

# *Portsmouth City Council*

A MEETING OF THE COUNCIL will be held at the Council Chamber - The Guildhall on Tuesday, 14 October 2014 at 2.05 pm (or immediately following the conclusion of the Extraordinary Council meeting if later) and all members of the council are hereby summoned to attend to consider and resolve upon the following business:-

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## *Agenda*

- 1 Members' Interests**
- 2 To approve as a correct record the Minutes of (Pages 1 - 18)**  
To approve as a correct record the Minutes of
  - the Extraordinary Meeting of the Council held on 15 July 2014 and
  - the Ordinary Meeting of the Council held on 15 July 2014
- 3 To receive such communications as the Lord Mayor may desire to lay before the Council, including apologies for absence.**
- 4 Deputations from the Public under Standing Order No 24 for all items excluding those in respect of item 6 which is dealt with separately on the agenda.**
- 5 Questions from the Public under Standing Order 25.**
- 6 Petition - To consider the following petition**

### **Southsea Parking Zone**

"We, the undersigned, petition Portsmouth City Council to call on Councillor Ken Ellcome, the Conservative Cabinet Member for Traffic and Transportation, to reconsider the decisions he made at a meeting on Thursday July 25th 2014 where he ignored the wishes of Southsea residents; who told the City Council they want a residents' parking zone.

Therefore, we ask the City Council to urge Councillor Ellcome and the Conservative Administration to reinstate MB and MC residents' parking zones and continue the residents' parking process in the five Southsea areas surveyed in spring 2014".

The Council's rules state that as the petition contains more than 1000 signatures it will be debated by the Full Council (if the lead petitioner so request and they do) even if the issue has been considered by the Council

within the last 24 months, which it has.

1. The petition organiser, Ms S Horton, will be given six minutes in total to present the petition at the meeting.
2. Followed by any public deputations received on this item (Standing Order 24 rules apply).
3. The Administration, via a proposer and seconder, will then present its response to the petition
4. The petition will then be discussed by councillors and the normal rules of debate will apply.

Note - As an Executive (Cabinet) matter, the Full Council is itself precluded from determining parking matters, although of course the petition can still be debated at the Full Council meeting.

**7 Appointments - Membership and Chairmanship**

**8 Urgent Business - To receive and consider any urgent and important business from Members of the Cabinet in accordance with Standing Order No 26.**

**9 Treasury Management Outturn 2013/14 - Cabinet - 25 September**  
(Pages 19 - 42)

To receive and consider the attached report and below recommendations of the Cabinet held on 25 September (minute 79 refers).

**RECOMMENDED that the following recommendations relating to Appendices A and B of this report be approved:**

**Appendix A - that the following actual prudential indicators based on the unaudited draft accounts be noted:**

- (a) The actual ratio of non Housing Revenue Account (HRA) financing costs to the non HRA net revenue stream of 10.3%;
- (b) The actual ratio of HRA financing costs to the HRA net revenue stream of 12.2%;
- (c) Actual non HRA capital expenditure for 2013/14 of £61,687,000;
- (d) Actual HRA capital expenditure for 2013/14 of £30,110,000;
- (e) The actual non HRA capital financing requirement as at 31 March 2014 of £267,848,000;
- (f) The actual HRA capital financing requirement as at 31 March 2014 of £143,557,000;
- (g) Actual external debt as at 31 March 2014 was £441,970,134 compared with £450,283,442 at 31 March 2013.

**Appendix B - That the following actual Treasury Management indicators for 2013/14 be noted:**

- (a) The council's gross debt less investments at 31 March 2014 was

**£145,209,000;**

**(b) The maturity structure of the council's borrowing was:**

	Under 1 Year	1-2 Years	3-5 Years	6-10 Years	11-20 Years	21-30 Years	31-50 Years	41-50 Years
Actual	4%	1%	3%	5%	9%	13%	16%	49%

**(c) The Council's sums invested for periods longer than 364 days at 31 March 2014 were:**

	Actual £m
31/3/2014	108
31/3/2015	66
31/3/2016	51

**(d) The council's fixed interest rate exposure at 31 March 2014 was £247m, i.e. the Council had net fixed interest rate borrowing of £247m**

**(e) The council's variable interest rate exposure at 31 March 2014 was (£189m), i.e. the council had net variable interest rate investments of £189m.**

**10 Budget and Performance Monitoring 2014/15 First Quarter - Cabinet - 25 September (Pages 43 - 78)**

To receive and consider the attached report and below recommendations of the Cabinet held on 25 September (minute 82 refers).

**RECOMMENDED that:**

- 1. The contents of this report be noted, in particular the overall forecast overspend of £3,073,600 representing a variance of 1.76% against the City Council Budget (as adjusted) of £175,029,925.**
- 2. Reports are prepared setting out the options for significantly reducing or eliminating the adverse budget position presently being forecast within Children & Education, Health & Social Care and Traffic & Transportation Portfolios, including the associated impact of doing so.**
- 3. That the Council Leader works with the relevant portfolio holder to consider measures necessary to significantly reduce or eliminate the adverse budget position presently being forecast within Children & Education, Health & Social Care and Traffic & Transportation Portfolios and any necessary decisions presented to a future meeting of the relevant portfolio.**

**11 Review of Polling Districts and Polling Places - recommendation from Governance, Audit and Standards Committee 26 September (Pages 79 - 100)**

To receive and consider the attached report and below recommendation of the Governance & Audit & Standards Committee held on 26 September (minute 55 refers).

**RESOLVED that the committee recommends to council that the changes recommended in paragraphs 5.2 to 5.11 of the attached report are approved and implemented on publication of the 2015 Register of Electors.**

**12 Notice of Motion f from the Council Meeting held on 15 July 2014 - recommendation from Governance, Audit and Standards Committee 26 September (minute 50 refers). (Pages 101 - 102)**

To consider the attached appendix regarding the breakdown of costs and the below recommendation of the Governance & Audit & Standards Committee arising from the Council referral to it.

At its meeting on 15 July, Council requested that the Governance and Audit and Standards Committee instruct officers to prepare a detailed breakdown of the full costs of the affair and write to all members with this information and to write to the former member requesting that he might choose to repay this sum and to consider legal action to reclaim these costs if he refuses.

The Governance and Audit and Standards Committee at its meeting held on 26 September 2014

**RESOLVED to recommend to Council that the specific amount to be sought from the former member be agreed by full council at its October meeting as outlined in the city solicitor's detailed costs breakdown to be circulated to all members with the papers for the Council meeting.**

**13 Notices of Motion**

**(a) Living Wage**

Proposed by Councillor Hugh Mason  
Seconded by Councillor Darren Sanders

Council believes the Living Wage is not only morally right for working people on low incomes, but makes good business sense too.

As such, Council asks the Employment Committee, to reaffirm its commitment to implementing the Living Wage for staff in November.

Council also asks the Employment Committee to support the proactive approach of councils like Southampton in getting school staff to adopt the Living Wage.

It asks the Committee to ask the Officers to adopt the same

approach here to ensure more people on low incomes can get real help with their cost of living.

(b) Keeping Milton Green

Proposed by Councillor Gerald Vernon-Jackson  
Seconded by Councillor Lynne Stagg

Council notes that, in June 2014, the NHS informed the Council that it had decided to sell most of the St James' Hospital site for housing.

Council notes that the 2000 Planning Inspector judgement on an application for up to 200 homes on the site supported the principle of housing there.

Council also notes that the 2006 Local Plan said no residential buildings can be built unless it can be proved that the highway network can accommodate the additional traffic they will bring. Council also notes the view of the Hampshire and Isle of Wight Wildlife Trust that it would be premature to allocate these sites for housing as the impact on Brent Geese is not certain.

Council believes the 480 homes proposed for St James' and Langstone Campus are too many. It also accepts that our city has many long-term health and social care needs that need addressing.

On that basis, Council asks the Cabinet to explore the following ideas for the St James' and Langstone sites positively:

1. Continue to protect all previously protected green space by removing any inclusion of it from the final Site Allocations Document, in particular the idea of a 'land swap' at Langstone Campus that would negatively affect wildlife;
2. Ensuring a presumption against an unsustainable level of development on the site, especially given the 2006 planning policy restriction on traffic;
3. Making a formal offer, either alone or with partners, for the Harbour School site using money that will have to be spent anyway relocating it to Cosham;
4. Using the Harbour School land for an educational facility, a place that can help deal with our city's sadly increasing number of people with dementia or other healthcare or educational uses consistent with the 2006 Plan;
5. That the 58 homes the 2013 Site Allocations proposals earmarked for the Harbour School site are delivered through the redevelopment of existing buildings elsewhere on the site.

(c) Proposed by Councillor Matthew Winnington

Seconded by Councillor Lynne Stagg

This Council believes that while many ordinary people in Portsmouth face falling household income and rising costs of living, some multinational companies are avoiding billions of pounds of tax from a tax system that fails to make them pay their fair share. Local governments in developing countries and the UK alike would benefit from a fairer tax system where multinational companies pay their fair share, enabling authorities alike around the world, including Portsmouth City Council, to provide quality public services. The UK government must listen to the strength of public feeling in this city and beyond and lead the way to end the injustice of tax avoidance by large multinational companies in developing countries and the UK. Therefore we call upon the Council to work together to put pressure on the government on behalf of the people in this city to create here and promote abroad tax systems whereby multinational companies who make a lot of money from the UK, including here in Portsmouth, and developing countries also pay back to them a fair share of tax.

(d) Workfare

Proposed by Councillor John Ferrett  
Seconded by Councillor Aiden Gray

This Council is concerned how workfare schemes will impact upon the people in Portsmouth

This council believes that work should pay and therefore opposes the introduction of schemes which force job seekers into unpaid work or face losing their benefits - schemes known popularly as workfare.

This council is concerned that there appears to be no evidence workfare assists job seekers in finding work and in fact working a 30-hour week makes that more difficult; that workfare is replacing paid work; and that workfare stigmatises benefits claimants and locks them further into poverty.

(e) Puppy and Kitten Farming

Proposed by Councillor Michael Andrewes  
Seconded by Councillor Darren Sanders

The council notes:

- The people of Portsmouth are greatly concerned that there should be high standards for animal welfare
- The campaign “where’s mum” by Pup Aid and the campaign against “battery farmed dogs” by the Dogs Trust and other animal welfare charities to improve the conditions for puppies and kittens and put an end to puppy and kitten farming
- Such “dog and cat farming” conditions are cruel for the puppies and kittens involved and often lead to further problems later in

their lives and it shortens their lives. That a recent parliamentary debate was told that puppies from puppy farms are “very often separated from their mothers before the puppy is even four weeks old, usually unvaccinated and insufficiently socialised, and sent long distances across the country, and increasingly across the continent, before being sold.”

- That the Dogs Trust notes that breeding bitches at battery farms:
  - Are kept in small pens without natural daylight or contact with other dogs
  - Suffer the mental cruelty of having little contact with people and having no space to exercise or opportunity to play
  - Are bred from continuously in these conditions until they are too old, then discarded
- Though 95% of the British public would never buy from a puppy farmer as many as 900,000 have done so without knowing in any single calendar year.
- DEFRA's own guidance to the public is to "always see the puppy with its mother" and that continuing to allow the sale of puppies by pet shops makes this impossible and contradicts national guidelines.
- The large majority of individual dog and cat breeders in Portsmouth and elsewhere are responsible and work hard to improve animal welfare.
- The good work done by its Environmental Health department to license dog breeders and pet shops in Portsmouth.
- That in January 2014, DEFRA along with the RSPCA, the Dogs Trust and many other charities and organisations, produced some model licence conditions that were made available to all local authorities and were published by the Chartered Institute of Environmental Health. These included 50 pages of recommendations about the sorts of conditions that should be included in a licence for dog-breeding premises. There were strict provisions on the need for social interaction with humans, which should apply for the whole day if the buyers were present all the time.
- That the Government is already empowered to bring forward secondary legislation under the Animal Welfare Act 2006 and such secondary legislation could be introduced to prohibit the licensing of pet shops or retail outlets to sell puppies or kittens where the mother is not present.

Portsmouth City Council ask the Licensing Committee and Cabinet where appropriate to:

- Commit to stamping out of the practice of puppy farming in Portsmouth.
- Highlight in its publications such as Flagship and on its website the steps that people can take to improve welfare for puppies and kittens and highlight the steps that people can take to inadvertently avoid buying puppies and kittens that might come from dog farms, particularly in the run-up to Christmas and that people consider getting a pet from a rescue organisation.

- Require the council's Environmental Health department to work with DEFRA and animal welfare charities to update its licensing conditions for dog and cat breeding and pet shops and report back to the Licensing Committee in 6 months. Particularly as regards:
  - The model licensing condition in the CIEH model licence documentation for dog breeders
  - That Portsmouth City Council does not allow pet shops to sell puppies and kittens.
  - Good practice in other councils
- Require the Chief Executive to write to the Secretary of State for Environment, Food and Rural Affairs telling him that Portsmouth City Council has passed this motion and urging the Government to take steps to ban the sale of puppies and kittens in pet shops and takes further steps to outlaw puppy farming through secondary legislation.
- Require the Chief Executive copies that letter to the MPs for Portsmouth urging them to support such secondary legislation and the campaign to end puppy farming.
- And that it works in a co-ordinated fashion with other local councils in Hampshire and West Sussex on this issue and urges them to pass similar motions.

**14 Questions from Members under Standing Order No 17. (Pages 103 - 106)**

David Williams  
Chief Executive

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Civic Offices  
Guildhall Square  
PORTSMOUTH  
6 October 2014