

MINUTES OF AN ORDINARY MEETING OF THE COUNCIL held at the Guildhall, Portsmouth on Tuesday 19 March 2013 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
Fazackarley, Jason	Scott, Caroline
Ferrett, John	Scott, Eleanor
Ferrett, Ken	Smith, Phil
Foster, Margaret	Stagg, Lynne
Fuller, David	Stevens, Les
Hall, Terry	Stockdale, Sandra
Hancock, Jacqui	Stubbs, Luke
Horne, David	Thompson, Alistair
Hunt, Lee	Vernon-Jackson, Gerald
Jones, Donna	Wemyss, Steve
Madden, Leo	Winnington, Matthew
Mason, Hugh	Wood, Rob
Mason, Lee	Wylie, Steven
New, Robert	Young, Neill

20 Declarations of Members' Interests

Councillor Will Purvis declared an interest in agenda item 11(b) as he works for a construction company and would withdraw from the chamber for this item.

Councillor Steve Wemyss declared an interest in agenda item 12 as he has a nominal stake in Portsmouth Supporters' Trust. He also declared an interest in agenda item 13 - Question 4 as he is the local authority appointed governor to Court Lane Infant School.

Councillor Alistair Thompson declared a pecuniary interest in agenda item 12 and would leave the chamber for this item.

Councillor John Ferrett declared a non prejudicial interest in agenda item 10 - Pay Policy Statement - as his wife works for Portsmouth City Council.

21 Minutes of the Council Meeting held on 12 February 2013

It was

Proposed by Councillor Gerald Vernon-Jackson

Seconded by Councillor Simon Boshier

That the minutes of the meeting held on 12 February 2013 be approved as a correct record and this was agreed.

22 Communications and Apologies

Apologies for absence were received from Councillors Aiden Gray, Mike Hancock CBE MP and April Windebank. Apologies for lateness were received from Councillor Jason Fazackarley.

The Lord Mayor reminded the public that standing orders currently preclude the use of any photographic, television, sound recording and communications equipment.

The Lord Mayor advised that it had been agreed under Standing Order 8 to bring forward the mayormaking - annual council meeting by one day so that it will now be held on Monday 20 May 2013.

The Lord Mayor advised members that he had had the very great pleasure that morning at attending the presentation of the Arctic Convoy Medal to Commander Eddie Grenfell for his role in the Second World War.

The Leader thanked the Lord Mayor for letting this ceremony take place in the Guildhall and said that it had been agreed to organise future presentations for medal recipients in Portsmouth where there were difficulties for those involved getting to London.

The Lord Mayor reminded members that the World War Two Memorial fundraising appeal is still ongoing if anyone knew of people or organisations that might wish to contribute to it.

The Lord Mayor advised that the council has just been notified by the Privy Council Office that Her Majesty The Queen is pleased to appoint Rupert Edward Alexander Younger Esq to be High Sheriff of the County of Hampshire.

Finally the Lord Mayor advised members that this is Margaret Geary's last council meeting before her retirement and on behalf of the council the Lord Mayor wished her very best wishes and thanked her for the outstanding service she has given the council over her years as a strategic director.

Margaret Geary thanked the Lord Mayor and said that it had been a real pleasure to work for Portsmouth City Council

23 Deputations from the Public under Standing Order 24(b)(vi)

The City Solicitor advised that one deputation had been received in support of agenda item 11(b).

The deputation was made by Mr Baker of the GMB Union.

24 Questions from the Public under Standing Order No 25

There were no questions from members of the public.

25 Appointments

There were no appointments.

26 Urgent Business

There was no urgent business.

27 Recommendations from Cabinet from its Meeting held on 4 March 2013

The following minutes were approved unopposed.

Minute 28 - Safer Portsmouth Partnership Plan 2013-18

Minute 31 - Local Transport Plan 3 (LTP3) Implementation Plan 2013/14

Minute 32 - Treasury Management Policy for 2013/14

Minute 29 - Portchester Castle to Emsworth Coastal Flood and Erosion Risk Management Strategy - Adoption of Final Strategy

It was

Proposed by Councillor Gerald Vernon-Jackson

Seconded by Councillor David Fuller

That the recommendations set out in Cabinet minute 29 be approved.

As an amendment it was

Proposed by Councillor Hugh Mason

Seconded by Councillor Peter Eddis

That the following be added to the Cabinet recommendations (minute 29).

"(5) Council affirms that it wishes to work within the Coastal Partnership and with the Environment Agency and Natural England to ensure that sea defence lines are maintained to a standard adequate to preserve the integrity of the City's coastline, and to develop the optimal strategy for Farlington Marshes taking full account of economic, environmental, ecological, archaeological and recreational considerations."

Councillor Gerald Vernon-Jackson said that he was happy to accept the amendment standing in the name of Councillor Hugh Mason.

Upon the substantive proposal being put to the vote this was unanimously CARRIED.

RESOLVED that Council

- (1) adopts the preferred policy option as policy for the Portchester to Paulsgrove Frontage : Hold The Existing Defence Line - Improve;**
- (2) adopts the preferred policy option as policy for the Horsea Island Frontage: Hold the Existing Defence Line - Maintain;**
- (3) adopts the preferred policy option as policy for the M27 & Farlington Marsh Frontage: M27 - Hold the Existing Defence Line - Sustain Farlington Marshes - Hold the Existing Defence Line - Maintain for 20 years with further detailed studies required to determine the preferred long-term preference to either Sustain or implement a Managed Realignment scheme ;**
- (4) supports the options for the Strategy frontages on which the Environment Agency, Fareham Borough Council, Havant Borough Council and Chichester District Council are the responsible operating authorities. (A map of the strategy frontage can be found in Appendix 1 of the report.) and ;**
- (5) affirms that it wishes to work within the Coastal Partnership and with the Environment Agency and Natural England to ensure that sea defence lines are maintained to a standard adequate to preserve the integrity of the City's coastline, and to develop the optimal strategy for Farlington Marshes taking full account of economic, environmental, ecological, archaeological and recreational considerations.**

28 Recommendations from Housing Cabinet - 12 March 2013

It was

Proposed by Councillor Steven Wylie

Seconded by Councillor Gerald Vernon-Jackson

That the recommendations contained in Housing minute 15 be approved.

Following discussion upon being put to the vote this was **Resolved** unanimously. .

An undertaking was also given that a letter to the Chancellor would be drafted regarding the possible use of other authorities' borrowing allocation being used to build homes in Portsmouth if other authorities do not wish to use their allocation for that purpose.

29 Recommendations from the Governance & Audit & Standards Committee - 14 March 2013

The following minutes were approved unopposed.

Minute 24 - Whistleblowing Policy

Minute 25 - Health and Wellbeing Board Constitution

Minute 27 - The Appointment of Independent Persons for the Municipal Years 2013 to 2016

30 Recommendations from Employment Committee - 19 February 2013

It was

Proposed by Councillor Gerald Vernon-Jackson

Seconded by Councillor Leo Madden

That the recommendations contained in Employment Committee minute 15 be approved.

As an amendment it was

Proposed by Councillor Luke Stubbs

Seconded by Councillor John Ferrett

That "the Council at its meeting on 19 March 2013, approves the draft pay policy statement (appendix 1 of the report refers) subject to the following -

That in order to align local policy with National guidance, the last paragraph of section 6 of the Pay policy statement be amended (as highlighted in bold) so that it now reads -

Any proposal to offer a new chief officer appointment on terms and conditions which include a total remuneration package of £100,000 or more, which would routinely be payable to the appointee and any benefits in kind to which the officer would be entitled as a result of their employment (but excluding employer's pension contributions) will be referred to the Full Council for approval before any such offer is made to a particular candidate.

Additionally, any severance payments over £100,000 be referred to Full Council for approval

Further to the above proposals, appropriate consequential amendments be made to the constitution to reflect the proposed changes and that the power to make such changes be delegated to the City Solicitor."

Councillor Gerald Vernon-Jackson accepted the amendment but said that on occasion this could mean there may be a need to have an emergency council meeting. Upon the substantive motion being put to the vote this was unanimously CARRIED.

RESOLVED that the Council at its meeting on 19 March 2013, approves the draft Pay Policy Statement (appendix 1 of the report refers) subject to the following -

That in order to align local policy with National guidance, the last paragraph of section 6 of the Pay policy statement be amended (as highlighted in bold) so that it now reads -

Any proposal to offer a new chief officer appointment on terms and conditions which include a total remuneration package of £100,000 or more, which would routinely be payable to the appointee and any benefits in kind to which the officer would be entitled as a result of their employment (but excluding employer's pension contributions) will be referred to the Full Council for approval before any such offer is made to a particular candidate.

Additionally, any severance payments over £100,000 be referred to Full Council for approval

Further to the above proposals, appropriate consequential amendments be made to the constitution to reflect the proposed changes and that the power to make such changes be delegated to the City Solicitor.

31 Notices of Motion

The Lord Mayor advised that there were three notices of motion before council today.

(a) It was

Proposed by Councillor Jason Fazackarley
Seconded by Councillor Sandra Stockdale

That this notice of motion set out at agenda item 11(a) be discussed today. Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Jason Fazackarley
Seconded by Councillor Sandra Stockdale

That the notice of motion be adopted by council. Upon being put to the vote this was unanimously CARRIED.

RESOLVED that the notice of motion set out below be adopted by Council

"Each year an estimated 10,000 ex-racing greyhounds are 'unaccounted' for - puppies that don't make the grade, dogs that sustain injuries, are pregnant or unable to find homes, most are less than five years old.

Many of these dogs are disposed of in the most 'economical' way - by bolt gun.

Until fairly recently there existed a Greyhound Stadium in Portsmouth and it is right that concern is expressed for the welfare of the dogs that were used at that venue. Raising concerns for these dogs, as well as others across the UK, can be highlighted by the passing of this motion and representation being made to DEFRA and central government.

Portsmouth City Council calls on the government to outlaw the use of bolt pistols to kill greyhounds.

Under existing UK legislation, any person can use a bolt gun to destroy a greyhound, if they are the legal owner. Attempted destruction of greyhounds by bolt has resulted in innocent dogs being left to suffer in agony for hours, before being found and taken to a veterinary surgery to be finally put to sleep by lethal injection.

These dogs should at the very least be entitled to a humane death. Destruction of greyhounds should only be performed by use of intravenous euthanasia, administered by qualified veterinary surgeons.

Following the controversial use of bolt guns by RSPCA inspectors a few years ago, the RSPCA requested the Royal College of Veterinary Surgeons (RCVS) comment on their review of its 2004 euthanasia rules and guidelines. In April 2010 the RCVS announced that use of the captive bolt guns on dogs was inappropriate

DEFRA have the power to end this cruel practice so we are calling on them to immediately abolish the use of captive bolt guns to destroy greyhounds in the UK."

(b) It was

Proposed by Councillor Ken Ferrett
Seconded by Councillor John Ferrett

That this notice of motion set out at agenda item 11(b) be discussed today. Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Ken Ferrett
Seconded by Councillor John Ferrett

That the notice of motion be adopted by council.

As an amendment it was

Proposed by Councillor David Horne

Seconded by Councillor Jim Patey

That the motion be amended by bullet point 3 under the heading "The Council believes" to read "Owing to the concentration of construction activity in and around cities such as Portsmouth, it is possible that a number of our residents have been disadvantaged by this practice".

Councillor Ken Ferrett accepted the amendment.

RESOLVED that Council notes

- **A number of construction companies have been challenged about supporting the existence of and subscribing to construction industry 'blacklists',**
- **These 'blacklists' detail covertly and potentially illegally gathered information on trade union members in the construction industry.**
- **The construction industry blacklist was collated by the Consulting Association (a private consultancy) and was then provided at a cost to construction companies as they sought to recruit/avoid new workers.**
- **The construction unions are leading a national campaign aimed at forcing those who have been involved in blacklisting to apologise and provide compensation to those who have found it impossible to work in construction as a result of this blacklisting.**
- **The Information Commissioner has investigated and taken action against the Consulting Association for this practice.**
- **The Information Commissioner has also taken enforcement action against a number of construction companies based on the evidence recovered from the Consulting Association.**

Council Believes –

- **Blacklisting is a malicious and unacceptable practice and cannot be condoned.**
- **Construction workers should be free to belong to a Trade Union and raise legitimate safety concerns in what is a hazardous industry.**
- **Owing to the concentration of construction activity in and around cities such as Portsmouth, it is possible that a number of our residents have been disadvantaged by this practice**
- **Blacklisting has ruined careers and lives, not only of construction workers but also those of their families.**

Council Resolves –

- **To support the trade union campaign for justice for those affected by blacklisting.**

(c) It was

Proposed by Councillor Luke Stubbs
Seconded by Councillor Donna Jones

That this notice of motion set out at agenda item 11(c) be discussed today. Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Luke Stubbs
Seconded by Councillor Donna Jones

That the notice of motion set out in agenda item 11(c) be adopted by council.

As an amendment it was

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

"That all the wording in the motion be deleted after the word "importance" in the paragraph 2, and an additional paragraph at the end be added so the amended motion now reads:

As public bodies, local authorities have both a moral and a legal duty to respond to the wishes of their residents. Countless examples from around the country make clear that this does not always happen in practice, but nevertheless it should.

While acknowledging its own shortcomings, this council nevertheless considers consulting and engaging with the public to be of paramount importance.

The Council asks the Officers to investigate what means there are to increase public involvement in the budget process and to report to Cabinet with all the associated costs involved, including that of Officer time."

Upon being put to the vote the amendment standing in the name of Councillor Gerald Vernon-Jackson was CARRIED.

RESOLVED that as public bodies, local authorities have both a moral and a legal duty to respond to the wishes of their residents. Countless examples from around the country make clear that this does not always happen in practice, but nevertheless it should.

While acknowledging its own shortcomings, this council nevertheless considers consulting and engaging with the public to be of paramount importance.

The Council asks the Officers to investigate what means there are to increase public involvement in the budget process and to report to Cabinet with all the associated costs involved, including that of Officer time.

**32 Forward Plan Omission Report
Portsmouth Football Club – Financial Loan Support to
Portsmouth Supporters’ Trust (PST)**

RESOLVED that Council noted the Forward Plan omission report set out under agenda item 12.

33 Questions from Members under Standing Order No 17

The Lord Mayor advised that there were four questions under Standing Order 17 that had previously been circulated. The Lord Mayor advised that the Cabinet Member for Resources had agreed to take an additional urgent question from Councillor Jones which had also been circulated.

Question No 1 was from Councillor John Ferrett

"Can the Council Leader explain when members will be briefed on the Portsmouth Supporters Trust's updated business plan?"

This and supplementary questions were answered by the Leader of the Council, Councillor Gerald Vernon-Jackson.

Question No 2 was from Councillor Steve Wemyss

Is the cabinet member for education surprised that Matthew Coffey, Ofsted regional director for the South East, sent a team of inspectors into Portsmouth? Sent because of the fact that the quality of schools varies too much across this local authority compared with others with similar demographics, such as population, size and deprivation.

In his words; "In Portsmouth, barely a third of secondary school-age children and just over half of primary school children attended a good or better school at the time of the last annual report," he said, using Ofsted data from December 2012.

“That is why we are carrying out focused school inspections across under-performing areas, where we will be looking not just at the performance of the individual schools but also the support they are receiving from their local authority.

We will be seeking to determine whether councils are really fulfilling their statutory duties to promote high standards and fair access to educational opportunity”.

This and supplementary questions were answered by the Cabinet Member for Children & Education, Councillor Rob Wood.

The Lord Mayor advised after the conclusion of questions in respect of question 2 that the allocated time for members' questions had expired and that the remaining questions 3, 4 and the emergency question 5 would receive written answers.

The Lord Mayor said that this was his last scheduled council meeting as Lord Mayor and wished to put on record his thanks to members for the courtesy afforded him during council meetings. He thanked everyone for contributing to what had been for him a brilliant year.

The meeting concluded at 4.55 pm.

Lord Mayor