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MINUTES OF THE COUNCIL

Monday 9 May 2005

PRESENT:

The Lord Mayor, Councillor Miller, in the Chair.

The Deputy Lord Mayor, Councillor M. Fox.

Councillors Mrs Aspinall, Mrs. Blackburn, Bray, Brookshaw, Brotherton, Camp, Carter, Coleman, Dann, Evans, Fletcher, K. Foster, Mrs. Foster, J. Fox, Fry, Miss Gillard, Gordon, Haydon, Hiromeris, Hutchings, James, Jordan, Kerswell, Kirk, Martin Leaves, Michael Leaves, Lock, Mavin, Dr. Mahony, Mrs. Nelder, Nicholson, Mrs. Nicholson, Pattison, Mrs. Pengelly, Purnell, Rennie, Dr. Salter, Santillo, Savery, Shears, Smith, Stevens, Stark, Vincent, Weekes, Viney, Wheeler, Wiggins, Nicky Wildy, Tom Wildy and Williams.

Apologies for absence: Councillors Finn, Mrs. Ford, King and Simmonds.

The meeting commenced at 2.30 pm and concluded at 3.30 pm.

106. Minutes of the Council

Resolved that the minutes of the meeting held on 7th March, 2005 be approved and signed as a correct record.

107. Declarations of Interest from Members.

The following Declaration of Interest was made in accordance with the Code of Conduct –

<i>Member</i>	<i>Interest</i>	<i>Item</i>
Councillor Nicholson	Personal Interest	Education Catering – Lifelong Learning Overview and Scrutiny Panel minute 80

108. Questions by the Public

The Lord Mayor advised the Council that he had ruled that a Question was 'out of order, in accordance with the provisions of the Constitution, as the same Question had been submitted to the Cabinet on 19th April and to which the Leader had already responded.

109. To deal with any business from the last Council meeting, if any.

There was no business from the last meeting.

110. To receive announcements from the Lord Mayor, the Leader or the Chief Executive.

THE LORD MAYOR

50TH Anniversary of the Freedom of the City to the Royal Marines

The Lord Mayor advised the Council that the Royal Marines had presented to the Council a figurine of a Royal Marine Commando to mark the 50th Anniversary of the granting of the Freedom of the City.

Lord Mayoral Year

The Lord Mayoral expressed his appreciation to all those who had supported him during his year in Office and thanked especially the people of Plymouth, and Devon and Cornwall in general, for the kindness extended to him.

111. **Minutes of the Cabinet**

Questions

A question was put to the Leader in accordance with paragraph 11.1 of the Rules of Procedure in respect of the Cabinet meeting held on 15th March, 2005.

112. **Minute 162 - Treasury Management Strategy 2005/06**

The Leader due to the attention of Members Recommendation (2) of minute 162 which was before the Council for consideration.

Resolved that Minute 162(2) be approved.

113. **Minutes of the meetings of Committees, etc**

Resolved that by general concurrence the minutes of the under mentioned Committees, etc, now submitted be approved, subject to the amendments below –

Audit	4 April 2005
Constitutional Affairs	11 March & 11 April 2005
Hospitality & Twinning	31 March 2005
Personnel	11 April 2005
Tamar Bridge & Torpoint Ferry Joint	11 March 2005
Budshead & Southway Area	22 March 2005
Compton, Drake and Peverell Area	21 March 2005
Efford & Lipson, Sutton & Mount Gould Area	24 March 2005
Eggbuckland & Moor View Area	29 March 2005
Ham and Honicknowle Area	12 April 2005
Plympton Area	4 April & 18 April 2005
Plymstock Area	22 March & 4 April 2005
Joint Stoke and St. Peter & The Waterfront and Devonport and St. Budeaux Area	30 March 2005
Overview & Scrutiny Commission	10 & 17 March 2005 & 7 & 21 April 2005
Community Cohesion & Equalities OSP	13 April 2005
Health OSP	14 March & 18 April 2005
Housing & Economic Regeneration OSP	9 March & 13 April 2005
Lifelong Learning OSP	10 March & 14 April 2005
Social Care OSP	14 March & 18 April 2005
Transport & Environment OSP	16 March & 20 April 2005

114. **CONSTITUTIONAL AFFAIRS COMMITTEE**

Minute 48- Review of the Full City Council

The Chair –

- (i) drew to the attention of Members minute 48, together with the report of the Chief Executive, that was before the Council for consideration;
- (ii) recommended to the Council that minute 48 be accepted and that –
 - (a) recommendations 1 to 7 and 9 to 11 of the report of the Chief Executive be approved;
 - (b) consideration of recommendation 8 on the report of the Chief Executive be deferred to the next ordinary meeting of the Council

Resolved that the recommendations of the Chair referred to at (ii) above be approved.

115. **TAMAR BRIDGE AND TORPOINT FERRY JOINT COMMITTEE**

Minute 57 – Revenue Estimates and Capital Programme

In receiving the minutes of the Tamar Bridge and Torpoint Ferry Joint Committee, the Chair drew the attention of the Council to minute 57 that was before Council for approval as a Constituent Authority and commended the Recommendation as submitted.

Resolved that the minute be approved.

116. **JOINT STOKE AND ST. PETER AND THE WATERFRONT AND DEVONPORT AND ST. BUDEAUX AREA COMMITTEE**

Resolved that Councillor King be added to the apologies for absence at the meeting.

117. **OVERVIEW AND SCRUTINY COMMISSION**

In receiving the minutes of the Commission, the Chair referred to –

- 1) the contribution made by Mrs R French during her period as a co-opted member to Scrutiny;
- (2) the death recently of Mr B Norris a former co-opted member to Scrutiny.

118. **COMMUNITY COHESION AND EQUALITIES OVERVIEW AND SCRUTINY PANEL**

Resolved that Councillor Mrs. Ford be added to the apologies for absence at the meeting.

119. **LIFELONG LEARNING OVERVIEW AND SCRUTINY PANEL**

In receiving the minutes, the Council noted the correction to minute 78 – Youth Service Development of the launch date of the YP Mix website which was March 2005 and not March 2004 as stated in the minute.

120. **The restructure of Overview and Scrutiny**

The Council received the report of the Chief Executive on the restructuring of the Overview and Scrutiny Commission and its Panels to improve their effectiveness.

Councillor Mrs. Aspinall, Chair of the Commission, commended to the Council the Recommendations contained in the report as circulated.

During the course of the debate, an amendment was moved and seconded that the recommendations be amended as follows –

‘recommendation (1) be amended by the addition of the following –

‘subject to (3) and (4) below.’

New recommendation (3) ‘the Vice- Chair of the Overview and Scrutiny Commission be appointed from the main opposition group’

New recommendation (4) ‘the new structure be reviewed in twelve months time’.

During the debate, the Chair indicated that she was not prepared to recommend acceptance of the new recommendation (3) above but was prepared to recommend to the Council acceptance of the new recommendation (4).

The amendment was put to the vote and the recommendations of the Chair approved and it

was -

Resolved that –

- (1) the proposed structure and process for Overview and Scrutiny Commission and Panels be approved in order to further improve the Council's effectiveness in the area of overview and scrutiny;
- (2) the Independent Remuneration Panel be reformed as required in keeping with the previous agreement to consider the extension of allowances to vice chairs due to the proposed increase in the responsibilities of the Vice Chairs of Panels;
- (3) the new structure be reviewed in twelve months time.

121. **Questions by Members**

In accordance with the Rules of Procedure, the following questions were submitted by Members –

Question No.	From	Committee/ Portfolio	Subject
69	Councillor Mrs. Pengelly	Portfolio Holder for Best Value, Performance and Personnel	Local Government Pension Scheme
70	Councillor Mrs. Pengelly	Leader	Pay Scales for Civilian Police Staff
71	Councillor James	Leader	Future Roles and Responsibilities of Lead Member for Children's Services
72	Councillor Mrs. Pengelly	Leader	Cost of the Local Development Framework Consultation
73	Councillor Wigens	Portfolio Holder for Transport and Customer Focus	Armada Way Surface Level Crossing at Royal Parade
74	Councillor Mrs. Ford	Portfolio Holder for Best Value, Performance and Personnel	Number of Requests received for Information under the Freedom of Information Act.

122. **MOTIONS ON NOTICE**

There were no Motions on Notice.

123. **Decisions taken under delegated powers by Cabinet Members**

A schedule of decisions taken under delegated powers by Cabinet Members was submitted for the information of Members.

