



## **Oversight and Governance**

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

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Published 09 November 2020

## **CITY COUNCIL**

Monday 16 November 2020  
2.00 pm  
Virtual Meeting

### **Members:**

Councillor Mavin, Chair

Councillor Winter, Vice Chair

Councillors Allen, Mrs Aspinall, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Buchan, Carson, Churchill, Coker, Cook, Corvid, Dann, Darcy, Sam Davey, Deacon, Derrick, Downie, Drear, Evans OBE, Goslin, Haydon, Hendy, James, Mrs Johnson, Jordan, Kelly, Laing, Michael Leaves, Samantha Leaves, Loveridge, Lowry, McDonald, Morris, Murphy, Neil, Nicholson, Parker-Delaz-Ajete, Penberthy, Mrs Pengelly, Rennie, Riley, Singh, Pete Smith, Rebecca Smith, Stevens, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent, Ms Watkin, Wheeler and Wigans.

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 joining the virtual meeting, 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 - [Get Involved](#)

**Tracey Lee**

Chief Executive

## City Council

### Agenda

**1. Apologies**

To receive apologies for absence submitted by councillors.

**2. Minutes**

**(Pages 1 - 10)**

To approve and sign the minutes of the meeting held on 14 September 2020 as a correct record.

**3. Declarations of Interest**

**(Pages 11 - 12)**

Members will be asked to make any 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**

The Acting Monitoring Officer will report on vacancies on committees, outside bodies etc and of changes notified to Democratic Support for Council to note.

**5. Announcements**

(a) To receive announcements from the Lord Mayor, Chief Executive, Service 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](mailto:democraticsupport@plymouth.gov.uk). Any questions must be received at least five complete working days before the meeting.

**7. Appointment of the Section 151 Officer (Service Director for Finance) (Pages 13 - 18)**

**8. Capital and Revenue Monitoring Report 2020/21 – Quarter 2 (To Follow)**

**9. City Council meeting dates 2021/22 (To Follow)**

**10. Motions on notice**

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

**11. Urgent Key Decision to be Reported (To Follow)**

**12. 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 14 September 2020****PRESENT:**

Councillor Mavin, in the Chair.

Councillor Winter, Vice Chair.

Councillors Allen, Mrs Aspinall, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Buchan, Carson, Churchill, Coker, Cook, Corvid, Dann, Darcy, Sam Davey, Deacon, Downie, Drear, Evans OBE, Goslin, Haydon, Hendy, Mrs Johnson, Kelly, Laing, Michael Leaves, Loveridge, Lowry, McDonald, Morris, Murphy, Neil, Nicholson, Parker-Delaz-Ajete, Penberthy, Rennie, Riley, Singh, Pete Smith, Rebecca Smith, Stevens, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent, Ms Watkin, Wheeler and Wigans.

Apologies for absence: Councillors Derrick, James, Jordan, Samantha Leaves and Mrs Pengelly

The meeting started at 2.00 pm and finished at 7.30 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.*

**24. Minutes**

The minutes of the meeting held on 22 June 2020 were agreed as a true and accurate record subject to the following amendment:

Minute 23: Questions by Councillors – question 12 – Councillor Mrs Johnston should be replaced with Councillor Mrs Johnson.

**25. Declarations of Interest**

There were no declarations of interest made by Members in accordance with the Code of Conduct.

**26. Appointments to Committees, Outside Bodies etc**

Members were advised that there were no changes or new appointments to committees or outside bodies.

**27. Announcements**

The Lord Mayor made the following announcement:

- invited the Council to note the sad passing of Mrs Phyllis Ainsworth on 9th of September 2020 - she was Deputy Lady Mayoress in 1970/71, Lady Mayoress in

1994/95 and President of the Federation of Ex-Services Associations. Councillors were asked to join the Lord Mayor in observing 1 minute's silence.

The Lord Mayor then requested that Council suspend the usual procedural rules to allow the Director of Public Health to provide an update to the Council on COVID-19. The Deputy Lord Mayor seconded the motion and this was agreed unanimously by Full Council.

The Director of Public Health provided an update on the current situation with regards to the COVID-19 pandemic as follows:

- over the last few weeks there had been an increase in cases of COVID-19 across the country; within Plymouth the rate of cases was currently 16, per 100,000 in comparison to an average of 22 per 100,00 across the rest of England. Plymouth's figures were below the national average however had increased considerably since the last update to Council;
- it was recognised nationally that the majority of cases were in a younger population (working age to up to 50 years old) and that this cohort seemed to be less badly affected by the disease itself. The rates of those cases across the country remained relatively low however in some areas where early increases were experienced there were local lockdowns in place;
- as winter was approaching it was expected that people would spend more time indoors and it was highlighted that COVID-19 could spread more easily in this environment due to less space and ventilation. This time of year also brought about more coughs and colds, many of which would not be COVID-19, however would need to be treated as such due to the similarity of symptoms experienced;
- it was recognised that there had been considerable issues linked to pillar 2 testing; some people were experiencing problems booking onto tests to get to the Seaton Barracks site or to get a home test. It was highlighted that the issue was in laboratory capacity;
- despite the difficulties experienced by some in trying to get a test, the rate of testing had increased; in the last 7 days 3,300 tests had been carried out in Plymouth whereas over a month in the summer the rate was approximately 2,000. It was reiterated that only the person with COVID-19 symptoms was required to undertake a test other than the entire household;
- to try to prevent the rise in COVID-19 associated deaths, guidance had been issued by the Government limiting social contact to a group of 6 people; it was highlighted that the more you minimise social contact the more you minimise the potential risk in contracting or spreading COVID-19.

The following key areas of questioning were raised by Members:

- issues surrounding Track and Trace in terms of licensed premises and how

businesses could be encouraged to collect this information;

- how Plymouth University was going to oversee students were following Government guidelines relating to COVID-19 restrictions during Fresher's Week, and how the rule of 6 was going to affect HMOs in the city whose occupancy was greater than this number;
- what powers did the Director of Public Health, the Council and other responsible bodies have to ensure residents were acting in a responsible way in licensed premises during the pandemic.

The Chief Executive of the Council, Tracey Lee, then provided an update on COVID-19, efforts to provide key services throughout the pandemic and to restore them and work undertaken with partners to focus on recovery.

The Leader of the Council, Councillor Tudor Evans OBE, made announcements including the following: testing capacity in Plymouth, the recruitment of COVID-19 Marshalls, Brexit and lorry parks, the Government's consultation on housing, the importance of the defence economy in Plymouth, Plymouth railway station, the penalisation of Plymouth Albion and The Box in Plymouth.

Councillor Kate Taylor, Cabinet Member for Health made announcement regarding four care homes that were at outbreak status and two currently at suspected outbreak status but these were not all residents this could be staff.

Councillor Jon Taylor, Cabinet Member for Education, Transformation and Skills made announcement on COVID-19 in Plymouth schools and advised that there were currently three schools that had confirmed cases and each school was following local risk assessments and DFE guidance.

Councillor Pete Smith, Deputy Leader made announcements regarding the opening of Plympton and Estover Libraries and over the next week all the remaining libraries would be open.

Councillor Sally Haydon, Cabinet Member for Customer Focus and Community Safety thanked staff at the Contact Centre for their hard work and who have made it to number 1 of customer satisfaction rates in June.

Councillor Chris Penberthy, Cabinet Member for Housing and Co-operative Development regarding Crowd Fund Plymouth and it had helped 93 eligible projects. We have increased our match funding from £20,000 to £30,000 and a bonus of up to £15,000 for projects that meet our climate emergency initiative.

Councillor Mary Aspinall, Chair of the Scrutiny Management Board advised Members that individual scrutiny panels would begin to start up again, however would have a clear focus on the impact of COVID-19 upon the specific service areas.

28. **Questions by the Public**

There were no questions from members of the public.

29. **Annual Report on Treasury Management Activities for 2019/20**

Councillor Mark Lowry (Cabinet Member for Finance) introduced the Annual Report on Treasury Management Activities for 2019/20. This was seconded by Councillor Tudor Evans OBE (Leader of the Council).

Following a discussion, Council agreed to approve the Annual Report on Treasury Management Activities for 2019/20.

For (48)

Councillors Allen, Aspinall, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Buchan, Corvid, Carson, Churchill, Coker, Dann, Darcy, Davey, Deacon, Downie, Drean, Evans OBE, Haydon, Goslin, Hendy, Mrs Johnson, Kelly, Laing, Mike Leaves, Loveridge, Lowry, McDonald, Morris, Murphy, Nicholson, Parker-Delaz-Ajete, Penberthy, Rennie, Riley, Singh, P Smith, R Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Ms Watkin, Wheeler and Winter.

Against (0)

Absent/ Did Not Vote (9)

Councillors Cook, Derrick, Jordan, James, Sam Leaves, Neil, Mrs Pengelly, Wigens.  
Lord Mayor – Councillor Mavin

30. **Report from the Chief Officer Appointments Panel**

This item was withdrawn therefore was not discussed.

31. **Motions on notice**

32. **Flooding**

Councillor Drean introduced the Motion on Flooding. This was seconded by Councillor Kelly.

An amendment to the Motion was moved by Councillor Dann and this was seconded by Councillor Coker.

The amendment proposed was follows:

Plymouth City Council has taken a proactive approach to flood prevention and a lead role in responding to the challenges being faced by Plymouth as a result of the wider climate crisis. Since 2012 PCC have completed 18 separate flood risk projects at a cost of £5M, that has resulted in 343 residential properties being better protected from flooding. In the current and future flood risk programme, between 2020 and 2026, a total of 14 new major flood projects are identified, these are designed to reduce the risk of flooding to a further 998



residential properties in Plymouth at a current estimated total delivery cost of £26M. These projects will be funded through partnership funding arrangements with the Environment Agency, South West Water, developer funded contributions where these can be secured and will depend on match funding from Plymouth City Council.

The Environment Agency has said that £1 billion a year is needed to protect our communities with the need for comprehensive flood prevention plans recognising the climate crisis. The pressure is even higher now on cash strapped councils and our frontline services following years of austerity, its time the government recognised that funding to reverse the severe cuts that have been imposed on local authorities is key to support future climate emergency planning.

In light of recent Flooding across the City, and the forecast that future Climate Change and weather patterns will make this a more regular occurrence, the City Council resolves:

To ask Cllr ~~Mark Coker~~ Sue Dann to be even more proactive in taking and to take the lead in protecting our City from further flooding, by continuing to complete ~~completing~~ preventative and routine work in a timely fashion as well as working with partner agencies to protect and safeguard residents and business from the distress and anxiety caused by such flooding and lobbying the government to take the urgent decisions needed to respond to the climate crisis Ask Cllr Sue Dann to write to the government to ensure that the funding and planning for flood defence is a priority and to increase funding to local authorities and the Environment Agency flood defence schemes to safeguard residents, businesses and infrastructure.

The meeting was briefly adjourned to consider the amendment.

Following a debate, the amendment was agreed.

For (49)

Councillors Allen, Aspinall, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Buchan, Corvid, Carson, Churchill, Coker, Dann, Darcy, Davey, Deacon, Downie, Drean, Evans OBE, Haydon, Goslin, Hendy, Mrs Johnson, Kelly, Laing, Mike Leaves, Loveridge, Lowry, McDonald, Morris, Murphy, Neil, Nicholson, Parker-Delaz-Ajete, Penberthy, Rennie, Riley, Singh, P Smith, R Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Ms Watkin, Wheeler and Winter.

Against (0)

Absent/ Did Not Vote (8)

Councillors Cook, Derrick, Jordan, James, Sam Leaves and Mrs Pengelly, Wigens.  
Lord Mayor – Councillor Mavin

Following a debate, Council voted on the motion as amended as follows:

For (48)

Councillors Allen, Aspinall, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Buchan, Corvid, Carson, Coker, Cook, Dann, Darcy, Davey, Deacon, Downie, Drean, Evans OBE,

Haydon, Goslin, Hendy, Mrs Johnson, Kelly, Laing, Mike Leaves, Loveridge, Lowry, McDonald, Morris, Murphy, Nicholson, Parker-Delaz-Ajete, Penberthy, Rennie, Riley, Singh, P Smith, R Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Ms Watkin, Wheeler and Winter.

Against (0)

Absent/ Did Not Vote (9) Councillors Churchill, Derrick, Jordan, James, Sam Leaves, Neil, Mrs Pengelly and Wigans.

Lord Mayor – Councillor Mavin

The motion was carried.

33. **Poor quality Grass Cutting and lack of Weed Control throughout Plymouth**

Councillor Mrs Beer introduced the Motion on Poor Quality Grass Cutting and Lack of Weed Control Throughout Plymouth. This was seconded by Councillor Nicholson.

An amendment to the Motion was moved by Councillor Stevens and this was seconded by Councillor Dann.

The amendment proposed was follows:

Appreciating that this year is an exceptional year due to the impact of the Coronavirus pandemic, the Council took the decision to reduce grass cutting to all but essential areas until June. The City Council implemented an adapted grass cutting schedule at the end of June and this programme should have seen most areas cut on a four weekly schedule. Added to this, weeds continue to be seen on our streets throughout Plymouth as teams have been reduced because of the COVID -19 pandemic and during lockdown work in the neighbourhoods was restricted. The ongoing issue the service faces is reduced funding as it is now clear that the government's refusal to fully reimburse Plymouth City Council for the impact of Covid-19 crisis, as they had previously promised to do, on top of a decade of relentless and sustained cuts, is impacting negatively on the Council's ability to provide many council services, including street services.

Council resolves:

To urge Cllr Sue Dann to take urgent action most importantly securing additional funding from government to properly cut the City Council's grass and remove weeds from our streets.

To ask the Leader of the Opposition Group to write to the Leader of his party requesting that they restore cuts to the Council budgets and fully reimburse the Council's COVID-related costs.

The meeting was briefly adjourned to consider the amendment.

Following a debate, the amendment was carried.

For (29)

Councillors Allen, Mrs Aspinall, Buchan, Corvid, Coker, Dann, Davey, Evans OBE, Haydon, Goslin, Hendy, Laing, Lowry, McDonald, Morris, Murphy, Neil, Parker-Delaz-Ajete, Penberthy, Rennie, P Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler and Winter.

Against (21)

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Carson, Churchill, Cook, Darcy, Deacon, Dowie, Drean, Mrs Johnson, Kelly, Mike Leaves, Loveridge, Nicholson, Riley, Singh, R Smith and Ms Watkin.

Absent/ Did Not Vote (7)

Councillors Derrick, Jordan, James, Sam Leaves and Mrs Pengelly and Wiggins.  
Lord Mayor – Councillor Mavin

Following a debate, the motion was carried.

For (29)

Councillors Allen, Mrs Aspinall, Buchan, Corvid, Coker, Dann, Davey, Evans OBE, Haydon, Goslin, Hendy, Laing, Lowry, McDonald, Morris, Murphy, Neil, Parker-Delaz-Ajete, Penberthy, Rennie, P Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler and Winter.

Against (21)

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Carson, Churchill, Cook, Darcy, Deacon, Downie, Drean, Mrs Johnson, Kelly, Mike Leaves, Loveridge, Nicholson, Riley, Singh, R Smith and Ms Watkin.

Absent/ Did Not Vote (7)

Councillors Derrick, Jordan, James, Sam Leaves and Mrs Pengelly and Wiggins.  
Lord Mayor – Councillor Mavin

34. **Wheelie Bin Charges**

Councillor Mrs Bridgeman introduced the Motion on Wheelie Bin Charges. This was seconded by Councillor Kelly.

Following a debate, the motion was lost.

For (21)

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Carson, Churchill, Cook, Darcy, Deacon, Downie, Drean, Mrs Johnson, Kelly, Mike Leaves, Loveridge, Nicholson, Riley, Singh, R Smith and Ms Watkin.

Against (29)

Councillors Allen, Mrs Aspinall, Buchan, Corvid, Coker, Dann, Davey, Evans OBE, Haydon, Goslin, Hendy, Laing, Lowry, McDonald, Morris, Murphy, Neil, Parker-Delaz-Ajete, Penberthy, Rennie, P Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler and Winter.

Absent/ Did Not Vote (7)

Councillors Derrick, James, Jordan, Sam Leaves, Mrs Pengelly and Wigans  
Lord Mayor – Councillor Mavin.

35. **Covid-19 Funding Crisis**

Councillor Evans OBE introduced the Motion on Covid-19 Funding Crisis. This was seconded by Councillor Lowry.

Following a debate the motion was carried.

For (30)

Councillors Allen, Aspinall, Buchan, Corvid, Coker, Dann, Davey, Evans OBE, Haydon, Goslin, Hendy, Laing, Lowry, McDonald, Morris, Murphy, Neil, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler and Winter.

Against (0)

Abstain (19)

Councillors Ball, Bowyer, Mrs Bowyer, Mrs Bridgeman, Carson, Churchill, Cook, Darcy, Deacon, Downie, Drean, Mrs Johnson, Kelly, Mike Leaves, Loveridge, Nicholson, Riley, Rebecca Smith and Ms Watkin.

Absent/ Did Not Vote (8)

Councillors Mrs Beer, Derrick, James, Jordan, Sam Leaves, Mrs Pengelly and Wigans.  
Lord Mayor – Councillor Mavin

(During this motion it was agreed that the meeting of council would be extended by 30 minutes)

36. **Re-opening of Plymouth Libraries**

Councillor Deacon introduced the Motion on Re-opening of Plymouth Libraries. This was seconded by Councillor Downie.

Following a debate, Councillor Lowry's proposal to move to the vote, as seconded by Councillor Rennie, was carried:

For (28)

Councillors Mrs Aspinall, Buchan, Corvid, Coker, Dann, Davey, Evans OBE, Haydon, Goslin, Hendy, Laing, Lowry, McDonald, Morris, Murphy, Neil, Parker-Delaz-Ajete, Penberthy, Rennie, P Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler and Winter.

Against (22)

Councillors Allen, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Carson, Churchill, Cook, Darcy, Deacon, Downie, Drear, Mrs Johnson, Kelly, Mike Leaves, Loveridge, Nicholson, Riley, Singh, R Smith and Ms Watkin.

Absent/ Did Not Vote (7)

Councillors Derrick, James, Jordan, Sam Leaves, Mrs Pengelly and Wiggins.  
Lord Mayor – Councillor Mavin

The motion regarding the Re-opening of Plymouth Libraries was lost:

For (21)

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Carson, Churchill, Cook, Darcy, Deacon, Downie, Drear, Mrs Johnson, Kelly, Mike Leaves, Loveridge, Nicholson, Riley, Singh, R Smith and Ms Watkin.

Against (29)

Councillors Allen, Mrs Aspinall, Buchan, Corvid, Coker, Dann, Davey, Evans OBE, Haydon, Goslin, Hendy, Laing, Lowry, McDonald, Morris, Murphy, Neil, Parker-Delaz-Ajete, Penberthy, Rennie, P Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler and Winter.

Absent/ Did Not Vote (7)

Councillors Derrick, James, Jordan, Sam Leaves, Mrs Pengelly and Wiggins.  
Lord Mayor – Councillor Mavin

37. **Conservative Proposals to Remove Residents' Voices from the Planning System**

Councillor Stevens introduced the Motion on Conservative Proposals to Remove Residents' Voices from the Planning System. This was seconded by Councillor Allen.

Following a debate the motion was carried.

For (28)

Councillors Allen, Mrs Aspinall, Buchan, Corvid, Coker, Dann, Davey, Evans OBE, Haydon, Goslin, Laing, Lowry, McDonald, Morris, Murphy, Neil, Parker-Delaz-Ajete, Penberthy, Rennie, P Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler and Winter.

Against (21)

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Carson, Churchill, Cook, Darcy, Deacon, Downie, Drear, Mrs Johnson, Kelly, Mike Leaves, Loveridge, Nicholson, Riley, Singh, R Smith and Ms Watkin.

Absent/ Did Not Vote (8)

Councillors Derrick, Hendy, James, Jordan, Sam Leaves, Mrs Pengelly and Wigen.  
Lord Mayor – Councillor Mavin

38. **Questions by Councillors**

The Lord Mayor invited Members to submit questions to the Leader, Cabinet Members or Chairs in writing in order for a response to be provided after the meeting.

DECLARING INTERESTS – QUESTIONS TO ASK YOURSELF

What matters are being discussed?



**D  
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I**

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

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

No

Yes



Declare interest and leave (or obtain a dispensation)



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

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

Yes

No



You can speak and vote



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

Yes

No



Declare the interest and speak and vote



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

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

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

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# City Council



Date of meeting:	16 November 2020
Title of Report:	<b>Appointment of S151 Officer (Service Director for Finance)</b>
Lead Member:	Councillor Mark Lowry (Cabinet Member for Finance)
Lead Strategic Director:	Andy Ralphs (Strategic Director of Customer and Corporate Services)
Author:	Kim Brown, Service Director HROD
Contact Email:	kim.brown@plymouth.gov.uk
Your Reference:	KBS151
Key Decision:	No
Confidentiality:	Part I - Official

## Purpose of Report

This report relates to the appointment of the Council's Section 151 Officer following the resignation of Andrew Hardingham, and the recruitment process for a permanent Service Director Finance.

At its meeting held on 5 October 2020, the Chief Officer Appointments Panel agreed to appoint Brendan Arnold as the Council's Service Director Finance. The S151 responsibilities are included in the role profile but the designation of an officer to act as Responsible Finance Officer (S151 Officer) is a decision for Full Council.

## Recommendations and Reasons

1. That Brendan Arnold is confirmed as the Council's Section 151 Officer with effect 6 December 2020 at midnight.  
The reason for this appointment is to meet our statutory obligation under Section 151 of the Local Government Act 1972. The Local Government and Housing Act 1989 also requires that the post holder is a member of one of the CCAB accountancy bodies.
2. That Andrew Hardingham the outgoing S151 officer is thanked for his contribution to the Council.

## Alternative options considered and rejected

The appointment of a Section 151 Officer is a statutory requirement under Section 151 of the Local Government Act 1972.

## Relevance to the Corporate Plan and/or the Plymouth Plan

In order to deliver the Corporate Plan it is important that the Council provides services in the most efficient and effective way to meet the needs of its customers and residents.

**Implications for the Medium Term Financial Plan and Resource Implications:**

The cost of employing a permanent Service Director Finance is included in the overall Council Budget 2020/21 and Medium Term Financial Plan, within the Customer and Corporate Services directorate.

**Carbon Footprint (Environmental) Implications:**

No implications.

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

\* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.

No implications.

**Appendices**

\*Add rows as required to box below

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Designation of S151 Officer							

**Background papers:**

\*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

**Sign off:**

Fin	pl.20. 21.13 5.	Leg		Mon Off	3559 0/AC/ 6/11/ 20	HR	AM06 1120	Asset s		Strat Proc	
Originating Senior Leadership Team member: Andy Ralphs (Strategic Director of Customer and Corporate Services)											

Please confirm the Strategic Director(s) has agreed the report? Yes

Date agreed: 05/11/2020

Cabinet Member approval: Councillor Mark Lowry (Cabinet Member for Finance) *approved by email*

Date approved: 06/11/2020

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## Appendix A

**DESIGNATION OF S151 OFFICER****I. Authority and responsibilities**

- I.1 The Service Director Finance is the officer who has statutory responsibility to ensure the proper administration of the Council's financial affairs by virtue of section 151 of the Local Government Act 1972 and is required to hold appropriate skills and qualifications to undertake this role.
- I.2 The appointment of the Section 151 Officer/Responsible Finance Officer is personal to that officer and once appointed by Council, s/he has personal responsibilities to the Council as a whole.
- I.3 The Council's Constitution (Part A, Section 10.4) sets out the main duties of the Responsible Finance Officer/Section 151 Officer:
- (a) **To make sure decisions are lawful and financially prudent.** After consulting with the Head of Paid Service and the Monitoring Officer, the Responsible Finance Officer will report to the Full Council and the Council's external auditor if he/she considers that any proposal, decision or course of action would incur unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency, or if the Council is about to enter an item of account unlawfully.
  - (b) **To administer financial affairs.** The Responsible Finance Officer will have responsibility for the administration of the financial affairs of the Council.
  - (c) **To contribute to corporate management.** The Responsible Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.
  - (d) **To provide advice.** The Responsible Finance Officer or designee will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all Councillors and will support and advise Councillors and officers in their respective roles.
  - (e) **Providing financial information.** The Responsible Finance Officer or designee will provide financial information to the media, members of the public and the community.
  - (f) **Restrictions on Post.** The Responsible Finance Officer cannot be the Monitoring Officer. The Head of Paid Service and the Responsible Finance Officer can be the same person but the Responsible Finance Officer must be a qualified accountant.

- 1.4 The S151 Officer may deputise his duties to another officer, it may not, however, be to the Head of Paid Service or the Monitoring Officer who are not allowed to hold the S151 Officer role.

## **2. Recruitment**

- 2.1 At its meeting held on 26 June 2020, the Chief Officer Appointments Panel approved for the recruitment process to commence to secure a permanent Service Director Finance.
- 2.2 On 5 October 2020, the Appointments Panel agreed to appoint Brendan Arnold as the Council's Service Director for Finance.
- 2.3 The Constitution requires notification of the proposed appointment to be given to each member of the Cabinet to give them an opportunity to object to the proposal. Such notification has been given to the Cabinet and no objections were received.

## **3. Council approval**

The S151 responsibilities are included in the role profile of the Service Director for Finance but the designation of an officer to act as Responsible Finance Officer (S151 officer) is a decision for Full Council.