

City Council

Monday 1 March 2010

PRESENT:

Councillor K Foster, Lord Mayor, in the Chair.

Councillor Drean, Deputy Lord Mayor, Vice Chair.

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

Apologies for absence: Councillors Dann, King, Lowry, Miller MBE and Vincent

The meeting started at 2.00 pm and finished at 5.00 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.

98. DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct from Members in relation to items under consideration at this meeting.

99. MINUTES

The minutes of the meeting held on 1 February 2010 were signed as a correct record.

ANNOUNCEMENTS - CHIEF EXECUTIVE

100. Appointments to fill vacancies on Committees etc.

The City Council was advised that the proposal relating to the Devon and Cornwall Housing Association had been withdrawn.

Resolved that –

- (1) the following appointments are approved -

Organisation	Term of Office	Appointments / Nominations
Fostering Panel	Continuing until such time as the officer resigns or is replaced by Council	Councillor Stark to fill vacancy
Plymouth Racial Equality Council	Continuing until such time as the officer resigns or is replaced by Council Resignation of Cllr Fox	Councillor Dr Mahony to replace Councillor Fox

- (3) the following change of Committee membership, notified to the Monitoring Officer, is noted –

Committee	Change of Membership
Planning Committee	Councillor Mrs Foster to replace Councillor Fox

101. **QUESTIONS BY THE PUBLIC**

There were no questions received from the public for this meeting.

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

There was no outstanding business from the last meeting of the City Council.

103. **BUDGET AND CORPORATE PLAN**

Councillor Mrs Pengelly moved, and Councillor Thompson seconded, the following motion -

- that there would be one debate on agenda items 7 (d) to (g);
- seeking approval in accordance with Council Procedure Rule 14(n) of the Constitution, to suspend Rule of Debate 1.5(b) (which limits the speech of any mover to 5 minutes) for the item referred to in the bullet point above, in relation to the Leader and Leader of the Opposition.

Following a vote, it was Resolved that –

- (1) there would be one debate on agenda items 7 (d) to (g) relating to -
 - the reports of the Director for Corporate Support on the Budget 2010/11 – agenda item 7(d);
 - Cabinet minutes 126, 127 and 128: Corporate Asset Management Plan 2005-2015 incorporating the capital programme 2010/11 – 2014/15 – agenda item 7(e);
 - Cabinet minute 127: Treasury Management Strategy Statement and Investment Strategy 2010/11 and 2010/11- agenda item 7(f);
 - Cabinet minute 128: Budget (Revenue and Capital) – agenda item 7(g);
- (2) in accordance with Council Procedure Rule 14(n) of the Constitution, Rule of Debate 1.5(b) (which limits the speech of any mover to 5 minutes) is suspended for the item referred to in (1) above in relation to the Leader and Leader of the Opposition.

104. **Audit Committee minute 42 on the Treasury Management Strategy Statement and Investment Strategy 2010/11;**

Councillor Sam Leaves presented Audit Committee minute 42 on the Committee's scrutiny of the Treasury Management Strategy Statement and Investment Strategy 2010/11, for noting. Councillor James seconded the proposal.

Following a debate, the motion was put to the vote and it was Resolved that minute 42 of the Audit Committee is noted.

105. **Report of the Overview and Scrutiny Management Board on the Budget and Corporate Plan Scrutiny 2010;**

Councillor James presented the report of the Overview and Scrutiny Management Board's budget and corporate plan scrutiny meeting and moved that the recommendations be referred to the appropriate bodies as set out in the report. The motion was seconded by Councillor Mrs Watkins.

Following a debate, the motion was put to the vote and it was Resolved that the recommendations are referred to the appropriate bodies as set out in the scrutiny report.

106. **Draft Corporate Plan 2010 - 2013;**

The Leader presented the draft Corporate Plan for approval (Cabinet minute 124 referred). The motion was seconded by Councillor Fry.

Following a debate, the motion was put to the vote and it was Resolved that the Corporate Plan 2010 – 2013 is adopted subject to minor amendments and editorial changes being delegated to the Chief Executive and the relevant portfolio holder.

107. **Reports of the Director for Corporate Support on the Budget 2010/11; Corporate Asset Management Plan; Treasury Management Strategy Statement and Investment Strategy 2010/11; 2010/2011 Budget (Revenue and Capital)(including the 2010/11 Council Tax Rates).**

The Lord Mayor reminded the Council of the decisions that had been taken earlier in the meeting, referred to in minute 103 above.

The update report of the Chief Executive and the Director for Corporate Support (referred to in agenda item 7(d)) -

- (i) outlined proposals to reduce net revenue spend by £0.410m to £202.216m through proactive treasury management action which would reduce the Council's overall capital financing costs;
- (ii) proposed final amendments to the Revenue Budget 2010/11, including a review of the reserves position, as a result of the latest monitoring of the 2009/10 budgets.

Councillor Mrs Pengelly moved, and Councillor Bowyer seconded, agenda items 7 (d) to (g) for approval (Cabinet minutes 126, 127 and 128 referred) and commended to the Council, for approval, the 2010/11 Council tax rates.

The Leader indicated that the budget before the City Council would mean a Council Tax increase of 2.89%.

She also thanked the Director for Corporate Support and his Finance Team for their hard work and the Overview and Scrutiny Management Board for their thorough and challenging scrutiny exercise.

At the conclusion of the debate, the Assistant Director for Democracy and Governance indicated that it was proposed to take the votes on items 7 (d), (e), (f) and (g) together and, following a vote, it was Resolved that –

- (1) the Corporate Asset Management Plan 2005 – 2015 (incorporating the capital programme for 2010/11 – 2014/15) is approved (Cabinet minute 126 refers);
- (2) the Treasury Management Strategy Statement and Investment Strategy 2010/11 is noted (Cabinet minute 127 refers) and approval is given to -
 - (a) the authorised borrowing limits of £347m, £337m and £324m for the

period 2010/11 to 2012/13;

- (b) the Operational Boundary of £295m, £295m and £293m for 2010/11 to 2012/13;
 - (c) the prudential indicators as set out in the Appendix to the report of the Director for Corporate Support (submitted to Cabinet on 9 February 2010), on the 2010/11 budget update;
 - (d) the amendment of the statutory borrowing limits for 2009/10 as follows -
 - authorised limit - £495m;
 - operational boundary - £465m;
 - (e) the Minimum Revenue Provision Policy for 2010/11.
- (3) the proposals contained in the update report of the Director for Corporate Support are approved as follows -
- (a) to reduce net revenue spend by £0.410m to £202.216m through proactive treasury management action to reduce the Council's overall capital financing costs; and
 - (b) final amendments to the Revenue Budget 2010/11 as set out in the report, including a review of the reserves position, as a result of the latest monitoring of the 2009/10 budgets;
- (4) approval is given to the proposed target budget requirement (capital and revenue) for 2010/11 (Cabinet minute 128 refers, as amended by resolution (3) above);
- (5) with a net budget of £201.825m the Band D Council Tax for Plymouth City Council purposes will be £1,244.67. The total Band D Council Tax after taking account of the precept from the Devon and Cornwall Police Authority of £156.60 and of the precept from the Devon and Somerset Fire and Rescue Authority of £71.77 will be £1,473.04 for the year 2010/11;
- (6) it is noted that at its meeting on 1 February 2010, the Council calculated the amount of 76,899 as its Council Tax Base for the year 2010/11 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, made under Section 33 (5) of the Local Government Finance Act 1992, as amended by the Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2003 and the Council Tax (Prescribed Classes of Dwellings)(England) Regulations 2003, made under Section 11A of the Local Government Finance Act, 1992, as inserted by Section 75 of the Local Government Act 2003, and the Local Authorities (Calculation of Council Tax Base) (Amendment) (England)(No.2) Regulations 2003;
- (7) the following amounts be now calculated by the Council for the year 2010/11 in accordance with Sections 32 to 36 of the Local Government Finance Act, 1992 (referred to hereafter as 'the Act') -
- (a) £612.493m Being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act;

- (b) £410.668m Being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act;
- (c) £201.825m Being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year;
- (d) £106.111m Being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed non domestic rates and revenue support grant, increased by the amount of the sums which the Council estimates will be transferred in the year from its Collection Fund to its General Fund in accordance with Section 97(3) of the Local Government Finance Act, 1988, and increased by the amount of the sums calculated in accordance with the Local Government Changes for England (Collection Fund Surpluses & Deficits) Regulations, 1995;
- (e) £95.714m Being the amount at 7(c) above less the amount at 7(d) above, all divided by the amount at 6 above, calculated by the Council in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year;

(f)	<u>Valuation Bands</u>	£
	A	829.78
	B	968.08
	C	1,106.37
	D	1,244.67
	E	1,521.26
	F	1,797.86
	G	2,074.45
	H	2,489.34

Being the amounts given by multiplying the amount at 7 (e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

- (8) it is noted that for the year 2010/11 the Devon and Cornwall Police Authority have stated the following amounts in precept issued to the Council, in accordance with section 40 of the Act, for each of the categories of dwellings shown below -

<u>Valuation Bands</u>	<u>Police Authority</u>
	£
A	104.40
B	121.80
C	139.20
D	156.60
E	191.40
F	226.20
G	261.00
H	313.20

- (9) it is noted that for the year 2010/11 the Devon and Somerset Fire and Rescue Authority have stated the following amounts in precept issued to the Council, in accordance with section 40 of the Act for each of the categories of dwellings shown below -

<u>Valuation Bands</u>	<u>Fire Authority</u>
	£
A	47.85
B	55.82
C	63.80
D	71.77
E	87.72
F	103.67
G	119.62
H	143.54

- (10) having calculated the aggregate in each case of the amounts at 7(f), (8) and (9) above, the Council, in accordance with Section 30(2) of the Act, sets out the following amounts of Council Tax for the year 2010/11 for each of the categories shown below –

<u>Valuation Bands</u>	£
A	982.03
B	1,145.70
C	1,309.37
D	1,473.04
E	1,800.38
F	2,127.73
G	2,455.07
H	2,946.08

108. **MOTIONS ON NOTICE**

There were no motions on notice.

109. **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 other items of business.

QUESTIONS BY MEMBERS

110. **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 Rennie	Councillor Brookshaw	Implementation of the Licensing Act and new rules and regulations governing lap dancing clubs
2	Councillor Gordon	Councillor Wiggins	Repairs to potholes
3	Councillor Wheeler	Councillor Monahan	Early years provision at Barne Barton
4	Councillor McDonald	Councillor Michael Leaves	Funding for Hoe and foreshore improvements, West Hoe pier and Devils Point, including the toilets
5	Councillor Mrs Aspinall	Councillor Bowyer	Recruitment process for teaching posts with regard to taking up references
6	Councillor Evans		Letters of complaint re conduct of Cabinet Members
7	Councillor Rennie	Councillor Mrs Pengelly	Offensive websites
8	Councillor Mrs Aspinall	Councillor Monahan	Publication of the report following a serious case review on the issues arising from the Vanessa George case

With regard to question (1) above, Councillor Brookshaw undertook to advise Councillor Rennie when proposals came forward on the implementation of that part of the Licensing Act.

With regard to questions (3) and (5) above, written responses would be provided to the questioners.

With regard to question (6), the Chief Executive and the Assistant Director for Democracy and Governance responded.

111. **Forward Plan**

The Leader introduced the Forward Plan and indicated that item FP 50 09/10 should be amended to read 'Corporate Plan'.

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

	From	To	Subject
1	Councillor Evans		Impact of purdah on the programme of planned decisions, and seeking advice given in previous years by the former Monitoring Officer
2	Councillor Wildy	Councillor Fry	Growth agenda: governance arrangements – availability of documents for consultation process
3	Councillor Wildy	Councillor Fry	Local Development Framework: Adoption of the City Centre and University Area Action Plan – need for consultation to be detailed in light of completion of Inspector's hearing
4	Councillor Smith	Councillor Jordan	Plymouth Sports Facility Strategy - confirmation of decision date

A further question was asked by Councillor Gordon to Councillor Jordan on Plympton swimming pool.

With regard to question (1), the Assistant Director of Democracy and Governance responded indicating that the Council's business would continue largely as usual but that special consideration must be given to publicity arrangements.