

City Council

Monday 21 November 2016

PRESENT:

Councillor Murphy, in the Chair.

Councillor Sam Davey, Vice Chair.

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

Also in attendance: Tracey Lee (Chief Executive), David Shepperd (Head of Legal Services), Judith Shore (Democratic and Member Services Manager) and Amelia Boulter (Democratic Support Officer).

The meeting started at 2.00 pm and finished at 6.46 pm.

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.

40. Minutes

The minutes of the special and ordinary meetings of 19 September 2016 were agreed.

41. 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	Minute number 45, 49a, b and c	Employed by NEW Devon CCG	Personal
Councillor Michael Leaves	Agenda item 49a	Taxi driver contracted to deliver goods on behalf of the pharmacies	DPI
Councillor Sam Leaves	Minute number 49a	Husband is a taxi driver contracted to deliver goods on behalf of the pharmacies	DPI
Councillor Sam Leaves	Minute number 45, 49b and c	Employed by NEW Devon CCG	Personal
Councillor P Davey	Minute number 45	Member of the Women's Hockey Club, Marjons	Personal

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

The following changes reported to the Assistant Director and Head of Legal Services were noted –

	Committee	Membership/Nomination
a	Corporate Parenting Group	Councillor Bowie to be replaced by Councillor McDonald
b	Planning Committee	Councillor Jon Taylor to be replaced by Councillor McDonald
c	Standards Advisory Group	Councillor Mrs Pengelly to be replaced by Councillor Fletcher to be the Chair
d	Wellbeing Overview and Scrutiny Committee	Councillor McDonald to be replaced by Councillor Sparling

	Outside Body	Membership/Nomination
a	Fostering Panel	Councillor Downie to be replaced by Councillor Loveridge
b	<p><u>Early Years Strategic Partnership</u></p> <p>The Early Years Strategic Partnership was one of two groups merged this year to form the Maternity and Early Years Systems Optimisation Group, MEYSOG does not set strategic direction – it provides a forum for providers, commissioners and other stakeholders to work together to implement the system re-design. Councillor representatives have been consulted and support the view that it is no longer necessary for councillors to be members of the group. Council were asked to note that this group would be removed from the list of Outside Bodies.</p>	

43. **Announcements**

The Lord Mayor made the following announcements:

- (a) Alderman Sylvia Bellamy – Members were advised that Alderman Sylvia Bellamy passed away in September.
- (b) Alderman Joan Stopperton – Members were advised of further sad news that Alderman Joan Stopperton had passed away.

As a mark of respect for Alderman Sylvia Bellamy and Alderman Joan Stopperton, Members observed a minute's silence as a mark of respect.

- (c) The Lord Mayor welcomed members of staff to the Council and presented certificates and trophies to individuals and teams who had been successful in achieving the following:
 - Customer Service Excellence Award – Craig Fritzche, Sandy Whitehead, Karen Adamson and Carly Wills from the Customer Service Team;
 - South West Business Insider Award – Councillor Bowyer and David Draffan;

- Devon Tourism Award – Councillor Bowyer, Councillor Jordan, Jamie Yabsley and Steve Donald;
- Cost Sector Catering Education Award 2016, LACA Business of the Year 2016, EDUcatering Magazine: Local Authority Caterer of the Year 2016 – Rebecca Doran, Claire Pertiller and Paula Walsh.

(d) Announcements from the Leader, Councillor Bowyer:

- Devonport Dockyard, Stonehouse Barracks and Royal Citadel closure;
- Student accommodation.

(e) Announcement from the Deputy Leader, Councillor Nicholson:

- Peninsula Rail Taskforce 20 year plan.

(f) Announcement from the Cabinet Member for Health and Adult Social Care, Councillor Mrs Bowyer:

- Update on progress on the motion on notice on GP surgeries and the potential closure of the Cumberland Centre.

(g) Announcement from the Chair of the Wellbeing Overview and Scrutiny Panel, Councillor Mrs Aspinall:

- Following the recent motion on notice on NHS proposals not to re-procure GP surgeries, the panel met on 6 October 2016 to consider information provided by NHS England and other contributors. The Panel made a number of recommendations but were unable to make a formal referral to the Secretary of State.

44. Questions by the Public

One question was submitted by members of the public for this meeting, in accordance with Part B, paragraph 11 of the Constitution.

In the absence of Mr Sharpe the following question and response was circulated and a written response would be sent to him after the meeting –

Q2/ 16-17	Mr Sharpe	Councillor Patrick Nicholson	Implementation of planning applications
If possible, please could it be disclosed, for the last 5 years, how many of the planning applications passed by Plymouth City Council have failed to be implemented by the end of the allocated time scale?			
Response: There is no national requirement or need to monitor the implementation of every single consented planning application. The City Council does not therefore as a matter of routine monitor every single planning application as this would be too resource			

intensive. We do however monitor the implementation of major housing and employment sites linked to specific programmes or initiatives – such as the Market Recovery Scheme (2009), the Get Plymouth Building Programme (2012) or the Plan for Homes (2013). We also undertake annual surveys to monitor the delivery of sites for the 2007 adopted Plymouth Core Strategy, and the associated Area Action Plans.

Between 2011 and April 2016, there were 38 planning applications for housing on sites that were not implemented, of which 12 were on sites of 10 or more dwellings.

In the last 3 years there has seen £763.5 Million of development activity, of which £588.2 Million has been built, or is currently under construction; leaving £175.3 Million of housing and commercial development approved which has not yet started.

As at April 2016, there were 4,944 homes with planning permission that had not started construction. However, since then 1,648 dwellings have been completed on 20 sites. A further 2,415 dwellings are on sites that have already commenced construction, so will be built in due course. We estimate that there are 21 'genuinely' stalled housing sites with the potential to yield up to 717 homes. Each of these has a "Plan of Action" which includes a clear delivery strategy and consideration of possible next steps.

In the last 3 years there were 1,147 homes consented on 16 sites where the planning permission has been allowed to lapse by the developer/landowner. Again, we have been through every one of these and have a clear delivery strategy on sites we still think have some potential, although some of these sites have fundamental viability issues, which means they are unlikely to be developed in the future.

There have been only 6 major planning consents for commercial sites in the last 3 years that have either not been completed or started on site. 3 of these sites are now actively progressing with City Council help, 1 site will not progress, but the City Council is working with the landowner to bring forward a different scheme on the site, and on the other 2 sites there is no clear way forward from the private sector at this stage.

The City Council has therefore proactively looked at every single major development site to see what we can do to convert the planning consents we have given to delivery on the ground.

45. **Medium Term Financial Strategy**

Councillor Darcy (Cabinet Member for Finance/ICT) presented the report on the Medium Term Financial Strategy and Councillor Bowyer (Leader) seconded the report. Following the vote, the Council agreed the Medium Term Financial Strategy.

46. **Capital and Revenue Monitoring Report 2016/17 - Quarter 2**

Councillor Darcy (Cabinet Member for Finance/ICT) presented the report on the Capital and Revenue Monitoring Report 2016/17 – Quarter 2, seconded by Councillor Mrs Pengelly. Following the vote, the Council agreed that the Capital Budget 2016-2021 is increased to £475m (shown in Table 6).

47. **Proposed Changes to Standing Orders in respect of Employment of the Chief Executive, Section 151 Officer and Monitoring Officer**

Councillor Bowyer (Leader) presented the report on the Proposed Changes to Standing Orders in respect of Employment of the Chief Executive, Section 151 and Monitoring Officer, seconded by Councillor Nicholson. Following a vote, it was agreed that –

1. Council amends the Employment Standing Orders in the Constitution to comply with the requirements of the new regulations (see appendix 1);
2. Council amends the Terms of Reference for the Chief Officer Appointments Dismissals and Appeals Panel (see appendix 2);
3. The Assistant Director for Human Resources and Organisational Development takes the necessary action to agree variations to the contracts of employment of the affected staff.

48. **Constitutional amendments - Council procedure rules**

Councillor Riley (Cabinet Member for HR/Democracy and Governance/Licensing) presented the report on Constitutional amendments – Council procedure rules, seconded by Councillor Ball.

Following a vote it was agreed that the recommendations were two separate matters and would be taken separately.

Following a vote, Council agreed:

1. Reply to questions by the public

That responses to questions by the public are moved from 5.1(i) to 5.1(g) and are heard directly after the Lord Mayor's announcements in order to welcome contributions from members of the public at an earlier stage of the meeting.

The amended constitution to read:

'(f) receive announcements from the Lord Mayor, Head of Paid Service, Responsible Finance Officer and Monitoring Officer

(g) reply to questions from the public

(h) receive announcements from the Leader, Cabinet members and committee chairs'

(Subsequent sections of 5.1 to be re-numbered accordingly).

Following a vote, Council agreed:

2. Receive announcements from the Leader, Cabinet members, committee chairs

Some meetings of Council are very lengthy (examples being the Council meetings held on 11 July and 19 September) and it is proposed that a time limit is introduced

for item (h) 'receiving announcements from the Leader, Cabinet members and committee chairs'. The introduction of a time limit could encourage more concise statements and members of the public present or viewing from home may be more appreciative of shorter Council meetings.

The amended constitution to read:

(Footnote added after (q) councillors' questions): 'Council will spend no longer than 30 minutes on item (h) receive announcements from the Leader, Cabinet members and committee chairs'.

49. **Motions on Notice**

(a) Cuts to Pharmacy Services

Councillor Tuffin proposed the motion and put forward an amendment. Councillor McDonald seconded the motion, as follows:

This Council notes that:

53 *Fifty three* pharmacies across the city of Plymouth offer a wide range of services ~~that play a role by recognising and evidencing role in improving~~ in improving the health of local population. ~~In addition to the dispensing and safe disposal of medicines, they offer advice and information in areas such as and their safe disposal such as the advice and information to promote wellbeing. Examples include healthy eating, flu vaccination, sexual health and the management of obesity that promote wellbeing.~~ They also provide advice and support to care homes.

As a result of budget cuts nationally of £170m taking effect now this is resulting in a 6% cut in real terms now, but could, by making up for lost implementation time, mean a cut of 12% during this financial year. This could potentially shut down up to a quarter of pharmacies.

Cuts in pharmacies will put more residents at risk in addition to increasing the pressure on GP's and on local hospitals leading to increases in NHS costs and pressures on the wider care community.

This Council therefore agrees to write to the Secretary of State for Health and the Clinical Commissioning Groups serving Plymouth setting out our concerns and requiring an immediate reversal of these proposals.

Following a request from ten councillors for a recorded vote, the motion was lost.

For the proposal (26)

(Councillors Mrs Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, Mavin, McDonald, Morris, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, Sparling, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler and Winter)

Against the proposal (28)

(Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Carson, Churchill, Cook, Darcy, Deacon, Downie, Drear, Fletcher, Foster, Mrs Foster, Fry, James, Jordan, Kelly, Michael Leaves, Loveridge, Dr Mahony, Nicholson, Pengelly, Ricketts, Riley, Storer and Wiggins)

Absent (2)

(Councillors Martin Leaves and Sam Leaves)

Abstention (1)

(Lord Mayor)

(Councillors Martin Leaves and Sam Leaves declared a DPI and left the meeting for this item).

(b) Wider Devon Sustainability and Transformation Plan (STP)

Councillor Bowyer proposed the motion, seconded by Councillor Evans as follows:

This Council notes the progress being made in the development of the Wider Devon Sustainability and Transformation Plan which includes Plymouth and Torbay.

These plans have attracted a lot of interest across the country and in some areas have attracted concern about the impact of these plans on services delivered through the NHS and Social Care and also about the lack of consultation with Local Authorities.

This Council wants to ensure that there are many opportunities for elected Members to be involved in developing and understanding the implications of the Wider Devon STP on NHS and Social Care services for the residents of Plymouth.

We want to see NHS and social care services which are properly funded and meet the needs of our residents.

The Wider Devon Case for Change highlights a number of reasons why this work is necessary and clarifies the system-wide challenge of £557 million by 2021 if transformational change is not taken and also identifies the need to shift resources within the Devon system to Plymouth.

This Council welcomes –

- the vision to deliver a clinically, socially and financially sustainable health and care system for the area that will improve the health and wellbeing of the population
- that the STP confirms that the allocation and spend of health resources is inequitable with a greater disparity between the allocation of resources for Plymouth and on mental health services across the whole of Devon.

There is an opportunity now, working as a single system, to build on the innovative work undertaken in Plymouth to create an integrated commissioning fund of £462m and an integrated health and social care community delivery service through Livewell Southwest.

This council believes that a Place based approach to commissioning services for the health and wellbeing of the whole population should be accelerated and capitation based budgets for the population established so we can drive the change we need to see in the STP and for the residents of Plymouth.

The City Council agrees to ask the Chief Executive to –

- (1) write to the STP Lead Chief Executive to ensure that a full written agreement built in to the STP/ two year operational plan that shows how resource equity be achieved through the work on sustainability;
- (2) arrange an urgent meeting with the STP Lead Chief Executive and the Plymouth City Council Group Leaders to discuss how this will be achieved and over what timescale;
- (3) arrange for the local MP's to be briefed on the position and ask them to support this important work;
- (4) arrange for the STP Chief Executive to do an all Council Member briefing on STP.

Following a vote the motion was carried.

(c) Cumberland Doctors Surgery Devonport

Councillor Coker proposed the motion and the amendment to the motion. The motion was seconded by Councillor Stevens. Following a vote on the motion and the amendment, Council agreed:

This Council notes the disappointing decisions of NHS England not to re-procure the Cumberland Surgery.

The City Council agrees to –

1. Instruct the Director of Public Health to work with NHS England, the NEW Devon Clinical Commissioning Group and service providers to ensure that adverse impacts on patients as a result of this decision are minimised.
2. To direct the Wellbeing Scrutiny Committee to monitor the health indices for Devonport for evidence of any impacts of the decision.
3. To instruct the Director of Public Health to report to the Wellbeing Scrutiny Committee, as the statutory health scrutiny body, on a regular basis any impacts of this decision.

Questions by Councillors

	From	To	Subject
1	Councillor Parker-Delaz-Ajete	Councillor Downie and Councillor Riley	<p>United Secretary General called for 16 days of activism against gender based violence against women from 25 November to 10 December. The Home Office on the 8 March committed £80m in funding to protect females from violence for 4 years. Has the Council applied for funding?</p> <p>What were PCC doing to mark these 16 days?</p> <p>What policies and procedures do the Council have in place to support staff members in respect of domestic violence respective of gender? (Written response to be provided).</p>
2	Councillor Tuohy	Councillor Michael Leaves	<p>Further to question raised at last council meeting regarding the state of the roads in Ham Ward and was told this would be cleaned within 6 to 8 weeks. Read in the Herald last week, in Weston Mill the drains were blocked and leaves everywhere and also have rats.</p> <p>Teams were going around clearing the leaves and Councillor Michael Leaves would check when this was taking place in Ham Ward. With regard to rats this would need to be reported. (Written response to be provided).</p>
3	Councillor Kelly	Councillor Darcy	Budget consultation.
4	Councillor Kelly	Councillor Darcy	Budget engagement with the business sector.
5	Councillor McDonald	Councillor Mrs Beer	<p>Impact of cuts from central government on education in Plymouth and by 2020, £6,852,941 would be lost across schools in Plymouth. How are you going to meet this challenge and what contingencies making now in already pressured budget to mitigate the effects of these appalling cuts?</p> <p>(Written response to be provided).</p>
6	Councillor Ball	Councillor Ricketts	Recently installed cycle path between North Road Station and Central Park Avenue. How many people use this now, has there been an increase? (Written response to be provided).
7	Councillor Smith	Councillor Ricketts	Winter Road Maintenance.
8	Councillor Evans	Councillor Riley	Sprinkler Systems in Schools.
9	Councillor Fletcher	Councillor Darcy	Alternate weekly collections.

	From	To	Subject
10	Councillor Rennie	Councillor Michael Leaves	Flyposting in the city.
11	Councillor Mrs Pengelly	Councillor Mrs Beer	School Transport.
12	Councillor McDonald	Councillor Mrs Beer	Incident at the Plymouth Studio School.
13	Councillor Ball	Councillor Darcy	Medium Term Financial Strategy and value for money.
14	Councillor Mrs Aspinall	Councillor Mrs Bowyer	The closure of Patricia Venton Centre.
15	Councillor Rennie	Councillor Ricketts	New traffic calming on Hoe Approach and Vauxhall Street consultation with members of the public.
16	Councillor Jon Taylor	Councillor Darcy	Money realised from the changes to the bin collections to be ring-fenced to Children's Social Care.
17	Councillor Coker	Councillor Ricketts	Living Streets Budget.
18	Councillor P Davey	Councillor Mrs Beer	Free School and Education Act 2002.
19	Councillor Dann	Councillor Mrs Beer	Safeguarding of children.
20	Councillor Morris	Councillor Mrs Beer	Benefit Cap and effect on children in the city.

Please note that questions, answers, supplementary questions and supplementary answers have been summarised.