MINUTES OF A MEETING OF THE COUNCIL held at the Guildhall Portsmouth on Tuesday, 15 July 2014 at 2.30 pm

# **Council Members Present**

The Right Worshipful The Lord Mayor Councillor Steven Wylie (in the Chair)

# Councillors

Councillor Hugh Mason Councillor Lee Mason Councillor Robert New Councillor Stuart Potter **Councillor Will Purvis** Councillor Darren Sanders **Councillor Eleanor Scott** Councillor Lynne Staga Councillor Les Stevens Councillor Sandra Stockdale Councillor Luke Stubbs Councillor Julie Swan **Councillor Linda Symes** Councillor Alistair Thompson Councillor Gerald Vernon-Jackson Councillor Steve Wemvss **Councillor Matthew Winnington** Councillor Rob Wood **Councillor Neill Young** 

# 65. Declarations of Interests under Standing Order 13(2)(b)

Councillor Ben Dowling declared a pecuniary interest in notice of motion (d) as he is a director of a company involved in the procurement process and will leave the chamber for that item and deputations relating to it.

Councillor Les Stevens declared an interest in notice of motion (f) and would leave the chamber for that item.

Councillor Alistair Thompson declared an interest in items 8 - Hampshire Community Bank and item 13 (b) as the company he works for has been involved as part of a think tank concerning working with new banking models, including a report launched by the Archbishop of Canterbury. Councillor Thompson advised that he would withdraw from the chamber for these items.

Councillor Hugh Mason declared a non-prejudicial interest in items 8 -Hampshire Community Bank and notice of motion 13(b) as he is a director of Hampshire Credit Union and is a senior layman of the Church of England referred to in notice of motion 13(b).

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Councillor Michael Andrewes declared a pecuniary interest in notices of motion (e) and (f) as he is employed by Mike Hancock's office and said he would leave the Chamber whilst these items were considered.

Councillor Gerald Vernon-Jackson declared a non-prejudicial interest in item 8 - Hampshire Community Bank as he is a member of the Hampshire Credit Union.

Councillor Rob Wood declared a non-prejudicial interest in agenda item 14 -Forward Plan Omission re the Camber as he lives nearby. He also declared an interest during debate on item 13 (d) as Motiv8 was referred to as taking part in the procurement exercise and he has a relative who works at Motiv8. He withdrew from the Chamber for the remainder of the debate on that item.

# 66. Minutes of the Annual Meeting and the Adjourned Meeting of the Council held on 3 June 2014

These were

Proposed by Councillor Donna Jones Seconded by Councillor Gerald Vernon-Jackson

# RESOLVED that the minutes of the annual meeting and the adjourned meeting of the council held on 3 June 2014 be confirmed and signed as a correct record.

# 67. Communications

The Lord Mayor invited the Leader of the Council, Councillor Donna Jones to speak first. The Leader formally congratulated and welcomed the new Minister for Portsmouth, Matthew Hancock MP and also congratulated Penny Mordaunt MP on her new role as Parliamentary Undersecretary of State for Communities and Local Government. The Leader confirmed she had drafted letters of thanks for the work done by Michael Fallon MP whilst he was Minister for Portsmouth and had also sent letters of congratulation to Penny Mordaunt MP and Matthew Hancock MP following the reshuffle announced by the Prime Minister. The Leader also undertook to write a letter of thanks to Vince Cable, Secretary of State for Business. The Lord Mayor also added his congratulations.

The Lord Mayor advised that he had received letters from HRH The Princess Royal and Vice Admiral Tim Lawrence concerning events on the anniversary of D-Day expressing their warm thanks to all concerned and asked that their comments be formally recorded. The Lord Mayor said he had received many favourable comments about the D-Day commemorative events including from the Normandy Fellowship who had written to express their thanks as well as from members of the public. The Lord Mayor mentioned in particular Matthew Gummer MBE, one of the D-Day veterans, who had said he was very proud to have participated in D-Day and was very proud of the city. The Leader of the Council advised that she had written on behalf of the council to thank David Evans and the Events Team for all their work and also put on record thanks to the military for their participation.

The Lord Mayor said there would be an event later in the year to thank everyone for their work in making the day such a success.

The Lord Mayor also wished every success to Portsmouth's bid to become England's City of Football. He said that the council is working with the football club, the local football association, the university, RN and community groups to further develop the bid. Portsmouth had fought off competition from 22 cities and was one of the three cities shortlisted - the others being Nottingham and Manchester. The winner would receive National Lottery funding to run a two year pilot programme designed to encourage more people to play football regularly.

# 68. Deputations from the Public under Standing Order No 24

The City Solicitor advised council of the deputations received. A written deputation had been received from Soraya Williams concerning notice of motion 13(d). Mr Nassar Kessell, Ms Harris and Mr Steve McDermott all made deputations concerning notice of motion 13(d).

Mr John Thompson made a deputation in respect of notice of motion 13(e).

# 69. Questions from the Public under Standing Order 25

There were no questions from the public.

# 70. Appointments

That appointments as circulated at the council meeting were proposed and seconded and were agreed.

# **RESOLVED** that

- (1) Licensing Committee Councillor Colin Galloway (UKIP) be appointed as a standing deputy;
- (2) Planning Committee Councillors Julie Swan (UKIP), Stuart Potter (UKIP) and Paul Godier (UKIP) be appointed as standing deputies;
- (3) Scrutiny Management Panel Councillor Steven Hastings (UKIP), Councillor Colin Galloway (UKIP) be appointed as standing deputies;
- Governance & Audit & Standards Committee Councillor Alistair Thompson (Conservative), Councillor Julie Swan (UKIP) and Councillor Steven Hastings (UKIP) be appointed as standing deputies;

- (5) Health Overview &Scrutiny Panel Councillor Lee Mason (Conservative) be removed as a standing deputy owing to his being a Cabinet Member;
- (6) Twinning Advisory Group the appointment of Councillor Colin Galloway (UKIP), Paul Godier (UKIP), Councillor Lynne Stagg (Liberal Democrat) and Councillor Terry Hall (Liberal Democrat) be agreed;
- (7) Health & Wellbeing Board Council note the appointment of Councillor John Ferrett (Labour) and Councillor Gerald Vernon-Jackson (Liberal Democrat) as full members of the board.

# 71. Urgent Business under Standing Order No 26

There was no urgent business.

72. Cabinet Recommendations from its meeting on 10 July 2014 -Hampshire Community Bank

The following minute was opposed:-

Minute 67 - Hampshire Community Bank

lt was

Proposed by Councillor Luke Stubbs Seconded by Councillor Hugh Mason

That the recommendations contained in the report by Chris Ward, Head of Financial Services & Section 151 Officer, the Hampshire Community Bank, be agreed.

Following debate, upon being put to the vote this was CARRIED.

**RESOLVED** that the recommendation set out in paragraph 2 of the report be agreed.

# 73. Governance & Audit & Standards Committee Recommendations from its meeting on 27 June 2014

The following minutes were approved unopposed:-

Minute 38 - Notice of Motion Referral re Arrangements for Assessment, Investigation and Determination of a Complaint that a Member has failed to Comply with the Members' Code of Conduct

Minute 39 - Filming, photographing and recording of public meetings of the Council

# 74. Scrutiny Management Panel Recommendation from its meeting on 4 July 2014

The following minute was opposed:-

Minute 12 - Scrutiny Report

It was

Proposed by Councillor Alistair Thompson Seconded by Councillor Simon Bosher

That the recommendations contained in the scrutiny report be agreed.

Councillor Andrewes explained that he was not proposing an amendment to the recommendations but wished to highlight the hard work put in by those members on scrutiny panels and to note how well members of all groups worked together. He also wished to record thanks to the Democratic Services team for their work in supporting the scrutiny panels. He said he hoped the recommendations from the reviews would not just be noted, but would be revisited from time to time to check on progress being made. Councillor Thompson said he completely agreed with these comments.

Upon being put to the vote the recommendations from the Scrutiny Management Panel were CARRIED.

# **RESOLVED** that

- (1) The report be noted and the work done by the panels be acknowledged; and
- (2) An extra recommendation be added to the report as follows:

"Thanks be formally recorded to all those members of the public, witnesses and officers who contributed to the reviews and to Democratic Services officers who supported the panels."

#### 75. Review of Certain Special Responsibility Allowances for Members

It was

Proposed by Councillor Donna Jones Seconded by Councillor John Ferrett

That the recommendations set out in the report from the Chief Executive be adopted.

Upon being put to the vote, this was CARRIED.

RESOLVED that in accordance with the wishes of the Council Leader, the Council revert to the pre- remuneration panel multiple rates that were increased for the Council Leader, Cabinet Members and Regulatory Chairs, so that with effect from 1 August 2014,

- 1. The Council Leader receives a reduced multiple of 1.8 of the basic, giving a revised SRA for that position, which at the current basic rate equates to £18,544
- 2. Cabinet members receive a reduced multiple of 0.7 of the basic, giving a revised SRA for that position, which at the current basic rate equates to £7,211
- 3. Regulatory Chairs receive a reduced multiple of 0.35 of the basic, giving a revised SRA for that position, which at the current basic rate equates to £3,606

The Members allowance scheme be amended accordingly to reflect these changes.

76. Notices of Motion

Notice of Motion (a) - Armed Forces Compensation Scheme

It was

Proposed by Councillor Colin Galloway Seconded by Councillor Julie Swan

That this notice of motion be debated today.

Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Colin Galloway Seconded by Councillor Julie Swan

That notice of motion (a) as set out on the agenda be adopted.

As an amendment to the notice of motion it was

Proposed by Councillor Lee Mason Seconded by Councillor Aiden Gray

That the following words be added to the end of the existing notice of motion.

"The Leader of the Council is consequently requested to write to the Secretary of State for Work and Pensions with the Council's views on this issue as expressed in the motion and that the subsequent response from the Secretary of State be communicated to all Members once received".

Councillor Colin Galloway agreed to accept this amendment. Following debate, upon the substantive notice of motion being put to the vote, this was CARRIED unanimously.

# "RESOLVED that

Portsmouth City Council calls upon the Secretary of State for Work and Pensions to implement with immediate effect the full Armed Forces Compensation Scheme recommendations that War Disablement Pensions be excluded from being used as a source of Income for Benefits calculations

At present, a Veteran injured during their service in the Armed Forces, and who receives a War Disablement Pension which is intended to raise the living standard of that Veteran, can currently receive a £10 per week disregard when receiving benefits.

This Council recognises the sacrifice which Veterans have undertaken for their Country, and agrees that these Veterans should be attributed with a 100% disregard when being assessed for benefits, yet the DWP still fails to apply it.

There are Veterans in Civilian Street who through no fault of their own, by way of Physical and Mental injuries cannot work in a normal environment and thus rely on the War Disablement Pension as a source of extra income to supplement their daily life.

I believe that the War Disablement Pension should be treated in exactly the same manner as the Disability Living Allowance is currently treated:

The Leader of the Council is consequently requested to write to the Secretary of State for Work and Pensions with the Council's views on this issue as expressed in the motion and that the subsequent response from the Secretary of State be communicated to all Members once received.

Councillor Alistair Thompson requested that it be noted that this motion incorporating the amendment had been carried unanimously.

Council adjourned at 4.10 pm. Council resumed at 4.25 pm.

# Notice of Motion (b) - Tackling Poverty by Reducing Dependency

It was

Proposed by Councillor Darren Sanders Seconded by Councillor Hugh Mason

That the motion be debated today. Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Darren Sanders Seconded by Councillor Hugh Mason

That notice of motion (b) as set out on the agenda be adopted.

As an amendment it was

Proposed by Councillor Lee Mason Seconded by Councillor Steve Wemyss

That the notice of motion be amended as follows:-

Replace 'Council opposes the removal of funding for this scheme from April 2015' with 'Council notes the removal of a separate funding stream for this scheme from April 2015.'

Delete from 'As such, it asks the administration to deliver the following as part of any future strategy on this matter:' and replace with Council notes that the administration are formally establishing a policy position on future provision at a Resources Portfolio meeting this Thursday.

In advance of that decision, Full Council endorses in principle:

- 1. the council are grateful for the work carried out by EC Roberts Centre and strongly support their lottery bid to further it. The Council supports the provision of £90 000 to the EC Roberts Centre, which if matched by lottery funding will support the purchase of white goods for vulnerable people (subject to need)
- 2. the council support credit unions both in principle and the good work they do in Portsmouth and support the authority's work in referring people to the Credit Union. It also welcomes the Jam Jar accounts project being piloted by the EC Roberts Centre.
- 3. the research the authority intends to take into the affordability of a social supermarket Council requests the portfolio holder for Resources keep members of the council updated on developments and that progress be reviewed through an information paper later in the year.

As an amendment it was

Proposed by Councillor John Ferrett Seconded by Councillor Aiden Gray

That the notice of motion be amended as follows:

Following 'Council opposes the removal of funding for this scheme from April 2015' insert the following:

'Furthermore, Council condemns the Coalition government for pursuing a deliberate strategy of financially penalising the poorest members of our community, not least through the introduction of the bedroom tax and the removal of council tax benefit.'

During debate it was

Proposed by Councillor Simon Bosher Seconded by Councillor Linda Symes

That standing orders be suspended for this item only in order to allow slight alterations to the wording of the amendment standing in the name of Councillor Lee Mason which was to amend the word 'notes' to 'regrets' and to insert the word 'Government' before 'funding'. Upon being put to the vote this was CARRIED.

Upon being put to the vote the amendment standing in the name of Councillor John Ferrett was LOST.

Upon being put to the vote the amendment standing in the name of Councillor Lee Mason (including the slight alteration to the wording from the word 'notes' to 'regrets' and the insertion of the word 'government' before 'funding') was CARRIED. Upon the substantive notice of motion being put to the vote this was CARRIED.

# **RESOLVED** that

Council welcomes the fact that the Local Welfare Assistance Scheme the scheme that gives money to some of the most vulnerable people in society - has been overseen by local councils across the country, rather than the DWP.

Council regrets the removal of a separate government funding stream for this scheme from April 2015.

Council welcomes the work already done by officers on a replacement. It believes such a replacement should be brought in for at least no more cost than now.

Council also recognises that many people in our city are forced to use payday loan and similar companies, such as Wonga and Provident. It believes this is wrong and applauds the work done so far to mitigate it.

Council endorses the desire of the Church of England to put these firms out of business:

Council notes that the administration are formally establishing a policy position on future provision at a Resources Portfolio meeting this Thursday.

In advance of that decision, Full Council endorses in principle:

1. the council are grateful for the work carried out by EC Roberts Centre and strongly support their lottery bid to further it. The Council supports the provision of £90 000 to the EC Roberts Centre, which if matched by lottery funding will support the purchase of white goods for vulnerable people (subject to need)

- 2. the council support credit unions both in principle and the good work they do in Portsmouth and support the authority's work in referring people to the Credit Union. It also welcomes the Jam Jar accounts project being piloted by the EC Roberts Centre.
- 3. the research the authority intends to take into the affordability of a social supermarket Council requests the portfolio holder for Resources keep members of the council updated on developments and that progress be reviewed through an information paper later in the year.

# Notice of Motion (c) - Banning of Legal Highs

lt was

Proposed by Councillor Paul Godier Seconded by Councillor Hannah Hockaday

That this notice of motion be debated today. Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Paul Godier Seconded by Councillor Hannah Hockaday

That notice of motion (c) as set out on the agenda be adopted.

Following debate upon being put to the vote this was CARRIED.

RESOLVED that the Leader of the Council writes to the relevant Government Minister requesting that more be done around the regulation or banning of legal highs with the aim of seeking to reduce the risk of injury or death to those persons involved in this activity, including people residing in Cities such as Portsmouth.

Notice of Motion (d) - Youth Parliament

It was

Proposed by Councillor John Ferrett Seconded by Councillor Neill Young

That this notice of motion be debated today. Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor John Ferrett Seconded by Councillor Neill Young

That the notice of motion as set out on the agenda be adopted.

As an amendment to the notice of motion it was

Proposed by Councillor Donna Jones Seconded by Councillor Alistair Thompson

To delete the following:

The council notes the damaging effects of political coercion particularly amongst young people. The council wishes to indicate that close political relationships with Looked After Children, through Associations such as the Youth Parliament are not advised or encouraged.

Councillor John Ferrett (as the original mover of the motion) agreed to accept this amendment which therefore became the substantive motion.

During debate Councillor Will Purvis read out a short statement from Stephanie Nottage on this item.

During debate before Council it was

Proposed by Councillor Gerald Vernon-Jackson Seconded by Councillor Leo Madden

That standing orders be suspended to allow an opportunity to put a question to the Strategic Director for Adult and Children's Services concerning what had happened at one of the informal Cabinet meetings held by the previous administration in relation to a contract. Upon being put to the vote this was LOST.

Upon the substantive motion (incorporating the amendment from Councillor Jones) being put to the vote this was CARRIED.

RESOLVED that this Council welcomes the decision of the new administration to halt the process of out-sourcing the City's Youth Parliament. The council will in the future take all reasonable measures to ensure that the political independence of the Youth Parliament is not compromised. This will include retaining the Youth Parliament 'in-house' if that is felt to be the best way to encourage and promote participation amongst young people in our city.

# Notice of Motion (e) - City's Safeguarding Procedure

It was

Proposed by Councillor John Ferrett Seconded by Councillor Luke Stubbs

That this notice of motion be debated today. Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor John Ferrett Seconded by Councillor Luke Stubbs

That the notice of motion as set out on the agenda be adopted.

As an amendment to the notice of motion

It was

Proposed by Councillor Hugh Mason Seconded by Councillor Darren Sanders

That the words 'and the two Liberal Democrat members of the investigation sub-committee who sat on the case of a vulnerable resident' be deleted from the second paragraph.

As an amendment it was

Proposed by Councillor Gerald Vernon-Jackson Seconded by Councillor Leo Madden

That after the word 'constituent' in the last line of the second paragraph, please add 'in particular how to improve transparency by having the initial sifting of such complaints done by the City Solicitor, in consultation with independent members of the committee'.

Following debate, upon being to the vote the amendment standing in the name of Councillor Hugh Mason was LOST.

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

Upon the original notice of motion as set out on the agenda being put to the vote, this was CARRIED.

RESOLVED that in the light of recent events surrounding former councillor Mike Hancock, whilst an elected individual of this authority, the Council believes that an urgent review of the city's Safeguarding Procedure should take place to ensure that it is robust enough to protect the public. Members of the public have a right to feel safe when in contact with any elected member of this council.

A citizen of Portsmouth was let down by a former member of this council through his inappropriate actions; the previous Leader of this council for his lack of appropriate actions; and the two liberal democrat members of the investigation sub-committee who sat on the case of a vulnerable resident regards former ClIr M Hancock. This council requests in respect of members facing serious allegations, that the Monitoring Officer prepare a report for the Governance and Audit and Standards committee on how the council's current Safeguarding Procedure should be used to best protect the public and members when a complaint is made by a vulnerable constituent.

Notice of Motion (f) - Request for Governance & Audit & Standards Committee to take action in respect of a complaint against a former Councillor

It was

Proposed by Councillor Alistair Thompson Seconded by Councillor John Ferrett

That the notice of motion be debated today. On being put to the vote this was CARRIED.

It was

Proposed by Councillor Alistair Thompson Seconded by Councillor John Ferrett

That notice of motion (f) as set out on the agenda be adopted.

As an amendment to the notice of motion it was

Proposed by Councillor Simon Bosher Seconded by Councillor Steve Wemyss

That the notice of motion be amended as follows:

Delete from the second sentence in the first paragraph the word "sexual" to read (first paragraph only): The City Council is concerned at the conduct of one its former members' who has admitted to abusing his position of trust. He has admitted to harassing a resident, making repeated unwanted advances and conduct that falls below the standards expected of a Parliamentarian or a member of this Council.

Councillor Thompson accepted the amendment which then became the substantive motion for debate.

As an amendment it was

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Proposed by Councillor Leo Madden Seconded by Councillor Hugh Mason

To insert as new points 5. and 6. underneath point 4.

"5. Apply the principles of points 3 and 4 to all former councillors either found guilty of or who admitted to a serious breach of the code of conduct and whose cases incurred costs to PCC.

6. Write to the Ministry of Justice to ask for a change in the law so that any elected official in the UK charged or cautioned with an indictable criminal offence should be suspended."

Upon the amendment standing in the name of Councillor Madden being put to the vote, this was LOST.

Upon the substantive motion incorporating Councillor Bosher's amendment being put to the vote this was CARRIED.

RESOLVED that the City Council is concerned at the conduct of one its former members who has admitted to abusing his position of trust. He has admitted to harassing a resident, making repeated unwanted advances and conduct that falls below the standards expected of a Parliamentarian or a member of this Council.

Over the last four years the Council has spent tens of thousands of pounds investigating this matter, both through court and legal fees and officer time - This at a time when the Council is faced with making cuts to front line services.

The Council believes that this is an unsatisfactory situation.

The Council therefore requests the Governance and Audit and Standards Committee to do the following:

- 1. Instruct officers to prepare a detailed breakdown of the full costs of this affair
- 2. To write to all members with this information
- 3. To write to the former member requesting that given this unnecessary burden on the taxpayers of Portsmouth that now he has admitted to these appalling actions he might chose to repay this sum and thus ease the financial burden on residents
- 4. To consider legal action to reclaim these costs if he refuses.

Notice of Motion (g) - Request for the Cabinet to reverse its decision to abandon the pilot crackdown to be run by 3GS on dog mess and littering

It was

Proposed by Councillor Darren Sanders Seconded by Councillor Lynne Stagg

That this notice of motion be debated today. Upon being put to the vote, this was LOST.

The Leader of the Council, Councillor Donna Jones said that this matter was the subject of a call-in and so would be debated at the Scrutiny Management Panel on 25 July 2014 with the effect that there was no need for further discussion by Council.

Council adjourned at 9.05 pm. Council resumed at 9.20 pm.

# 77. Forward Plan Omission Report The Camber - East Street and Broad Street, Old Portsmouth

RESOLVED that council noted in accordance with the constitution that due to the urgent decision that needed to be taken at the meeting of the Cabinet Member for Planning, Regeneration & Economic Development on 13 June 2014, it was not possible to include the item within the normal forward plan process and usual omission procedure therefore had to be followed.

# 78. Questions from Members under Standing Order No 17

There were seven questions before council.

**Question number 1** from Councillor Alistair Thompson "Would the leader please update the Council on the progress made in setting up an inquiry into the alleged bullying culture that has existed at PCC?" was withdrawn on the understanding that the Leader would advise members in writing of the timetable.

**Question number 2** was from Councillor Steve Wemyss to the Leader of the Council, Councillor Donna Jones asking "In Human Resource terms is bullying regarded as that which is perceived by the victim and not the perpetrator?".

This and supplementary questions were answered by the Leader of the Council, Councillor Donna Jones.

<u>Question number 3</u> was from Councillor Terry Hall to the Leader of the Council, Councillor Donna Jones asking " Given the strong political opposition expressed about the Leader of the last administration using 1/4 of one page of

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Flagship as a foreword, what will be the policy of the current Leader of the Council in relation to her appearance in Flagship?".

This and supplementary questions were answered by the Leader of the Council, Councillor Donna Jones.

**Question number 4** was from Councillor Michael Andrewes asking "The Conservatives said in leaflets that they would either scrap all residents parking zones or introduce them across the whole city which approach will he be adopting?.

This and supplementary questions were answered by the Cabinet Member for Traffic & Transportation, Councillor Ken Ellcome.

**Question number 5** was from Councillor Matthew Winnington asking "Can the Cabinet Member please explain why he did not challenge the obviously misleading statistics from the Government that showed that a lower proportion of children from Portsmouth go to university than anywhere else in the country when it does not take account of the huge amount of hard working and successful children from Portsmouth who attend Further Education Colleges outside the city boundary?".

This and supplementary questions were answered by the Cabinet Member for Children & Education, Councillor Neill Young. Councillor Young agreed to arrange for a letter to be written to the Higher Education Statistics Authority asking that statistics be provided in future to capture the numbers of Portsmouth resident children attending further education establishments outside the city.

The Lord Mayor advised that the 45 minutes allowed for questions expired before questions 6 and 7 could be put and so in accordance with Standing Order 17(h) written replies to questions 6 and 7 would be circulated to members.

The meeting concluded at 10.10 pm.

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Lord Mayor