

## **CABINET**

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

### **Present**

Councillor Donna Jones (in the Chair)

Councillors Luke Stubbs  
Ryan Brent  
Jim Fleming  
Lee Mason  
Linda Symes  
Steve Wemyss  
Neill Young

#### **9. Apologies for Absence (AI 1)**

Councillor Robert New, Cabinet Member had sent his apologies for absence as he was away. Also apologies had been submitted by Councillor Gerald Vernon-Jackson as Leader of the Opposition.

#### **10. Declarations of Interests (AI 2)**

There were no declarations of members' interests.

#### **11. Record of Previous Decision Meeting - 9 February 2017 (AI 3)**

DECISION: that the record of decisions of the Cabinet meeting held on 9 February 2017 be agreed as a correct record, to be signed by the Leader.

#### **12. Animal involvement at events and circuses on City Council land (AI 4)**

Claire Looney, Partnership and Commissioning Manager, presented the report which had been amended following feedback after deferral from the Cabinet meeting of 9 February. She explained the small amendments and the recommendation was now to permit horses and dogs to perform in circuses.

The Cabinet Members had received and read written representations from the animal welfare organisations PETA (voicing their support for the ban on wild animals in circuses) and Animal Defenders International (supporting a ban of wild and domestic animals in circuses and opposing the proposed exception for horses and dogs) setting out their concerns on animal welfare issues, as well as a message from Councillor Robert New (Cabinet Member for Environment & Community Safety) in which he supported the amended report as a workable compromise which included the rigorous inspection regime to ensure the highest standards of animal welfare.

Deputations were heard from the following, whose points included:

- i) Tracey Jones spoke to ask for a complete ban on animal involvement in circuses and a stronger stance on events and she was disappointed in the amendment to allow horses and dogs; she reiterated her concerns relating to animal welfare due to the stress caused to animals by the travelling, storage and training to perform tricks and she felt that the public supported animal-free circuses.
- ii) Mr John Lovatt spoke to support the inclusion of horses and dogs, having had involvement in the Heavy Horse Parade and he felt that children in the city should have access to view these animals and he supported the tradition of the circus.
- iii) Mr David Hibling spoke as the creative director of Zippo's Circus, who spoke for the inclusion of horses and dogs (but not for wild animals which had never been used by their circus); he spoke of their history of performing dogs and horses (and those that performed elsewhere in the city); he made a distinction between animal welfare and animal rights, stating that they took the best care of their animals, conforming to government policies and exceeding them and were open to inspections at each town they visited.
- iv) Mr Martin Burton spoke as a founder and director of Zippo's Circus, who also supported the inclusion of horses and dogs at circuses; when their circus started over 30 years ago it had been without animals then horses had been introduced as audiences had wanted to see them (business had increased by 25%), and then dogs but never wild animals. The horses were stabled at the front so the public could see their conditions them before deciding whether to buy a ticket, and they had written a code of conduct and had advised DEFRA on the issue and held educational open days.

The Cabinet Members then spoke in support of the revised report which they felt were a sensible way forward to include dogs and horses and stressed that animal welfare considerations were paramount and the report set out the safeguards in place so that if there were any concerns raised these would be investigated.

#### **DECISIONS:**

**(1) That the City Council adopts a clear and robust approach so we can effectively demonstrate our commitment to ensuring that animal welfare is a prime consideration while balancing the need to ensure a broad and varied events programme where animal involvement can appropriately be included, both for entertainment and education purposes.**

**(2) That the City Council does not permit any events that include captive, endangered or wild animals to take place on City Council land or on any sites where a venue is operated on behalf of the City Council.**

**(3) That the City Council does not permit any circuses that include any animals to take place on City Council land or on any sites where a venue is operated on behalf of the City Council with the exception of horses and dogs.**

**(4) That the City Council agrees to permit performances and displays of animals (both domestic and working animals) at events with the provision that documentation and supporting evidence is submitted to the appropriate City Council department for consideration in advance. All paperwork must fully and appropriately demonstrate that the welfare of the animals has been considered and secured when performing, at rest and when in transit to the event and/or circus. This would require the submission of a veterinary certificate, risk assessments and animal welfare policy.**

**(5) That the City Council will not permit mobile petting zoos, static exhibitions or the sale of animals (which includes invertebrates, reptiles and fish, excluding working animals) at any events on City Council land, or on any sites where a venue is operated on behalf of the City Council, irrespective of whether appropriate documentation is available or not. The exception to this would be Cumberland House Natural History Museum and Butterfly House, Blue Reef Aquarium, schools or similar where the main role of the venue is for educational or conservation purposes and that it can be demonstrated that all appropriate measures have been put in place to safeguard the well-being of the animals, invertebrates and insects on display there.**

**(6) That only those domestic or working animals performing at the event and/or circus be permitted to be kept on site, excepting domestic pets of members of the circus.**

**(7) That the wording within the Licence issued by the City Council that permits use of a site for circuses on its land be amended to state that 'the Licensee shall not be permitted to hold a circus show including animals with the exception of horses and dogs (save that domestic pets of circus members shall be permitted to be kept on the Site provided that they are not used to take part in performances or for exhibition purposes).**

**(8) That the City Council's approach on animal involvement does not restrict pets as therapy sessions in care homes, dog walking, animal grooming or dog shows on City Council land or any sites where a venue is operated on behalf of the City Council, provided that animal welfare is appropriately maintained by those managing the activity. Should the City Council receive any reports or concerns of animal abuse or cruelty at any of these activities, these will be investigated and instructed to cease as necessary.**

### **13. Treasury Management Strategy 2017/18 (AI 5)**

Chris Ward, Director of Finance and Section 151 Officer presented his report which would be submitted to Council on 21 March 2017, he explained the provision for the repayment of debt and would also seek endorsement for the Annual Investment Strategy.

**RECOMMENDED to Council:**

- (1) (a) that the following changes to the 2016/17 Treasury Management Policy Statement as amended by the Mid-Year Review be approved:**
- (i) that the minimum revenue provision for the repayment of government supported borrowing other than finance leases and service concessions (including private finance initiative schemes) is changed from a straight 2% annual provision to a 50 year annuity provision with effect from 2016/17 (paragraph 8.4 of Treasury Management Policy Statement);**
  - (ii) that the Director of Finance and Information Services (Section 151 Officer) be given delegated authority to release the over provision of MRP into the General Fund over a prudent period (paragraph 8.5 of Treasury Management Policy Statement);**
  - (iii) that investments be permitted in enhanced money market funds with a single credit rating of at least AA and that these funds be treated as category 6 (A+) investments to reflect the increased risk of relying on a single credit rating (as opposed to category 4 if two ratings had been obtained - paragraph 11.4 of Treasury Management Policy Statement)**
  - (iv) that investments are only placed with registered social landlords that have a financial viability rating of V1 from the Homes and Communities Agency (paragraph 11.5 of Treasury Management Policy Statement);**
  - (v) that investments in universities be permitted (paragraph 11.13 of Treasury Management Policy Statement);**
  - (vi) that the maximum investment in a single institution in category 7 be increased by £2m from £13m to £15m (paragraph 11.16 of the Treasury Management Policy Statement);**
  - (vii) that investments be permitted in covered bonds that are secured against local authority debt or covered bonds that have a credit rating that meets the**

**Council's investment criteria even if the counter party itself does not meet the Council's credit criteria (paragraph 11.19 of Treasury Management Policy Statement);**

- (viii) that investments in repos / reverse repos collateralised against index linked gilts, conventional gilts and UK treasury bills be permitted, and that should the counter party not meet our senior unsecured rating then a 102% collateralisation would be required (paragraph 11.20 of Treasury Management Policy Statement);**
- (b) that the treasury management indicators contained in Appendix D be approved;**
- (c) that the attached Treasury Management Policy Statement including the Treasury Management Strategy, Annual Minimum Revenue Provision for Debt Repayment Statement and Annual Investment Strategy for 2017/18, and encompassing the amendments contained in recommendation (1)a and the treasury management indicators contained in Appendix D be approved;**
- (d) that the Director of Finance and Information Services (Section 151 Officer) and officers nominated by him be given delegated authority to (paragraph 3.2 of Treasury Management Policy Statement):**
  - (i) invest surplus funds in accordance with the approved Annual Investment Strategy;**
  - (ii) borrow to finance short term cash deficits and capital payments from any reputable source within the authorised limit for external debt of £607m approved by the City Council on 14 February 2017;**
  - (iii) reschedule debt in order to even the maturity profile or to achieve revenue savings;**
  - (iv) to buy and sell foreign currency, and to purchase hedging instruments including forward purchases, forward options and foreign exchange rate swaps to mitigate the foreign exchange risks associated with some contracts that are either priced in foreign currencies or where the price is indexed against foreign currency exchange rates.**
- (e) that the Chief Executive, the Leader of the City Council and the Chair of the Governance and Audit and Standards Committee be informed of any variances from the Treasury Management Policy when they become apparent, and that**

**the Leader of the City Council be consulted on remedial action (paragraph 17.1 of Treasury Management Policy Statement)**

- (2) that the Director of Finance and Information Services (Section 151 Officer) submits the following (paragraph 19.1 of Treasury Management Policy Statement):**
- (i) an annual report on the Treasury Management outturn to the Cabinet and Council by 30 October of the succeeding financial year;**
  - (ii) a Mid-Year Review Report to the Cabinet and Council;**
  - (iii) the Annual Strategy Report to the Cabinet and Council in March 2018;**
  - (iv) a quarter 3 treasury management monitoring report to the Governance and Audit and Standards Committee.**

**14. Forward Plan Omission - Budget Monitoring Quarter 3 (AI 6)**

DECISION: the omission to the Forward Plan for March 2017 was noted and that the necessary public notice has been published.

**15. Revenue Budget Monitoring 2016/17 (3rd Quarter) to end December 2016 (AI 7)**

Chris Ward, as Director of Finance and Section 151 Officer, presented his report which set out the forecast underspend in revenue outturn for 2016/17 of £1,118,200. He reported that the recent government budgetary announcement would mean extra funding for Adult Social Care for local authorities; whilst the conditions attached to this would need to be set out it could mean up to £4m would be available for PCC. The Leader and Deputy Leader welcomed this announcement to help protect care provision and would await further information on this.

**RECOMMENDED to Council:**

**(1) The forecast outturn position for 2016/17 be noted:**

**(a) An underspend of £1,287,400 before further forecast transfers from/(to) Portfolio Specific Reserves & Ring Fenced Public Health Reserve**

**(b) An underspend of £1,118,200 after further forecast transfers from/(to) Portfolio Specific Reserves & Ring Fenced Public Health Reserve.**

**(2) Members note:**

**(a) That any actual overspend at year end will in the first instance be deducted from any Portfolio Specific Reserve balance and once depleted then be deducted from the 2017/18 Cash Limit.**

**(b) That on 14th February 2017 City Council approved that any**

**underspending for 2016/17 arising at year-end outside of those made by Portfolios (currently forecast at £1,118,200) be transferred to Capital resources.**

**(3) Directors, in consultation with the appropriate Cabinet Member, consider options that seek to minimise any forecast overspend presently being reported and prepare strategies outlining how any consequent reduction to the 2017/18 Portfolio cash limit will be managed to avoid further overspending during 2017/18.**

The meeting concluded at 1.50 pm.

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Councillor Donna Jones  
Leader of the Council