

MINUTES OF THE MEETING OF THE COUNCIL held at the Guildhall,  
Portsmouth on Tuesday 13 November 2012 at 2.00 pm.

### **Council Members Present**

The Right Worshipful The Lord Mayor  
Councillor Frank Jonas (In the Chair)

### **Councillors**

|                   |                        |
|-------------------|------------------------|
| Adair, Margaret   | Park, Mike             |
| Andrewes, Michael | Patey, Jim             |
| Bosher, Simon     | Phillips, Darron       |
| Eddis, Peter      | Purvis, Will           |
| Ellcome, Ken      | Sanders, Darren        |
| Ferrett, John     | Scott, Caroline        |
| Ferrett, Ken      | Scott, Eleanor         |
| Fuller, David     | Smith, Phil            |
| Gray, Aiden       | Stagg, Lynne           |
| Hall, Terry       | Stockdale, Sandra      |
| Hancock, Jacqui   | Stubbs, Luke           |
| Horne, David      | Vernon-Jackson, Gerald |
| Hunt, Lee         | Wemyss, Steve          |
| Jones, Donna      | Winnington, Matthew    |
| Madden, Leo       | Wood, Rob              |
| Mason, Hugh       | Wylie, Steven          |
| Mason, Lee        | Young, Neill           |
| New, Robert       |                        |

### **85 Declarations of Members' Interests**

Councillor Darron Phillips declared a pecuniary interest in agenda item 4 in that his wife is on St Peter's Parish Church Council. Councillor Phillips also declared an interest in agenda item 11 question 1 as his wife works in the library. Councillor Phillips said he would withdraw from the chamber for these items.

Councillor Hugh Mason declared an interest in agenda item 4 as he is appointed to the Deanery Finance Committee at St Peter's Church and is on the Diocesan Board of Finance of the Church of England. Councillor Hugh Mason withdrew from the chamber for this item.

### **86 Minutes of the Ordinary Meeting of the Council held on 16 October 2012**

It was

Proposed by Councillor Gerald Vernon-Jackson  
Seconded by Councillor Simon Bosher

That the minutes of the meeting held on 16 October 2012 be approved as a correct record and this was agreed.

Councillor Luke Stubbs raised a query about the notice of motion on lawn bowls clubs and greens from the last council meeting as to when the report would be considered by Cabinet as the notice of motion had said this would be no later than the end of November 2012. The Leader of the Council, Councillor Gerald Vernon-Jackson said that the report was scheduled to come to the Cabinet meeting on 3 December 2012.

## **87 Communications and Apologies**

Apologies for absence were received from Councillor Jason Fazackarley, Councillor Margaret Foster, Councillor Mike Hancock, Councillor Les Stevens, Councillor April Windebank and Councillor Alistair Thompson.

The Lord Mayor announced that the city council has been awarded “Highly Commended” in the best all round small business friendliness category by the Federation of Small Businesses – Wessex Regional Local Authority Small Business Friendly Awards 2012. The chairman of the Federation of Small Businesses, Mr Ken Moon presented the Highly Commended certificate to the Leader. The Leader thanked Mr Moon and said that he was very happy to receive the award on behalf of the city council.

## **88 Petition concerning St Peter’s Theatre**

The Lord Mayor advised that the council had received a petition in respect of St Peter’s Theatre and that the council’s rules state that as the petition contained more than 1,000 signatures it will be debated by the full Council.

A deputation in favour of the petition was made by Ms Suki Jones, the organiser of the petition.

A deputation on behalf of St Peter’s Church was made by Mr Francis Davis.

It was

Proposed by Councillor Gerald Vernon-Jackson  
Seconded by Councillor Hugh Mason

That the recommendations contained in Cabinet minute 97 – St Peter’s Church Hall – Petition be approved.

As an amendment it was

Proposed by Councillor Darren Sanders  
Seconded by Councillor Rob Wood

That the following wording be added to the Cabinet recommendation (minute 97)

“The City Council however, records its appreciation for the work of both St Peter’s Church and the theatre groups who use the church hall theatre. The use of the church hall and the theatre is not an issue that the city council is involved with but we urge the church and the church hall theatre groups to work together to come to satisfactory conclusion about the use of this space.

The city council will consider any application made to list the church hall as a community asset. If the site was listed and the church chose to dispose of the site this would give community groups the chance to buy it at a market rate. Regrettably the city council confirms it has no funds available to subsidise the use or purchase of this space.”

As a further amendment it was

Proposed by Councillor Steve Wemyss  
Seconded by Councillor Luke Stubbs

That the following wording be added to the Cabinet recommendation (minute 97)

“This Council recognises that there are only 6 theatres in the whole country, available for use by amateur theatre groups, that have a fly tower. One of them is St Peters. This council also notes that St Peters has been used as a theatre for amateur productions since 1924, was designed and built that way, paid for by public subscription and is normally in use as a theatre for over 50% of the year, and therefore believes it to be an integral part of the fabric of cultural life in Portsmouth.

Within the structure of the Localism Act the legislation is quite clear;

A building or piece of land will be deemed to have community value if:

- the use of the land or building currently, or in the recent past, furthers the social well-being or cultural, recreational or sporting interests of the local community,
- this use (as described above) of the building will continue to further the social well-being or interests of the local community.
- The use of the land or building to further social well-being or interests of the community must be its principle use, not a secondary or ancillary one.

As the theatre is in use for over 50% of the year (according to the figures provided) it is clear the use of the upper hall as a theatre is the principle use and, self evidently, is of community value.

The City Council also notes that although meetings have taken place between St Peter’s Parish Council and the Theatre User Groups the Church maintains that they wish to close the upper hall on the grounds of cost and health and safety whereas the group campaigning to keep the theatre open are equally certain that the facility could be operated with no financial input required from either the Church or Portsmouth City Council.

This City Council also recognises that, despite the efforts of the officers to find alternate venues and the diligent efforts of the Theatre User Groups in visiting each suggested alternative, no comparable, available or suitable venues have been found.

This City Council therefore resolves;

1. To invite the Save St Peter's Campaign Group to submit a bid under the auspices of the Localism Act to seek to register St Peter's theatre as an asset of community value.
2. To help prevent the loss of this valuable resource to the cultural life of the city, officers be instructed to invite all interested parties including all members of the Council to a meeting, or meetings, to consider and identify how the use of the upper hall by theatre groups might be continued. Any funding required to facilitate these meetings should be de minimis, but for the avoidance of doubt should be drawn from contingency."

As the mover of the original motion, the Leader of the Council, Councillor Gerald Vernon-Jackson accepted both of the proposed amendments. Upon being put to the vote the substantive motion was unanimously CARRIED.

**RESOLVED that Council considers the statement of the petition and acknowledges the range of options which have been offered to the Save St Peter's Campaign Group around facilities throughout the city. That members understand that the building is not owned by Portsmouth City Council and whilst there is acknowledgement of the strength of opinion expressed through the petition the Council is unable to intervene in this matter between the Diocese and the Save St Peter's Campaign Group.**

**The City Council however, records its appreciation for the work of both St Peter's Church and the theatre groups who use the church hall theatre. The use of the church hall and the theatre is not an issue that the city council is involved with but we urge the church and the church hall theatre groups to work together to come to satisfactory conclusion about the use of this space. The city council will consider any application made to list the church hall as a community asset. If the site was listed and the church chose to dispose of the site this would give community groups the chance to buy it at a market rate. Regrettably the city council confirms it has no funds available to subsidise the use or purchase of this space.**

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#### **89 Deputations from the Public under Standing Order No 24(b)(vi)**

No deputations were received other than those already heard in respect of the petition on St Peter's Theatre.

#### **90 Questions from the Public under Standing Order No 25**

There were no questions from the public.

## 91 Appointments

Councillor Aiden Gray replaces Councillor John Ferrett as the Labour shadow spokesperson on the Planning, Regeneration & Economic Development portfolio.

Councillor Robert New replaces Councillor Ellcome as the Conservative shadow spokesperson on the Environment portfolio.

## 92 Urgent Business

The Council considered the previously circulated report on political proportionality on committees and panels.

In respect of the committee seat allocation concerning the Group 5 committee meetings referred to in the report, it was

Proposed by Councillor Jim Patey  
Seconded by Councillor John Ferrett

That the additional Labour group seat, to which it is entitled from the Conservative group, be taken on the Employment Committee.

Upon the proposal standing in the name of Councillor Jim Patey being put to the vote, this was LOST.

It was noted that a decision on where the additional Labour seat should be allocated be held over to the next Council meeting.

It was then  
Proposed by Councillor Gerald Vernon-Jackson  
Seconded by Councillor Hugh Mason

To adopt the overall political balance and allocation of seats schedule, previously circulated, subject as necessary to reflect the outcome of the separate earlier decision on the committee seat allocation in respect of the Group 5 committee meetings referred to in the report.

Councillor Wood to replace Councillor Gray on the Planning Committee, with Councillor Stevens replacing Councillor Wood as one of the deputies on that committee.

Councillor C Scott to come off the Scrutiny Management Panel.

Councillor Boshier proposed that Councillor Ken Ellcome is appointed to the Scrutiny Management Panel.

Upon being put to the vote this was CARRIED.

**RESOLVED that the Leader's proposal as set out above, including the Conservative Group Leader's nomination of Councillor Ken Ellcome to the Scrutiny Management Panel be approved.**

After the vote, the Leader of the Council then advised that the Cabinet would be reduced from ten members to nine members by merging the Community Safety and Environment portfolios under Councillor Eleanor Scott.

### **93 Recommendations from Cabinet from its meeting on 5 November 2012**

#### **Minute 95 – Youth Justice Plan**

Councillor Gerald Vernon Jackson moved the Cabinet recommendation at minute 95 and in so doing said he would like to rectify a minor typographical omission in the plan at Appendix 1, in the last paragraph on page 7 of the papers, namely after the existing words – “Portsmouth Youth Offending Team is a partnership between Portsmouth City Council, Hampshire and IOW Constabulary, Hampshire Probation Trust, local NHS and the Safer Portsmouth Partnership – “ the following needs to be inserted “which is the lead partnership for youth offending in Portsmouth”.

This was agreed.

**RESOLVED that the recommendations contained in Cabinet minute 95 – Youth Justice Plan as amended be approved.**

#### **Minute 101 – East Lodge Farm Proposal/Adult Social Care**

The Lord Mayor informed the Council that this recommendation is based on a previous resolution that is no longer applicable and consequently it is null and void and cannot therefore be resolved upon by the Council. It is therefore abandoned.

### **94 Notices of Motion**

There was one notice of motion before Council - Honouring Our Arctic Convoy Veterans

It was

Proposed by Councillor Michael Andrewes  
Seconded by Councillor Darren Sanders

That this notice of motion be discussed today.

Upon being put to the vote this was CARRIED

It was

Proposed by Councillor Michael Andrewes  
Seconded by Councillor Darren Sanders

That the notice of motion be adopted by Council.

Upon being put to the vote this was unanimously CARRIED.

**RESOLVED** that the Council thanks and pays tribute to all current and former military personnel for the service in defending this country.

**Council notes:**

The long and widely-supported campaign by Portsmouth resident Commander Eddie Grenfell and his colleagues for a medal to be awarded by the British Government to recognise the service of those that served in Arctic Convoys during the Second World War.

That a large number of MPs supported a parliamentary motion in support of this medal.

That Sir Winston Churchill described the route of the Arctic Convoy as the "worst journey in the world".

That specific medals were given for other campaigns in the Second World War but not for the Arctic Convoys.

That recently the Government has told Arctic Convoy Veterans they do not have permission to accept the Medal of Ushakov from the Russian Government for valour for the role in the campaign.

That the USA and Australia have permitted their veterans to accept the Medal of Ushakov.

**Council resolves:**

1. To support the call that the Arctic Convoy Veterans should be allowed to accept the Medal of Ushakov.
2. To ask the Leader of the Council and the Chief Executive to write to the Prime Minister and Foreign Secretary to ask them to allow the Arctic Convoy Veterans to accept the Medal Of Ushakov.
3. To support the award of a medal by the British Government for the Arctic Convoy campaign during the Second World War.
4. To ask the Leader of the Council and Chief Executive to write to Sir John Holmes who is conducting a review, due to report by the end of the year, into the honours system. Veterans believe this review could be their last chance to get the recognition they deserve from the British Government.
5. To continue to help the Arctic Convoy Veterans in their campaign for a medal from the British Government and to be allowed to accept the Medal of Ushakov.
6. To ask local MPs and other elected representatives to support and actively work to ensure the Arctic Convoy Veterans get the recognition they deserve.



**95 Standing Order 58**

Council noted the report from the City Solicitor under Standing Order 58 (attached to the papers for the meeting) in relation to two urgent decisions made by the Chief Executive concerning the appointment of additional standing deputies to the Employment Committee to enable a senior officer appeal to proceed. This was required prior to the formal Council decision on 16 October 2012 to increase the pool of members.

**96 Questions from Members under Standing Order No 17**

There were three questions under Standing Order 17.

**Question No 1** was from Councillor Michael Andrewes.

“As it has just celebrated its first birthday can the cabinet member say how many book issues and visits does Southsea Library have?”

This and supplementary questions were answered by the Cabinet Member for Culture, Leisure & Sport, Councillor Lee Hunt.

**Question No 2** was from Councillor Luke Stubbs to the Cabinet Member for Planning, Regeneration & Economic Development, Councillor Mike Hancock CBE MP.

“Could an increase in the housing completion target form part of the council’s City Deal bid?”

In the absence of Councillor Mike Hancock, the Leader of the Council answered this and a supplementary question.

**Question No 3** was from Councillor Luke Stubbs to the Leader of the Council, Councillor Gerald Vernon-Jackson.

“Is the leader minded to accept the transitional grant being offered by the Department of Communities and Local Government as part of the localisation of council tax benefit?”

This was answered by the Leader of the Council.

The meeting concluded at 4.03 pm.

Lord Mayor