilising our networks to help solve problems collaboratively;
 - h. Ensuring Councillors are visible and accessible to residents.
- 2. Delegate to CRG responsibility for monitoring implementation of the detailed actions relating to the priorities within the programme of work outlined in recommendation 1;
- 3. Note the intention to approve use of the Neighbourhood Initiative Fund through the regular budget setting process;
- 4. Delegate to the Monitoring Officer, via CRG, relevant amendments required to Appendix One (3) Neighbourhood Working of the Constitution.

For the Motion (50)

Councillors Bowie, Coker, Davey, Evans OBE, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Rennie, 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, Kelly, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Wigens, Mrs Bridgeman, Riley, Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.

Against the motion (0)

Abstentions (1) Lord Mayor Absent/Did not vote (6)
Councillors Aspinall, Dann, Davey, Penberthy, Singh and Ricketts.

51. Remuneration of the Independent Remuneration Panel Members

Councillor John Riley (Cabinet Member for HR/Democracy and Governance/Licensing) presented the report on Remuneration of the Independent Remuneration Panel Members, Councillor Stevens seconded the report.

Following the vote, the Council agreed to

- 1. Remunerate members of the Independent Remuneration Panel at the LGA daily rate, assuming payment for each day of formal meetings, 0.5 days preparation for members and I day preparation for the Chair.
- 2. Note that recruitment for additional members of the Panel will be undertaken during early 2018 and that, where relevant, the opportunity to share a Panel (and therefore costs) with another Local Authority will be explored.

For the Motion (49)

Councillors Bowie, Coker, Davey, Evans OBE, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Rennie, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Fry, James, Jordan, Kelly, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Wigens, 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 Aspinall, Dann, Davey, Foster, Penberthy, Singh and Ricketts.

52. Pay Policy Statement 2018/2019

Councillor John Riley (Cabinet Member for HR/Democracy and Governance/Licensing) presented the report on the Pay Policy Statement 2018/19, Councillor Bridgeman seconded the report.

Following the vote, the Council agreed to

1. Approve the pay policy statement for 2018/19.

For the Motion (27)

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Foster, Fry, James, Jordan, Kelly, Martin Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Wigens, Mrs Bridgeman, Riley, Storer, Carson, Mrs Loveridge and Cook.

Against the motion (0)

Abstentions (28)

Lord Mayor, Councillors Aspinall, Bowie, Coker, Dann, Davey, Davey, Evans OBE, 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.

Absent/Did not vote (2)
Councillors Ricketts and Michael Leaves

53. Organisational Design

The Lord Mayor moved, in accordance with article 14.1(b) of the Constitution and Council Procedure Rule 21, to suspend the usual procedural rules of debate to allow the Chief Executive to present her report to Council. The motion was seconded by the Deputy Lord Mayor, put to the vote and carried.

For the Motion (55)

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

Against the motion (0)

Abstentions (1) Lord Mayor

Absent/Did not vote (1)
Councillors Ricketts

Following the re-instatement of standing orders Councillor Ian Bowyer moved and Councillor Evans seconded the report. Following the vote, Council agreed to-

- I. approve the proposals for changes to the Plymouth City Council Senior Leadership Team
- 2. note the outline timetable implementing the changes to Chief Officer positions.
- 3. authorise the Chief Officer Appointments Panel to consider any further responses from any collective and individual consultation undertaken; approve the role profiles of the new positions; agree how the roles will be selected and make appointments to roles as appropriate.
- 4. The Council's constitution is amended to reflect the changes to the Chief Officer structure and any changes to the designation or operation of Statutory Roles.

For the Motion (55)

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Foster, Fry, James, Jordan, Kelly, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Wigens, Mrs Bridgeman, Riley, Storer, Carson, Mrs

Loveridge, Cook, Aspinall, Bowie, Coker, Dann Davey, Davey, Evans OBE, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete Penberthy, Rennie, Singh Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Sparling, Mavin Winter

Against the motion (0)

Abstentions (1) Lord Mayor

Absent/Did not vote (1)
Councillors Ricketts

54. MOTIONS ON NOTICE

(i) NHS and Adult Social Care Crisis

Councillor Ian Tuffin proposed a motion on the NHS and Adult Social Care

Crisis, Councillor Mrs Aspinall seconded the motion. Following a debate the
motion was put to the vote. Council agreed –

- to request that the Chief Executive Mrs Tracey Lee, write to the Prime Minister the Rt Hon Theresa May MP, Secretary of State for Health and Adult Social Care the Rt Hon Jeremy Hunt MP and the Leader of Her Majesty's opposition the Rt Hon Jeremy Corbyn MP, within 10 working days with the following requests:
 - a. That as a priority, they fully seek and support strategies from medical professionals that will reduce overcrowding in our emergency departments.
 - b. That there is an immediate, significant and adequate increase in Social Care Funding to Support Plymouth City Council and other local authorities to provide patients who are fit to be discharged from acute beds to the provision they need
 - c. Finally we request that the main parties convene as a matter of urgency a cross party group to consider a short, medium and long-term solution to funding the NHS and Local Authorities.
 - d. We consider this a more appropriate method than the proposed green paper consultation exercise.

For the Motion (55)

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Foster, Fry, James, Jordan, Kelly, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Wigens, Mrs Bridgeman, Riley, Storer, Carson, Mrs Loveridge, Cook, Aspinall, Bowie, Coker, Dann Davey, Davey, Evans OBE, 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 (0)

Abstentions (1) Lord Mayor Absent/Did not vote (1)
Councillors Ricketts

(ii) Access to NHS Dentists

Councillor Sue McDonald proposed an amended motion on Access to NHS Dentists; the motion was seconded by Councillor Stevens.

Following the debate and vote council agreed -

- that the Director of Public Health writes to the Secretary of State for Health and Social Care with the request to rapidly improve access to NHS Dentists thereby offering a service that offers an increase in early intervention and prevention
- 2. the director of public health writes to NHS England, who are the commissioner of dental services, to request urgent local action to improve access to NHS Dentists.

For the Motion (54)

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

Against the motion (0)

Abstentions (1) Lord Mayor

Absent/Did not vote (1)
Councillors Ricketts and Sparling.

(iii) PLASTIC FREE PLYMOUTH

Councillor Winter proposed a motion on Plastic Free Plymouth, the motion was seconded by Councillor Evans.

Councillor Bowyer proposed an amendment to the motion seconded by Councillor Jordan. Following the vote the amendment was carried.

For the Motion (49)

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Foster, Fry, James, Jordan, Kelly, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Wigens, Mrs Bridgeman, Riley, Storer, Carson, Mrs Loveridge, Cook, Bowie, Coker, Dann, Davey, Evans OBE, Hendy, Lowry, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Wheeler and Winter

Against the motion (4)
Councillors Davey, McDonald, Vincent and Mavin.

Abstentions (1)
Councillor Aspinall

Absent/Did not vote (3)
Lord Mayor, Councillors Ricketts and Sparling.

Following a debate and vote on the amended motion, Council <u>agreed</u> to support a plastic free Plymouth by -

- Publishing a strategy that demonstrates how the Council will reduce the use and internal consumption of unnecessary single use plastics, and how we will engage with partners to deliver the desired outcomes across the wider city by 2020.
- 2. Appoint an Elected Member as Green Champion to lead a Council led Plastic Free Plymouth taskforce that involves local businesses and organisations in place by June 2018. This will work alongside the existing staff working group to drive the strategy forward and as far as reasonably practicable start phasing out its use of unnecessary single use plastic products in all Council buildings and at all Council events by June 2020.

For the Motion (55)

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

Against the motion (0)

Abstentions (0)

Absent/Did not vote (2)
Councillors Ricketts and Sparling

55. QUESTIONS BY COUNCILLORS

	From	То	Subject
I.	Councillor Carson	Councillor Michael Leaves	Waste collection.
2.	Councillor Parker	Councillor Mrs Beer	Sexual harassment in Schools.

	From	То	Subject
3.	Councillor Penberthy	Councillor lan Bowyer	Numbers of active applications on the housing waiting list.
4.	Councillor Darcy	Councillor Nicholson	Living Streets process.
5.	Councillor Jon Taylor	Councillor Mrs Beer	Underperforming schools in the City.
6.	Councillor Morris	Councillor lan Bowyer	Impact of the collapse of Carillion. Councillor Bowyer agreed to publish a report regarding the impact on Plymouth.
7.	Councillor James	Councillor Mrs Bowyer	Deaths in Care Homes.
8.	Councillor Loveridge	Councillor Nicholson	Update on improvements to Children's Play Areas.
9.	Councillor Dann	Councillor Michael Leaves	Update on Trees requiring work. A written response would be provided to Councillor Dann.
10.	Councillor Stevens	Councillor lan Bowyer	A request for sharing of emails between the Chief Executive and Leader.
11.	Councillor S Davey	Councillor lan Bowyer	Controlled Park Zones in Stoke. Councillor Bowyer would provide an update.
12.	Councillor Morris	Councillor Michael Leaves	Winter works scheme.
13.	Councillor Tuohy	Councillor Nicholson	A written response would be provided to Councillor Tuohy why Laurel Road was chosen for improvements under Winter Works.
14.	Councillor Sam Davey	Councillor Downie	Rats and public protection service.
15.	Councillor Evans	Councillor Downie	To ascertain when the Cabinet Downie raised the issue of underfunding with Cabinet. Councillor Downie would write to Councillor Evans.
16.	Councillor Lowry	Councillor Michael Leaves	Waste collection in Honicknowle.
17.	Councillor Rennie	Councillor lan Bowyer	Requested names of officers who have shared emails with Cabinet Members.

	From	То	Subject
18.	Councillor Hendy	Councillor Leaves	Data regarding recycling and fly tipping.