

MINUTES OF A MEETING OF THE COUNCIL held at the Guildhall
Portsmouth on Tuesday, 11 October 2016 at 2.00 pm

Council Members Present

The Right Worshipful The Lord Mayor
Councillor David Fuller (in the Chair)

Councillors

Dave Ashmore	Hugh Mason
Simon Boshier	Lee Mason
Jennie Brent	Stephen Morgan
Ryan Brent	Gemma New
Yahiya Chowdhury	Robert New
Alicia Denny	Steve Pitt
Ben Dowling	Stuart Potter
John Ferrett	Will Purvis
Jim Fleming	Darren Sanders
Colin Galloway	Lynne Stagg
Paul Godier	Luke Stubbs
Scott Harris	Julie Bird
Steve Hastings	Linda Symes
Hannah Hockaday	David Tompkins
Suzy Horton	Gerald Vernon-Jackson CBE
Lee Hunt	Steve Wemyss
Frank Jonas	Matthew Winnington
Donna Jones	Neill Young
Ian Lyon	Rob Wood
Leo Madden	Tom Wood

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

The City Solicitor advised that he had written to councillors in respect of agenda item 17(a) - Make Fair Transitional State Pension Arrangements for 1950's Women regarding the granting of dispensations to those members who would otherwise have to declare an interest in this item and be unable to speak.

Councillor Hugh Mason declared a personal non-prejudicial interest in agenda item 17(b) in that he lives next door to an HMO.

68. Minutes of the Extraordinary and Ordinary Council Meetings held on 12 July 2016

It was

Proposed by Councillor Donna Jones

Seconded by Councillor Gerald Vernon-Jackson

That the minutes of the extraordinary and ordinary council meetings held on 12 July 2016 be confirmed and signed as a correct record.

RESOLVED that the minutes of the extraordinary and ordinary meetings of council held on 12 July 2016 be confirmed and signed as a correct record.

69. Communications and Apologies for Absence

Apologies for absence were received on behalf of Councillor Ken Ellcome.

The Lord Mayor gave detailed information concerning filming in the chamber advising that notices had been displayed on the walls concerning the council's rules which strictly prohibit the filming, photographing, or recording of members of the public unless they are addressing the meeting and only then if they do not actively object. Filming from gallery to gallery is also prohibited.

The Lord Mayor then gave details of the evacuation procedure and reminded everyone that there are building evacuation signs displayed both inside in the public galleries and in the chamber itself.

The Lord Mayor further advised that the seating plan circulated in the chamber has been revised to reflect group changes as detailed in the Chief Executive's report at agenda item 9. Councillor John Ferrett has become an independent non-aligned member. Councillor Morgan has become Labour Group Leader and Councillor Chowdhury Deputy Labour Group Leader.

The Lord Mayor announced the recent marriage of Councillor Bird (previously Councillor Swan) and congratulated her on behalf of the council.

Finally, the Lord Mayor said that at an extraordinary council meeting held on 12 July 2016, it was agreed to admit a former Portsmouth city councillor, Dr Eleanor Scott to the roll of honorary aldermen. The Lord Mayor then presented Dr Eleanor Scott with her certificate and Dr Scott made a short speech of thanks to council.

70. Arts Lodge - Petition

The lead petitioner Mr Mark Lewis, presented the petition as set out on the agenda. The City Solicitor thanked Mr Lewis for his presentation. He then advised that one deputation request had been received from Ms Hilary Reed who then gave her deputation in support of the petition.

It was

Proposed by Councillor Donna Jones
Seconded by Councillor Linda Symes

That the Administration's petition response as circulated in the chamber and detailed below be approved.

As an amendment it was

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

That the following words be added after the Administration's response.

"The City Council recognises that in their recent consultation over 1500 local residents asked for the Arts Lodge to remain as it is, as the current occupiers pay an economic rent and provide a service which is valued by local residents.

The City Council therefore requests the Leader of the Council to reconsider her decision not to grant a renewal of the lease to Art and Soul Traders."

Following debate a recorded vote was requested by eight members standing.

The following members voted in favour of the amendment.

David Ashmore	Steve Pitt
Yahiya Chowdhury	Will Purvis
Ben Dowling	Darren Sanders
Suzy Horton	Lynne Stagg
Lee Hunt	Gerald Vernon-Jackson
Leo Madden	Matthew Winnington
Hugh Mason	Rob Wood
Stephen Morgan	Tom Wood

The following members voted against the amendment.

Julie Bird	Frank Jonas
Simon Boshier	Donna Jones
Jennie Brent	Ian Lyon
Ryan Brent	Lee Mason
John Ferrett	Gemma New
Jim Fleming	Rob New
Colin Galloway	Luke Stubbs
Paul Godier	Linda Symes
Scott Harris	David Tompkins
Steve Hastings	Steve Wemyss
Hannah Hockaday	Neill Young

The following members abstained.

Alicia Denny	Stuart Potter
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The amendment standing in the name of Councillor Vernon-Jackson was therefore LOST.

A recorded vote on the petition response standing in the name of Councillor Donna Jones was requested by eight members standing.

The following members voted in favour of the petition response

Julie Bird
Simon Bosher
Jennie Brent
Ryan Brent
John Ferrett
Jim Fleming
Colin Galloway
Paul Godier
Scott Harris
Steve Hastings
Hannah Hockaday

Frank Jonas
Donna Jones
Ian Lyon
Lee Mason
Gemma New
Rob New
Luke Stubbs
Linda Symes
David Tompkins
Steve Wemyss
Neill Young

The following members voted against.

David Ashmore
Yahiya Chowdhury
Ben Dowling
Suzy Horton
Lee Hunt
Leo Madden
Hugh Mason
Stephen Morgan

Steve Pitt
Will Purvis
Darren Sanders
Lynne Stagg
Gerald Vernon-Jackson
Matthew Winnington
Rob Wood
Tom Wood

The following members abstained.

Alicia Denny

Stuart Potter

The Administration's petition response was therefore CARRIED.

RESOLVED that the Administration's petition response as set out below be approved

"The Administration would like to start by thanking Mr Lewis and the petitioners for raising their concerns with us. It is encouraging that Mr Lewis feels as strongly about the future prosperity of The Arts Lodge in Victoria Park as we, the Administration do.

The Lodge is a uniquely situated building in the centre of one of the most beautiful parks in the city. The Lodge is a building the Administration are committed to keeping as is Victoria Park. There has been much speculation about the future of both Victoria Park and The Lodge. Some such speculations are that Victoria Park is being sold-off, that The Lodge is going to be converted into a drive-through Costa Coffee and even worse that it will be demolished. There is absolutely no truth what so ever in any of the speculations.

Victoria Park is a listed public open space and will remain in the ownership and control of Portsmouth City Council.

To add some additional information and to clarify the facts: The Lodge is owned by PCC. We are the landlord and Mr Lewis is the tenant. As is common in landlord/tenant agreements there is a lease which contains a break clause. In June 2016, a five year break clause period occurred. During this period PCC as the landlord invoked its right to enact the break clause. At this point Mr Lewis was given a very long notice period taking him up to Feb 2017. This is because the Council understands that Mr Lewis would need to find new accommodation. With this in mind Mr Lewis was invited to come into the council and meet with senior officers and relevant Councillors concerned with property and assets, to discuss the options of alternative accommodation. Mr Lewis was offered two immediate options including one site in the north of the city and one on the south of the city, some 800m from the current site. We also offered to work with Mr Lewis to find accommodation that met his needs as best as possible.

At the same meeting it was explained to Mr Lewis why the council was changing the way the premises were run, and how this could be an opportunity for him. We explained that we have some 2800 young people in the city who have learning difficulties. Many of them access day care facilities which the council provides through various contracts, these contracts involve young people, many of whom have Down Syndrome, and learning a life skill such as cooking to increase employment opportunities such as working in a restaurant, hotel or catering industry improves their outcomes. However the current programmes offered to these young people are limited, and in Victoria Park we have an excellent space in which we could be providing day care facilities for people with Learning Difficulties to enable them to expand their training and skill base such as, learning animal husbandry through caring for the birds and animals in the park. We are also keen for them to learn gardening and horticulture skills. This would open up a huge number of job opportunities for them.

Mr Lewis was encouraged to register with the council for the opportunity to tender for the contract to run The Lodge and Arts Café for this purpose. The Administration repeats this offer again today.

We are committed to retaining and improving Victoria Park and The Lodge for the benefit of all residents."

71. Deputations from the Public under Standing Order No 24 (excluding item 4)

The City Solicitor advised that four written representations had been received in respect of agenda item 16 - Solent Combined Authority Governance Review and Scheme and had been circulated in the chamber. These were from Peter M Grice, Doreen Stevenson, Blair Breton and a joint representation from Shelagh Simmons, Kathryn Rimmington and Hilary Reed.

Ms Denise Wyatt and Mr Andrew Pope each made a deputation on item 16.

One written representation had been received on item 17(a) - Make Fair Transitional State Pension Arrangements for 1950's Women - this was from Shelagh Simmons and had been circulated in the chamber.

72. Questions from the Public under Standing Order 25

The City Solicitor advised that one question regarding Henderson Road from Miss Doreen Stevenson, a member of the public had been received and background papers had been circulated. Doreen Stevenson then put her question

" In view of the factors provided separately, would it now be possible to have an investigation and review with the possibility of alterations to the layout at the junction of Bransbury Road with Henderson Road and inclusion of the early proposed modifications to the western end of Henderson Road."

This and a supplementary question was answered by the Cabinet Member for Traffic & Transportation Councillor Jim Fleming.

73. Appointments

Members had been notified of appointments as circulated on the green sheet and these were agreed. Councillors Gerald Vernon-Jackson and Suzy Horton will swap roles so that Councillor Horton will become a full member of Planning Committee and Councillor Vernon-Jackson will be a standing deputy.

74. Urgent Business

The Lord Mayor advised that there was no urgent business.

75. Review of Political Proportionality on Committees and Panels

It was

Proposed by Councillor Donna Jones
Seconded by Councillor John Ferrett

That the overall political balance and allocation of seats as set out in the Chief Executive's report be accepted subject to the changes set out in the proposal. On being put to the vote this was CARRIED.

RESOLVED that council adopted the overall political balance and allocation of seats as set out in the Chief Executive's report, subject to the following which has the agreement of all those affected.

- (1) The independent member Councillor John Ferrett takes up his two seats as follows - one on the Employment Committee and one on the Governance & Audit & Standards Committee.**

- (2) The four Labour Group seats are allocated as follows - Councillor Morgan takes up two seats - one on the Licensing Committee and one on the Scrutiny Management Panel.**
- (3) Councillor Chowdhury takes up two seats - one on the Economic Development, Culture and Leisure Scrutiny Panel and one on the Planning Committee.**

76. Recommendations from the Cabinet Meeting held on 22 September 2016

Minute 41 - Treasury Management Outturn 2015/16

This was approved unopposed.

Minute 42 - Treasury Management Mid-Year Review 2016/17

This was approved, unopposed.

Minute 43 - Four Year Local Government Finance Settlement

This was opposed.

It was

Proposed by Councillor Donna Jones

Seconded by Councillor Luke Stubbs

That

- (i) the government offer of a multi-year settlement to 2019/20 announced on 17 December 2015, be accepted.**
- (ii) That in accepting the offer of a multi-year settlement, the efficiency plan clearly states that the plan outlines the method by which the council will pursue its necessary savings in response to both its cost pressures and government funding reductions but that there is no implied acceptance that those cost pressures and government funding reductions can be achieved through efficiencies alone without significant detriment to service provision.**

Council adjourned at 3.40 pm.

Council resumed at 4.00 pm.

Councillor Vernon-Jackson confirmed that no amendment was proposed but the minute was opposed in order to debate the matter. Following debate a recorded vote was requested by eight members standing.

Those in favour.

Julie Bird

Donna Jones

Simon Boshier
Jennie Brent
Ryan Brent
Alicia Denny
John Ferrett
Jim Fleming
Colin Galloway
Scott Harris
Steve Hastings
Hannah Hockaday
Frank Jonas

Ian Lyon
Lee Mason
Gemma New
Rob New
Stuart Potter
Luke Stubbs
Linda Symes
David Tompkins
Steve Wemyss
Neill Young

Those voting against

David Ashmore
Ben Dowling
Suzy Horton
Lee Hunt
Leo Madden
Hugh Mason
Steve Pitt

Darren Sanders
Lynne Stagg
Gerald Vernon-Jackson
Matthew Winnington
Rob Wood
Tom Wood

Those members abstaining

Stephen Morgan

Yahiya Chowdhury

RESOLVED that the Cabinet recommendations contained in minute 43 be approved.

Minute 45 - Revenue Budget Monitoring 2016/17 First Quarter

Minute 45 was approved unopposed.

77. Recommendations from the Governance & Audit and Standards Committee held on 16 September 2016

The following minute was opposed.

Minute 53 - Amendments to the Arrangements for the Assessment, Consideration and Investigation of Complaints against Councillors

The Lord Mayor explained that this referred to the revised version that included some changes to terminology.

Minute 53 was opposed.

It was

Proposed by Councillor Ian Lyon
Seconded by Councillor Scott Harris

That the recommendations contained in minute 53 - Proposed Amendments to the Arrangements for the Assessment, Consideration and Investigation of Complaints against Councillors be approved.

As an amendment it was

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

To "amend Appendix 1, section 2.2 by replacing:

"Any complaint must be received within 30 days of the alleged facts."

with

"Any complaint should be received within 30 days of the alleged facts, although the Monitoring Officer will consider any late complaint, if there is a proper explanation for its late submission."

The mover of the original proposal Councillor Lyon agreed to subsume the amendment standing in the name of Councillor Jones into the revised version of the arrangements for the assessment, consideration and investigation of complaints against councillors.

Upon being put to the vote this was CARRIED.

RESOLVED that the revised version of the Arrangements for the Assessment, Consideration and Investigation of Complaints against Councillors be adopted incorporating a change to the wording of Section 2.2 to read as follows:

"Anonymous complaints will not normally be considered unless the complaint is accompanied by documentary or photographic evidence indicating an exceptionally serious or significant matter. Any complaint should be received within 30 days of the alleged facts, although the Monitoring Officer will consider any late complaint, if there is a proper explanation for its late submission."

Minute 54 - Local Elections Cycle

This was approved unopposed.

78. Solent Combined Authority Governance Review and Scheme

The Lord Mayor advised that a report from the Chief Executive had been previously circulated. He also reminded members that as this issue is formally a Cabinet decision, full council is precluded from determining the matter.

Councillor Donna Jones introduced the item explaining that it was here for discussion only. It was

Proposed by Councillor Donna Jones
Seconded by Councillor Luke Stubbs

That council notes the report and attachments that are due to be discussed at Cabinet on 12 October 2016.

This was opposed.

Council adjourned at 4.45 pm.

Council resumed at 4.55 pm.

As an amendment it was

Proposed by Councillor Gerald Vernon-Jackson
Seconded by Councillor Darren Sanders

That the following words be added

"The City Council welcomes the devolution of powers to local communities and supports the principle of making decisions at the lowest possible level to meet the needs of Portsmouth better. A new investment of £900 million for Portsmouth and the Solent region, over the next 30 years, could help to transform our local transport infrastructure and drive employment for young people in our area. The Council calls on the Government to consider going further than currently proposed and devolve control of other public services and spending, which could be better run by local communities than remote bureaucrats in Whitehall. Council regrets the low level of response to the consultation on the proposals at this early stage and recognises that this represents a fundamental shift in the government of our region, which requires public support. Council believes that the final deal should be subject to the approval of local people and therefore asks the Cabinet to consider a local poll once the details of any agreed or imposed devolution deal with Southampton and the Isle of Wight are known, particularly the financial distribution and governance elements, before any final decision is taken.

The cost of running this poll amounting to £100,000, to be funded from a reduction in the capital programme in relation to the scheme approved in February 2016 entitled "Guildhall Investment (Matched Funding)" which will make available £100,000 in the Revenue Reserve for Capital to support this cost."

Following debate, upon being put to the vote the amendment standing in the name of Councillor Vernon-Jackson was LOST.

Upon the original proposal by Councillor Donna Jones being put to the vote, this was CARRIED.

RESOLVED that Council noted the report and attachments due to be discussed at Cabinet on 12 October 2016.

79. Notices of Motion

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

(a) **Make Fair Transitional State Pension Arrangements for 1950's Women**

It was

Proposed by Councillor Lynne Stagg
Seconded by Councillor Matthew Winnington

That this matter be debated today.

It was

Proposed by Councillor Donna Jones
Seconded by Councillor Luke Stubbs

That this matter should not be debated today but should be referred to the Scrutiny Management Panel for consideration.

Upon being put to the vote, the proposal standing in the name of Councillor Donna Jones was CARRIED.

RESOLVED that Notice of Motion (a) Make Fair Transitional State Pension Arrangements for 1950's Women, be referred to Scrutiny Management Panel for consideration.

(b) **Limits on the conversion of family homes into Houses in Multiple Occupation**

It was

Proposed by Councillor Neill Young
Seconded by Councillor Luke Stubbs

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

It was

Proposed by Councillor Neill Young
Seconded by Councillor Luke Stubbs

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

As an amendment it was

Proposed by Councillor Tom Wood

Seconded by Councillor Lee Hunt

"To delete para 4.

Add new paragraph 4,

Council supports the review into this policy, including the use of Sui Generis applications, currently being undertaken by the cross party Planning Committee and planning officers.

Also remove words from paragraph 5.

"as part of the revised local plan".

The proposer of the original motion accepted the amendment proposed by Councillor Tom Wood subject to original paragraph 4 not being deleted but preceding proposed new paragraph 4 and the words in paragraph 5 "as part of the revised local plan" being deleted.

Following debate, upon being put to the vote, Notice of Motion (b) incorporating the changes set out above was CARRIED.

RESOLVED that the following Notice of Motion be adopted

"In any modern city, a diverse range of housing options are required to match the needs and pockets of the population. This mix includes Houses in Multiple Occupation (HMOs), however, the council recognise that every community within Portsmouth are unique and distinctive and it is important that we preserve the character of these areas.

There is a need to increase the housing supply, but this must be balanced against the widely held concerns there are about the proliferation of HMOs and about the impact this can have on established communities.

Portsmouth City Council already has policies that seek to restrict the creation of new HMOs in areas where there is a concentration. These policies are amongst the strongest in the country. However the city also has a shortage of family housing and that most new housing supply is made up of one or two bedroom flats.

Planning inspectors can effectively block the implementation of any local plan policy that lacks sufficient justification, making amending policy between plan reviews a risky business. The proper time to develop policy is therefore when the local plan is refreshed, as the whole plan will have to be examined by the inspectorate for policy soundness at that time, meaning any policy signed off then will not be struck down. Council supports the review into this policy, including the use of Sui Generis applications, currently being undertaken by the cross party Planning Committee and planning officers.

Council therefore calls on the council leader in her role as Cabinet Member for PRED to consider the options for further restricting policy on HMOs. This may be via a lower percentage limit or by considering the percentage of street frontage in HMO use as an additional criterion.

The Council also asks the Council Leader to write to the Minister for Housing and Planning to reflect the views of residents in Portsmouth that there is a need within the city to ensure that family homes in communities are protected as well as the need to further restrict the number of HMOs within the City."

80. Questions from Members under Standing Order No 17

There were four questions before council, but question 2 was withdrawn.

Question No 1 was from Councillor Steve Hastings

"In the light of new charges at amenity tips forced on this city by Hampshire County Council, could the cabinet member please tell us what action is being taken to combat fly tipping and more generally litter in this city?"

This and supplementary questions were answered by the Cabinet Member for Environment & Community Safety.

Question No 2 was from Councillor Yahiya Chowdhury to the Cabinet Member for Traffic & Transportation but was withdrawn.

Question No 3 was from Councillor Stephen Morgan to the Cabinet Member for Resources.

"Protecting the Portsmouth Counselling Service

The Labour Group is very concerned by the future of the Portsmouth Counselling Service. This charity provides invaluable services to those in need. Could the Cabinet Member provide assurances to this chamber that everything possible is being done to protect this vital service for the people of Portsmouth?"

This and supplementary questions were answered by the Cabinet Member for Resources, Councillor Lee Mason.

The 45 minutes allowed for questions expired before question 4 could be put and so in accordance with Standing Order 17(h) a written reply would be circulated to members.

The meeting concluded at 8.10 pm.

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Lord Mayor