

CABINET

RECORD OF DECISIONS of the meeting of the Cabinet held on Thursday, 9 February 2017 at 1.00 pm at the Guildhall, Portsmouth

Present

Councillor Donna Jones (in the Chair)

Councillors Ryan Brent
Jim Fleming
Lee Mason
Robert New
Linda Symes
Steve Wemyss
Neill Young

1. Apologies for Absence (AI 1)

Councillor Luke Stubbs was on council business in Buckinghamshire so had sent his apologies for absence.

2. Declarations of Interests (AI 2)

Councillor Young made a non-pecuniary interest in that the Youth Justice report referred to restorative justice and he worked for a company that delivers restorative justice.

3. Record of Previous Decision Meeting - 8 December 2016 (AI 3)

DECISION: that the record of decisions of the Cabinet meeting held on 8 December 2016 be approved as a correct record and signed by the Leader.

4. Review of the Portsmouth Youth Offending Team 3 Year Youth Justice Plan 2014-17 (AI 4)

Sarah Newman, Deputy Director Children's Social Care and Adam Shepherd, Manager of the YOT, introduced this annual report on progress on the 3 year strategic plan to see the achievements and progress made, shaped on the previous inspection outcomes. Progress could particularly be seen on first time entrants to the criminal justice system and improving on reoffending rates, whilst there were consistent custody levels (with low numbers here).

In 2016 the YOT had been integrated with a locality Social Care Team, endorsed by the Youth Justice Board, and already improvements in performance could be seen. There were smaller cohorts of youth offenders but with complex behaviours so the reoffending rates need to be tackled and there would be better targeting of early interventions. The Youth Justice Plan would be revised, in total, in 2018.

Cabinet Members asked questions regarding the use of data to tackle reoffending rates and it was reported that the Youth Justice Board figures were 2 years old but that there is a live tracker and there will be a trial of a new tool on reoffending. Adam Shepherd reported that there were approximately 89 children forming the YOT caseload, with 8 seen as 'priority young person' persistent reoffenders. The Youth Justice Board is looking at what works best for these young people to see which intervention is most successful.

Councillor Ryan Brent, as Cabinet Member for Children's Social Care, suggested rewording the recommendation to positively endorse the achievements made through the hard work of the team. This was supported by the Leader and Cabinet Members.

DECISION: The Cabinet commended the achievements made by the Youth Offending Team in implementing the plan and endorsed the priorities for the team and Management Board in maintaining high levels of practice and performance.

5. Special Educational Needs and Disabilities (SEND) Implementation Grant 2017-2018 (AI 5)

Julia Katherine, Head of Inclusion, presented the report seeking the allocation of this un-ringfenced grant. The report sought the securing of funding to continue to employ workers to implement the SEND reforms, with additional funding to enable a strategic review of the SEND provision.

Councillor Young, as the Cabinet Member for Education, thanked Julia and her team for their work in delivering this and welcomed the further funding for the strategic review as he was aware of the high cost of placements, especially those outside of the city.

Councillor Donna Jones, as Leader, asked about the timescales involved and Julia Katherine confirmed that a report on the review would be due back in a year's time to enable work with neighbouring authorities to take place. The Leader requested that this report be brought back by the end of the year if possible to feed into the budget process, recognising that this is a significant piece of work.

DECISIONS The Cabinet:

(1) Approved the allocation of the Special Educational Needs Implementation Grant of £147,605 in 2017-18 to the Education portfolio.

(2) Approved the allocation of the funding of £90,993 to support high needs strategic planning in 2017-18 to the Education portfolio.

6. Animal involvement at events and circuses on City Council land or sites operated on behalf of the City Council (AI 6)

The Leader thanked those who had emailed their comments which had been circulated to the Cabinet Members, including representation from Animal

Defenders Int. to support a ban on both wild and domestic animals in circuses.

Claire Looney, Partnership & Commissioning Manager and Heather Todd, Assistant Events Manager presented the Director of Culture & City Development's report which sought to give clarification to the present position and to specify what would and would not be allowed on PCC land.

A deputation was made by Tracey Jones who wished to support the proposal to not allow mobile farms and petting zoos and wished the report to go further as she was concerned by the lack of regulation and stress caused to animals who are held and stroked by strangers. She advocated further regulation regarding the storage of reptiles at events. She would also wish to see a ban on all animals in circuses, as there was a potential for suffering in training, travelling and storage, and she felt that circuses only using human acts would survive.

Claire Looney and Heather Todd clarified that reptiles and fish were covered by the reference to static exhibitions and sale of animals. The Council had the right to inspect at any point. Also the restrictions would not cover therapeutic and educational uses or affect dog walkers or dog shows. There had only been one visiting circus with animals included in the last 5 years, and they hoped to come back, without the cats.

Councillor Wemyss had supported the previous policy in 1988 and he felt that domesticated/working animals such as dogs and horses were appropriate in these performances which were subject to animal welfare inspections and regulations. He was concerned about where to draw the line as horses were working animals and the heavy horse parade was an annual event.

Councillor Fleming was concerned that the welfare of the animals was taken into account; it was reported that as landowner PCC has the right to refuse events. Councillor New asked what actions were taken if it was seen that animal welfare standards were not being maintained; it was reported that the RSPCA would be involved and prosecution would be considered where appropriate.

Councillor Symes, as the Cabinet Member for Culture, Leisure & Sport, felt that the proposed policy was robust, and events like the Rural & Seaside show allowed children to see well looked after animals.

Cabinet Members then debated the educational value versus the entertainment value of events and sought to amend the proposals to distinguish between circuses that should not include animals for entertainment, and events with educational value.

The Leader suggested that as the recommendations could not be amended simply it would be advisable to defer consideration for the report to be reworded and brought back to the next Cabinet meeting in March. This would allow the officers time to work with Councillor Symes as the Cabinet Member

for Culture, Leisure and Sport, regarding events on PCC land. It was also requested that the term 'circus' should be defined.

A decision on this item was deferred, to allow some re-drafting of recommendations relating to inclusion of animals in circuses.

7. Portsmouth City Council - Budget & Council Tax 2017/18 & Medium Term Budget Forecast 2018/19 to 2020/21 (AI 7)

Chris Ward, the Director of Finance and Section 151 Officer presented his report on the revised budget which would be submitted to Council on 14 February 2017.

RECOMMENDED to Council:

- (1) That the following be approved in respect of the Council's Budget:
 - (a) The revised Revenue Estimates for the financial year 2016/17 and the Revenue Estimates for the financial year 2017/18 as set out in the General Fund Summary (Appendix A)
 - (b) The Portfolio Cash Limits for the Revised Budget for 2016/17 and Budget for 2017/18 as set out in Sections 7 and 9, respectively
 - (c) That £3.5m be transferred to the Revenue Reserve for Capital to supplement the resources available for the Capital Programme in order to ensure the Council can properly meet its statutory responsibilities including School Places, Sea Defences and potential match funding commitments for the City Centre Road
 - (d) That £3.0m be transferred to the MTRS Reserve to restore it to a level sufficient to enable the Council to pursue both Spend to Save schemes, Invest to Save schemes and fund redundancy costs, all aimed at facilitating the Council's savings strategy
 - (e) That £1.9m is carried forward from 2016/17 to 2017/18 in respect of contingent items that were expected to arise in 2016/17 but are now expected to occur in 2017/18
 - (f) Any further underspendings for 2016/17 arising at the year-end outside of those made by Portfolios be transferred to Capital Resources in order to provide funding for known future commitments such as Secondary School Places, Sea Defences and the enabling transport infrastructure necessary for the City's development and growth which have, as yet, insufficient funding
 - (g) Any variation to the Council's funding arising from the final Local Government Finance Settlement be accommodated by a transfer to or from General Reserves.
 - (h) The S.151 Officer be given delegated authority to make any necessary adjustments to Cash Limits within the overall approved Budget and Budget Forecasts
 - (i) That the level of Council Tax be increased by 1.99% for general purposes in accordance with the referendum threshold¹ for

¹ Council Tax increases beyond the referendum threshold can only be implemented following a "Yes" vote in a local referendum

- 2017/18 announced by Government (as calculated in recommendation 4 (d))
- (j) That the level of Council Tax be increased by a further 3.0% beyond the referendum threshold (as calculated in recommendation 4 (d)) to take advantage of the flexibility offered by Government to implement a "Social Care Precept"; and that in accordance with the conditions of that flexibility, the full amount of the associated sum generated of £2,022,300 is passported direct to Adult Social Care
 - (k) Managers be authorised to incur routine expenditure against the Cash Limits for 2017/18 as set out in Section 9
 - (l) That the savings requirement for 2018/19 be set at a minimum on-going sum of £4.0m
 - (m) That the S.151 Officer be given delegated authority to make transfers to and from reserves in order to ensure that they are maintained as necessary and in particular, adjusted when reserves are no longer required or need to be replenished
 - (n) Directors be instructed to start planning how the City Council will achieve the savings requirements shown in Section 10 and that this be incorporated into Service Business Plans
 - (o) The minimum level of General Reserves as at 31 March 2017 be maintained at £7.0m (£7.0m in 2016/17) to reflect the known and expected budget and financial risks to the Council
 - (p) Members have had regard for the Statement of the Section 151 Officer in accordance with the Local Government Act 2003 as set out in Section 13.
- (2) That the following be noted in respect of the Council's Budget:
- (a) The Revenue Estimates 2017/18 as set out in Appendix A have been prepared on the basis that the 3% tax increase for the "Social Care Precept" (amounting to £2,022,300) is passported to Adult Social Care in order to provide for otherwise unfunded budget pressures including the cost of the new National Living Wage and demographic pressures arising from a "living longer" population
 - (b) The decision on the amount at which to set the Adult Social Care precept will be critical for the Social Care and wider Health system in the City; in the event that the additional flexibility of the "Social Care Precept" and associated 3% tax increase (amounting to £674,100 for each 1%) is not taken, then equivalent savings will need to be made in Adult Social Care in 2017/18
 - (c) In general, any reduction from the 4.99% Council Tax increase proposed will require additional savings of £674,100 for each 1% reduction in order for the Budget 2017/18 to be approved
 - (d) The Revenue Forecast for 2018/19 onwards as set out in Section 10 and Appendix B
 - (e) The estimated Savings Requirement of £12m for the three year period 2018/19 to 2020/21, for financial and service planning purposes, be phased as follows:

Financial Year	In Year Savings Requirement £m	Cumulative Saving £m
2018/19	4.0	4.0
2019/20	4.0	8.0
2020/21	4.0	12.0

- (f) The MTRS Reserve held to fund the upfront costs associated with Spend to Save Schemes, Invest to Save Schemes and redundancies will hold an uncommitted balance of £4.4m² and will only be replenished in future from an approval to the transfer of any underspends, contributions from the Revenue Budget or transfers from other reserves which may no longer be required
 - (g) The Council Tax element of the Collection Fund for 2016/17 is estimated to be a surplus of £1,743,962 which is shared between the City Council (85%), Police & Crime Commissioner (11%) and the Hampshire Fire & Rescue Authority (4%)
 - (h) The Business Rate element of the Collection Fund for 2016/17 is estimated to be a surplus of £3,017,262 which is shared between the City Council (49%), the Government (50%) and the Hampshire Fire & Rescue Authority (1%)
 - (i) The Retained Business Rate income³ for 2017/18 (excluding "Top Up") based on the estimated Business Rate element of the Collection Fund surplus as at March 2017, the Non Domestic Rates poundage for 2017/18 and estimated rateable values for 2017/18 has been set at £43,648,937
- (3) That the S.151 Officer has determined that the Council Tax base for the financial year 2017/18 will be **55,329.9** [item T in the formula in Section 31 B(1) of the Local Government Finance Act 1992, as amended (the "Act")].
- (4) That the following amounts be now calculated by the Council for the financial year 2017/18 in accordance with Section 31 and Sections 34 to 36 of the Local Government Finance Act 1992:

(a)	£463,193,930	Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
(b)	£392,420,348	Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	£70,773,582	Being the amount by which the aggregate at 4 (a) above exceeds the aggregate at 4(b) above, calculated by the Council in

² Including the transfer into the reserve of £3.0m contained with the recommendations in this report

³ Including the Portsmouth City Council element of the Collection Fund surplus of £1,478,458, S31 Grants of £2,217,322 and excluding the "Top Up" grant from Government of £5,984,004.

		accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B(1) of the Act.
(d)	£1,279.12	Being the amount at 4(c) above (Item R), all divided by Item 3 above (Item T), calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year.

(e) Valuation Bands (Portsmouth City Council)

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
852.75	994.87	1,137.00	1,279.12	1,563.37	1,847.62	2,131.87	2,558.24

Being the amounts given by multiplying the amount at 4(d) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings in different valuation bands.

- (5) That it be noted that for the financial year 2017/18 the Hampshire Police & Crime Commissioner is consulting upon the following amounts for the precept to be issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below:

Valuation Bands (Hampshire Police & Crime Commissioner)

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
110.31	128.69	147.08	165.46	202.23	239.00	275.77	330.92

- (6) That it be noted that for the financial year 2017/18 Hampshire Fire and Rescue Authority are recommending the following amounts for the precept issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below:

Valuation Bands (Hampshire Fire & Rescue Authority)

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
42.56	49.65	56.75	63.84	78.03	92.21	106.40	127.68

- (7) That having calculated the aggregate in each case of the amounts at 4(e), 5 and 6 above, the Council, in accordance with Sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992 as amended, hereby sets the following amounts as the amounts of Council Tax for the financial year 2017/18 for each of the categories of dwellings shown below:

Valuation Bands (Total Council Tax)

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
1,005.62	1,173.21	1,340.83	1,508.42	1,843.63	2,178.83	2,514.04	3,016.84

- (8) The Council determines in accordance with Section 52ZB of the Local Government Finance Act 1992 that the Council's basic amount of Council Tax for 2017/18, which represents a 4.99% increase, is not excessive in accordance with the principles approved by the Secretary of State under Section 52ZC of the Act.

The 4.99% increase includes a 3% increase to support the delivery of Adult Social Care.

As the billing authority, the Council has not been notified by a major precepting authority (the Police and Crime Commissioner for Hampshire or the Hampshire Fire & Rescue Authority) that its relevant basic amount of Council Tax for 2017/18 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK of the Local Government Finance Act 1992.

- (9) The S.151 Officer be given delegated authority to implement any variation to the overall level of Council Tax arising from the final notification of the Hampshire Police & Crime Commissioner and Hampshire Fire and Rescue Authority precepts.

8. Capital Programme 2016/17 to 2021/22 (AI 8)

Chris Ward, the Director of Finance and Section 151 Officer presented his report on the proposed new starts, which would be submitted to Council on 14 February 2017.

RECOMMENDED to Council:

- (1) that the following be approved in respect of the Council's Capital Programme:
- 1) The Revised Capital Programme 2016/17 to 2021/22 attached as Appendix 1 which includes all additions, deletions and amendments for slippage and rephrasing described in Sections 6 and 8 be approved

- 2) The S.151 Officer be given delegated authority to determine how each source of finance is used to fund the overall Capital Programme and to alter the overall mix of financing, as necessary, to maximise the flexibility of capital resources used and minimise the ongoing costs of borrowing to the Council
- 3) That the S.151 Officer in consultation with the Leader of the Council be given delegated authority to release capital resources held back for any contingent items that might arise, and also for any match funding requirements that may be required of the City Council in order to secure additional external capital funding (e.g. bids for funding from Government or the Solent Local Enterprise Partnership)
- 4) The following schemes as described in Section 9 and Appendix 2 be reflected within the recommended Capital Programme 2016/17 to 2021/22 and be financed from the available corporate capital resources:

Recommended New Capital Schemes		Corporate Resources Required £	Total Scheme Value £
Education			
	Sufficiency of Secondary School Places	2,670,000	4,470,000
	Future Secondary School Places	1,000,000	1,000,000
	School Condition Projects	1,000,000	1,100,000
Children's Safeguarding			
	Children's Case Management Software Replacement	1,907,000	1,907,000
	Tangier Road Children's Home	495,000	495,000
	Beechside Children's Home	55,000	55,000
Culture, Leisure & Sport			
	Kings Bastion	525,000	600,000
	Charles Dickens' Gardens	25,000	25,000
	D Day Museum	165,000	165,000
	Contribution Towards Resurfacing South Parade Pier	50,000	75,000
	Installation of Shower Facilities at Canoe Lake	10,000	10,000
	Watersedge Park Building	20,000	20,000
	Edwardian Seafront Shelter	70,000	80,000
	Re-provision of Bandstand at West Battery Gardens	40,000	40,000
	Pop Up Kiosks - Southsea Seafront	40,000	40,000
Environment & Community Safety			
	Household Waste Collections	111,200	111,200
	Old Portsmouth Seawalls' Maintenance	120,000	120,000
	Southsea Sea Defences	1,250,000	88,602,400
Health & Social Care			
	Swift Software Replacement	400,000	1,163,000
Housing			

Recommended New Capital Schemes		Corporate Resources Required £	Total Scheme Value £
	Phase 1: Refresh of the Allaway Avenue Green and Surrounding Planting	16,600	16,600
	Hillside Youth & Community Centre - Outdoor Play	166,000	166,000
PRED			
	City Centre Road	3,000,000	45,000,000
	Renovation of Victoria Park Lodge	100,000	100,000
	Public Realm Improvements - Chaucer House	594,000	594,000
	Portsmouth Area Rape Crisis Service - Building Maintenance	50,000	50,000
Resources			
	Landlord's Maintenance	591,000	831,000
Traffic & Transportation			
	Seafront Variable Message Signs	52,000	75,800
	Eastern Corridor Road Link Improvements	500,000	500,000
	Improvements to Neighbourhood Living & Street Environment	200,000	200,000
	Local Transport Plan	1,200,000	1,200,000
	Old Portsmouth Area Study	40,000	40,000
Total Recommended Sum To Be Approved		16,462,800	148,852,000

- 5) The following schemes as described in Section 10 and Appendix 2 be approved as Invest To Save Schemes and funded from Prudential Borrowing (subject to the approval of a detailed financial appraisal by the S.151 Officer) up to the limit shown:

	Prudential Borrowing Required £
Utilities and Energy Management	1,031,100
Investment in Solar Photovoltaic Cells	3,400,000
Total Recommended Sum to be Approved	4,431,100

- 6) The following Schemes as described in Section 15 be included within the "Reserve List" of Capital Schemes to be considered once additional capital resources are identified

Future Priority Capital Schemes – Not in Priority Order
Secondary School Places 2019/20 to 2021/22
Special Educational Needs Re-modelling
School Condition (roofs, boilers, electrics, windows etc.)
Sea Defences Contribution to £89m Scheme
Enabling Transport Infrastructure match funding - City development

Landlords Repairs & Maintenance
Local Transport Plan - Road safety and traffic improvement schemes

- 7) The Prudential Indicators described in Section 16 and set out in Appendix 3 be approved.
- (2) That the following be noted in respect of the Council's Capital Programme:
- 1) That the capital resources proposed to be allocated include £3.5m of funding from Revenue as recommended in the "Budget and Council Tax 2017/18 & Medium Term Budget Forecast 2018/19 to 2020/21" report contained elsewhere on this agenda. In the event that this funding is not approved, schemes with Corporate Capital Resources amounting to £3.5m will be required to be removed from the new schemes starting in 2017/18 detailed in Appendix 2
 - 2) The passported Capital Allocations (Ring-fenced Grants) as set out in Section 7
 - 3) As outlined in Section 12 and Appendix 2, the use of The Parking Reserve to fund the refurbishment of lifts at Isambard Brunel Car Park at a cost of £240,000; and a contribution of £23,800 towards the cost of installing Variable Message Signs along Southsea Seafront
 - 4) As outlined in Section 13 and Appendix 2, the release of £70,000 from the Culture, Leisure & Sport Portfolio Reserve to fund:
 - a. the relocation of the café and children's play area within Southsea Library and
 - b. the replacement of the automatic main entrance door at Southsea Library
 - 5) As outlined in Section 14 and Appendix 2 the use of The Prevention (Public Health) Reserve to fund enhanced Assistive Technology to residents with an Adult Social Care need at a total cost of £300,000
 - 6) The City Council note that Prudential Borrowing can only be used as a source of capital finance for Invest to Save Schemes as described in Section 16.

The meeting concluded at 1.55 pm.

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Councillor Donna Jones
Leader of the Council