

City Council

Monday 1 February 2010

PRESENT:

Councillor K Foster, in the Chair.

Councillor Drean, Vice Chair.

Councillors Mrs Aspinall, Ball, Mrs Beer, Berrow, Bowie, Bowyer, Mrs Bowyer, Mrs Bragg, Brookshaw, Browne, Coker, Dann, Delbridge, Mrs Dolan, Evans, M Foster, Mrs Foster, Fox, Fry, Gordon, James, Jordan, Kerswell, King, Martin Leaves, Michael Leaves, Sam Leaves, Lock, Lowry, McDonald, Monahan, Mrs Nelder, Nicholson, Mrs Nicholson, Mrs Pengelly, Purnell, Rennie, Reynolds, Ricketts, Roberts, Dr. Salter, Stark, Mrs Stephens, Stevens, Thompson, Tuohy, Vincent, Viney, Mrs Watkins, Wheeler, Wiggins and Wildy.

Apologies for absence: Councillors Dr. Mahony, Miller MBE and Smith

The meeting started at 2.00 pm and finished at 6.35 pm.

Note: 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.

78. DECLARATIONS OF INTEREST

The following declarations of interest were made in accordance with the Code of Conduct from Members in relation to items under consideration at this meeting –

Name	Item	Interest	Reason
Councillor Mrs Beer	Motion on Notice no. 7 (Police Community Support Officers) Minute 90 refers	Employed by Devon and Cornwall Police	Personal and prejudicial
Councillor Brookshaw	Motion on Notice no. 7 (Police Community Support Officers) Minute 90 refers	Relative employed by Devon and Cornwall Police	Personal and prejudicial
Councillor Coker	Members' Allowance Scheme, minute 84 and Motion on Notice no. 6 (Members' Allowance Scheme) Minute 91 refers	Member of Overview and Scrutiny Management Board	Personal
Councillor Martin Leaves	Motion on Notice no. 9 (Redundancies at Plymouth CityBus) Minute 93 refers	Relative employed by Plymouth CityBus	Personal and prejudicial
Councillor Michael Leaves	Motion on Notice no. 9 (Redundancies at Plymouth CityBus) Minute 93 refers	Relative employed by Plymouth CityBus	Personal and prejudicial
Councillor Samantha Leaves	Motion on Notice no. 9 (Redundancies at Plymouth CityBus) Minute 93 refers	Relative employed by Plymouth CityBus	Personal and prejudicial
Councillor Mrs Pengelly	Motion on Notice no. 7 (Police Community Support Officers) Minute 90 refers	Member of the Police Authority	Personal and prejudicial
Councillor Mrs Pengelly	Motion on Notice no. 8 (West End Scheme: Highway and pavement works) Minute 92 refers	Director of City Centre Company	Personal and prejudicial
Councillor Roberts	Members' Allowance Scheme, minute 84 and Motion on Notice no. 6 (Members' Allowance Scheme) Minute 91 refers	Member of Overview and Scrutiny Management Board	Personal

Name	Item	Interest	Reason
Councillor Stevens	Motion on Notice no. 7 (Police Community Support Officers) Minute 90 refers	Employed by Devon and Cornwall Police	Personal and prejudicial
Councillor Thompson	Members' Allowance Scheme, minute 84 and Motion on Notice no. 6 (Members' Allowance Scheme) Minute 91 refers	Member of Overview and Scrutiny Management Board	Personal
Councillor Vincent	Motion on Notice no. 9 (Redundancies at Plymouth CityBus) Minute 93 refers	Employed by Plymouth CityBus.	Personal and prejudicial
Councillor Viney	Motion on Notice no. 7 (Police Community Support Officers) Minute 90 refers	Relative employed by Devon and Cornwall Police	Personal and prejudicial
Councillor Wildy	Members' Allowance Scheme, minute 84 and Motion on Notice no. 6 (Members' Allowance Scheme) Minute 91 refers	Member of Overview and Scrutiny Management Board	Personal

79. **MINUTES**

The minutes of the meeting held on 12 October (as amended) and 30 November 2009 were signed as a correct record.

ANNOUNCEMENTS

80. **The Lord Mayor**

Former Councillor Ivy Rosevear and Margaret Savery

- (i) The Lord Mayor referred to the death of the former Councillor Ivy Rosevear, before Christmas. She represented the St Budeaux ward on the City Council from 1978 to 1987 and served on the Housing, Local Economy, Policy and Resources, General Purposes, Publicity and Tourism, Twinning, Leisure Services and Local Youth and Community Services Committees.
- (ii) The Lord Mayor referred to the recent death of Margaret Savery on 19 January 2010. She supported her husband, Freeman Savery, as the Lady Mayoress during his year as Lord Mayor in 1999 to 2000.

Councillors stood in silence for one minute as a mark of respect.

81. **Chief Executive**

Appointments to committees, outside bodies, etc.

Resolved that –

- (1) the following appointments are confirmed -

	Committee	Membership / change	Appointment
1	Lord Mayor's Selection Committee	6 Councillors (3 Conservative and 3 Labour Members)	Councillors Mrs Bowyer, Evans, M Foster, Gordon, Mrs Pengelly and Vincent
2	Standards Committee	Independent Members	Miss Corinne Farrell and Mr Roy Campbell
3	Licensing Miscellaneous Committee	Resignation of Councillor Roberts	Councillor Mike Foster

	Organisation	No. of Members / change	Term of Office	Appointments / Nominations
4	Elize Hele and John Lanyon Foundation	Resignation of Councillor Ricketts	Fixed term of office 3 years to May 2012	Councillor Dr Mahony
5	Plymouth Community Homes Board	4 Councillors	Continuing until such time as the Member resigns or is replaced by Council	Councillors Dann and McDonald Thompson and, Mrs Watkins
6	Tamar Science Park	New Director	Continuing until such time as the officer resigns or is replaced by Council	David Draffan, Assisant Director for Economic Development
7	Plymouth Charity Trust	One vacancy following appointment of Heather Binley as co-opted trustee	Fixed term for 4 years	Not to be filled until further notice.

(2) the following changes of committee membership notified to the Monitoring Officer, are noted -

	Committee	Change of Membership
8	Planning Committee	Councillor Thompson to replace Councillor Martin Leaves
9	Customers and Communities Overview and Scrutiny Panel	Councillor Delbridge to replace Councillor Roberts
10	Hackney Carriage	Councillor Mrs Nicholson to replace Councillor Thompson

82. **The Leader**

The Leader gave an update on the recent fire at Holy Cross Primary School and paid tribute to the local community who had contributed a lot of help and also to staff who had spent the weekend painting the classrooms to enable the school to be reopened. The Leader, on behalf of the Council, thanked everyone who made it possible for the school to carry on as normal during this difficult period.

83. **QUESTIONS BY THE PUBLIC**

In accordance with paragraph 10 of the constitution, the following question was submitted by a member of the public –

Question No	Question By	Cabinet Member	Subject
12 09/10	Mr Sharpe	Councillor Jordan, Cabinet Member for Leisure, Culture and Sport	Plymouth Athenaeum Theatre
Please could Plymouth residents be given an up date on how Plymouth City Council is proceeding with a representative of the theatre trust regarding the closed Plymouth Athenaeum Theatre, and when will the Plymouth Public be allowed their say?			
Response:			
The Arts Unit has worked with the Theatre Forum Member to devise a brief for a piece of work which will result in an audit of the performing stages in Plymouth, and a resource for Theatre Companies, Amateur and Dramatic, Touring and Local. This work is due to start in March.			
The City Council will provide what assistance it can in enabling the Theatre Forum to identify other venues to meet its needs. The Plymouth public can, as always, express their views direct to the Theatre Forum or to the City Council through the normal channels.			

Resolved that in the absence of the questioner, a written response be sent to him.

84. **MEMBERS' ALLOWANCE SCHEME**

Paul Woods, Chair of the Independent Remuneration Panel presented the report and recommendations of the Independent Remuneration Panel.

The Leader moved the recommendations of the panel for approval and the motion was seconded by Councillor Bowyer.

The Lord Mayor declared the motion carried and it was Resolved that the recommendations are approved as follows -

- (1) the special responsibility allowance for the members of the Overview and Scrutiny Management Board is Band 4 (currently £5,072.64) increased annually by the adjustment method recommended in the 2008 report;
- (2) it is noted that the special responsibility allowance for each chair of the Overview and Scrutiny Panel remains at Band 3 (currently £10,145.28);
- (3) a review of the role of the co-opted member of an Overview and Scrutiny Management Board is undertaken, within a period of twelve months from the consideration of this report by full council, in order to assess whether an allowance would be appropriate;
- (4) the special responsibility allowance relating to members of the Overview and Scrutiny Management Board is backdated to 6 July 2009;
- (5) co-opted members are entitled to claim childcare and dependent carer's allowances (against receipts) when they are on approved council business;
- (6) attendance at Member learning and development events is included in the list of approved duties;
- (7) the level of allowance appropriate for the independent chair of the Standards Committee is reviewed in summer 2010;
- (8) the City Council undertakes the notification process relating to the Data Protection Act 1998, on behalf of each councillor, to the Information Commissioner;
- (9) for the purposes of clarity, information about Members' notification with the Information Commissioner is included within the Members' Allowances Scheme;
- (10) the Members' IT options in section 7.3 of the report are noted;
- (11) for the purposes of clarity, the IT information is included within the Members' Allowances Scheme;
- (12) the process for recruiting a fourth member of the Panel begins following the consideration of this meeting of the City Council;
- (13) the Panel recommends that it convenes at the appropriate times (as identified in this report) in order to review the allowances of the independent chair of the Standards Committee and the co-opted member of the Overview and Scrutiny Management Board, as well as any other miscellaneous issues as required.

(Councillors Coker, Roberts, Thompson and Wildy declared a personal interest in the above item).

85. **TO DEAL WITH ANY BUSINESS FROM THE LAST COUNCIL MEETING, IF ANY**

There were no items of business outstanding for this meeting.

ITEMS REFERRED FROM CABINET AND OVERVIEW AND SCRUTINY MANAGEMENT BOARD

86. **Council Tax Base Setting**

Councillor Bowyer submitted the recommendation from Cabinet minute 100 for approval and the proposal was seconded by Councillor Michael Leaves.

Following a vote being taken, the motion was declared carried it was Resolved that the recommendation in Cabinet minute 100 is approved as follows –

to approve the Council Tax Base for Tax Setting for 2010/11 as 76,899 Band D equivalents, which is the tax base after allowing for an estimated collection rate of 98.5%.

87. **Locality Working**

Councillor Brookshaw submitted the recommendations of Cabinet minute 113 for approval and the proposal was seconded by Councillor Fox.

An amendment was subsequently moved by Councillor Wildy and seconded by Councillor Evans as set out below –

Under recommendations

1. add after the introduction of the words 'a pilot' for locality working according to the model proposed and insert under first bullet point 'in Plymstock';

Delete bullet points numbers 1 – 4

2. after discontinued insert 'in the pilot area';
3. delete all and insert 'agrees to request the Director of Community Services to present options for each locality based on detailed negotiations with relevant councilors, partners, members of the community, faith groups and third sector organisations taking into account feedback from consultation and community engagement and disaggregated data at neighbourhood level on city-wide priorities together with detailed budgets for each locality';
4. delete after Task and Finish Group 'be established 12 months after implementation to formally review progress' and insert 'to monitor the pilot and other neighbourhood management initiatives, eg. Devonport with a view to making recommendations for roll-out across the city within the next 12 months'.

Following a request by 10 Members for a recorded vote on the amendment, there voted –

For the motion (16)

Councillors Mrs Aspinall, Bowie, Coker, Dann, Evans, Gordon, Lowry, McDonald, Nelder, Purnell, Rennie, Stevens, Tuohy, Vincent, Wheeler and Wildy.

Against the motion (36)

Councillors Ball, Mrs Beer, Berrow, Bowyer, Bragg, Brookshaw, Browne, Delbridge, Mrs Dolan, Drear, Michael Foster, Fox, Fry, James, Jordan, Kerswell, King, Martin Leaves, Michael Leaves, Sam Leaves, Lock, Monahan, Mrs Nicholson, Nicholson, Mrs Pengelly, Reynolds, Ricketts, Roberts, Dr Salter, Stark, Mrs Stephens, Thompson, Viney, Mrs Watkins and Wigen.

Abstentions (0)

Absent (4)

Councillors Mrs W Foster, Dr Mahony, Miller and Smith

The Lord Mayor did not vote.

The Lord Mayor declared the amendment not carried.

During the debate on the substantive motion, the Leader offered to meet with members of the opposition group to further explore and clarify issues as necessary.

The Portfolio Holder advised the Council that this was a working document and it would be reviewed in 12 months time via scrutiny.

Following a vote, the motion was declared carried and it was Resolved that the recommendations are approved as follows –

- (1) the introduction of locality working is supported according to the model proposed, in particular:
 - by appointing a lead councillor for each neighbourhood with responsibility for raising community priorities relevant to Locality working and agreeing solutions with Locality Service Coordination Teams (LSCT). The work of the LSCTs being guided by these priorities plus any strategic priority identified by the LSP Executive;
 - wherever possible, the lead ward councillor for each Neighbourhood to be allocated by agreement amongst the party with the majority amongst those councillors with wards which cover the Neighbourhood. Where necessary, Party Leaders and Independent councillors to be involved to reach agreement on the allocation of ward councillors to the relevant Neighbourhood lead role. Arrangements to be reviewed annually;
 - the establishment of six Locality Service Coordination Teams (LSCTs), with representation from key services covering: Community Safety, Children & Young People, Health & Adult Social Care, and Street Services; with additional services represented where locally required;
 - each Team having a Locality Lead, a senior person to be appointed from the Local Strategic Partnership (LSP) partner organisations, who would have this responsibility in addition to their current role;
 - the work of the LSCTs to focus on prioritised more complex problem areas or issues that require a joined-up response (i.e. that cannot be sorted direct by individual services);
 - replace Area Committees with strengthened neighbourhood engagement, including enhanced PACT (Partners and Communities Together) initiatives, web-based consultation, liaison with neighbourhood organisations, Third Sector involvement (voluntary, community and charitable organisations), questionnaires and surveys, and other appropriate neighbourhood based methods;
 - to support Localities working, information should be available covering local issues, feedback from consultation and community engagement, and data on city-wide priorities, all disaggregated at Neighbourhood and Locality levels in a way that can inform decision-making and service responses;

- (2) Area Committees are discontinued, with effect from 1 June 2010, and that consequential changes to the Constitution are made to reflect this; Area Committees to be replaced with strengthened community engagement mechanisms at Neighbourhood level as outlined in the Locality working model; Area Committee functions to be delivered direct by the Portfolio holder in consultation with ward members.
- (3) agrees to delegate to the Director for Community Services, in consultation with the LSP, the conclusion of details of locality working including terms of reference for the LSCTs and the development of PACTs, role profiles and working arrangements;
- (4) agrees to keep Locality Working under constant review and to request that a Scrutiny Task and Finish Group is established 12 months after implementation to formally review progress.

88. Tamar Bridge and Torpoint Ferry Joint Committee: Revenue Estimates and Capital Programme

Councillor Ball submitted the recommendations of the Tamar Bridge and Torpoint Ferry Joint Committee minute 24 for approval and the proposal was seconded by Councillor Viney.

Following a vote being taken, the motion was declared carried and it was Resolved that the recommendations are approved as follows –

- (1) the proposed revenue budget for 2010/2011 as set out in appendix 1 of the report be approved;
- (2) the proposed capital programme as set out in Appendix 2 of the report, be approved, including provisional approval of the bridge office development subject to a satisfactory business case;
- (3) the longer term revenue forecast to 2012/2013 be noted.

89. Mount Edgumbe Joint Committee - Budget Monitoring 2009/10

This item is withdrawn pending further discussions with Cornwall Council regarding the facilities business plan and confirmation of funding.

MOTIONS OF NOTICE

90. No 7 09/10: Police Community Support Officers

In accordance with the Rules of Procedure, the following motion (No 7 09/10) was moved by Councillor Mrs Aspinall and seconded by Councillor Evans -

Plymouth City Council opposes any measure which would reduce, or threaten to reduce the number of Police Community Support Officers in Plymouth.

An amendment was subsequently moved by Councillor Bowyer and seconded by Councillor Lock as set out below -

Add the words 'or full time Police Officers' so the motion reads

'Plymouth City Council opposes any measure which would reduce, or threaten to reduce the number of Police Community Support Officers or full time Police Officers in Plymouth'

Following a vote, the amendment was declared carried.

A further amendment was subsequently moved by Councillor Evans and seconded by Councillor Wildy as set out below -

To insert the word 'equivalent' before 'full time officers'.

With the consent of Council, Councillor Bowyer accepted the further amendment so that the amended motion read -

'Plymouth City Council opposes any measure which would reduce, or threaten to reduce the number of Police Community Support Officers or full time equivalent Police Officers in Plymouth'

The motion, as amended, was put to the vote and declared carried and it was Resolved accordingly.

(Councillors Mrs Beer, Brookshaw, Mrs Pengelly, Stevens and Viney having declared a personal and prejudicial interest in the above, withdrew from the meeting).

FURTHER MOTIONS ON NOTICE

91. No 6 09/10: Members' Allowance Scheme

In accordance with the Rules of Procedure, the following motion (No 6 09/10) was moved by Councillor Mrs Pengelly and seconded by Councillor Fry –

Members' basic and special responsibility allowances are adjusted annually (by the same percentage as the local government pay award). This takes effect from 1 April each year.

In view of the current economic climate and the need to ensure that the council gives value for money, we believe that councilors should show restraint and set an example as leading members of our local communities.

We therefore recommend that all members' allowances are kept at the existing level for the 2010/2011 financial year.

Following a vote, the motion was declared carried and it was Resolved accordingly.

(Councillors Coker, Roberts, Thompson and Wildy declared a personal interest in the above item).

92. No 8 09/10: West End Scheme: Highway and pavement works

In accordance with the Rules of Procedure, the following motion (No 8 09/10) was moved by Councillor Stevens and seconded by Councillor McDonald –

Plymouth City Council notes the controversy surrounding the change arising for the 'Awakening the West End' scheme to the highway and pavements in New George Street, Market Way and Cornwall Street.

In light of the accidents reported, and the lack of consultation, the issue is referred to the appropriate body for urgent consideration to formulate a programme of affordable remedial action.

Following a vote, the motion was declared lost.

(Councillor Mrs Pengelly having declared a personal and prejudicial interest in the above item, withdrew from the meeting).

93. No 9 09/10: Redundancies at Plymouth CityBus

In accordance with the Rules of Procedure, the following motion (No 9 09/10) was moved by Councillor Wheeler and seconded by Councillor Evans -

Council notes that since the sale of CityBus to Go Ahead on 30 November 2009, there has been a report of 14 redundancies at Milehouse. Council resolves to arrange a meeting with Go Ahead to seek re-assurance that these redundancies are compatible with the promise to maintain service given by the Leader of the Council at the time of sale.

Following a vote, the motion was declared lost.

(Councillors Martin Leaves, Michael Leaves, Sam Leaves and Vincent having declared a personal and prejudicial interest in the above item, withdrew from the meeting).

94. **TO CONSIDER ANY OTHER BUSINESS SPECIFIED IN THE SUMMONS TO THE MEETING, OR MATTERS TAKEN AS A MATTER OF URGENCY BY THE PERSON PRESIDING INCLUDING CONSIDERATION OF PROPOSALS FROM THE CABINET IN RELATION TO THE COUNCIL'S BUDGET AND POLICY FRAMEWORK AND REPORTS OF THE SCRUTINY COMMITTEES FOR DEBATE**

There were no items to consider.

95. **General Questions**

In accordance with paragraph 12 of the constitution, the following questions were asked of the Leader, Cabinet Members and Committee Chairs covering aspects of their areas of responsibility -

	From	To	Subject
1	Councillor Evans	Councillor Fry	South West Regional Development Agency and regeneration projects.
2	Councillor Purnell	Councillor Monahan	Increased number of looked after children.
3	Councillor Purnell	Councillor Ricketts	CareFirst System.
4	Councillor Purnell	Councillors Ricketts and Bowyer	Committee meeting clashes.
4	Councillor Stevens	Councillor Mrs Pengelly	Community consultation with the Muslim community
5	Councillor Wheeler	Councillor Monahan	Early years provision in Barne Barton.
6	Councillor Evans	Councillor Wigens	Taxi bus system and counting devices.
7	Councillor McDonald	Councillor Brookshaw	Evening and Night Time Economy Manager.
8	Councillor Vincent	Councillor Wigens	Rise in children being killed or seriously injured on Plymouth roads.

96. **Forward Plan**

The Leader introduced the Forward Plan and advised the Council that the Forward Plan item on Information, Advice and Guidance Service for Young People (FP 40) had been withdrawn due to recent publication on national policy guidance which impacts on this service; this item would be amended and re-submitted later in February.

Questions were asked of the Leader and Cabinet Members as follows –

	From	To	Subject
1	Councillor Wildy	Councillor Fry	Plymouth Local Investment Plan.
2	Councillor Wildy	Councillor Fry	Growth Agenda: Governance Arrangements.
3	Councillor Evans	Councillor Bowyer	Appointment of a Supplier for the Provision of Advertising Services.

97. **EXEMPT BUSINESS**

There were no items of exempt business.