

## **CABINET**

RECORD OF DECISIONS of the meeting of the Cabinet held on Thursday, 26 June 2014 at 1.00 pm at the Guildhall, Portsmouth

### **Present**

Councillor Donna Jones (in the Chair)

Councillors Luke Stubbs  
Frank Jonas  
Lee Mason  
Robert New  
Linda Symes  
Steve Wemyss  
Neill Young

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

These had been received from Councillor Ken Ellcome.

Councillor Rob New apologised that he would need to leave the meeting after discussion of the item regarding street scene enforcement therefore the order of business was varied to facilitate this.

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

Councillor Steve Wemyss made a declaration regarding the appointment to the outside body of the New Theatre Royal in that he was a co-opted member but this was a non-prejudicial interest.

#### **52. Record of Previous Decision Meeting - 7 April 2014 (AI 3)**

As the minutes were of the meeting of the previous Cabinet composition these were proposed by Councillor Gerald Vernon-Jackson and seconded by Councillor Sanders to be a correct record and this supported by Councillor Donna Jones and Councillor Luke Stubbs who had also been present at that meeting.

#### **DECISION:**

**That the minutes of the Cabinet meeting held on 7 April 2014 be agreed as a correct record to be signed accordingly by the chair of that meeting.**

#### **53. Appointments to Outside Bodies (AI 4)**

A deputation was made by Councillor Gerald Vernon-Jackson with reference to the schedule of nominations, including:

- Milton Village Community Association for which he read out an email from the association asking for Councillor Ben Dowling to remain on the association
- The New Theatre Royal - he had spoken to the Leader regarding the officers to continue their appointment
- Southsea Community Association this would be moved to the Somerstown Hub so he felt there was logic for this to be a local councillor
- Age UK Hampshire - he offered the Liberal Democrat nominations of either himself or Councillor Stockdale
- Portsmouth Disability Forum had vacancies and he confirmed that Councillor Stockdale was happy to continue
- Somerstown Adventure Supporters Group - he suggested that a ward councillor was requested.
- LGA Urban Commission - he reported that this no longer existed and had been taken over by the City Regions Board.
- World War 2 Memorial - this was usually the group leaders and would be winding up on completion of the engraving of names.

The Leader reported that she had further nominations to report to the meeting received from UKIP which were dealt with under the appointments.

**DECISION:**

**Appointments were made to the individual portfolios, as outlined on the separate schedule.**

**54. Forward Plan Omissions (AI 5)**

It was noted that the chair of Scrutiny Management Panel had been consulted.

**DECISION:**

**It had been noted that the items relating to street scene enforcement, public toilet review and the Camber be noted as forward plan omissions for the forward plan published on 13 May.**

**55. Street Scene Enforcement (AI 6)**

Deputations in opposition to the proposal were made and a written representation from Councillor Hunt had been made asking the Cabinet to support a contract with 3GS.

Councillor Gerald Vernon-Jackson first spoke regarding his previous administration's proposal to bring in this scheme which they had believed to be an interesting opportunity to add capacity to deal with litter and dog fouling and felt that to cancel this would be a missed opportunity.

Janice Burkinshaw then spoke whose points included that the proposal for the pilot scheme had been welcomed at the neighbourhood forum in Milton as an innovative step and the police were keen to know more about how they could help work with the enforcement team; St James' field was used for community event and each year there would be a pick-up of dog mess there before the event and dog walkers could be intimidating when asked to keep their dogs under control with current enforcement officers not available to provide back up.

Councillor Lynne Stagg then spoke of her experiences as a responsible dog owner at Great Salterns area who was regularly finding other dog walkers were not picking up after their pets. She was also involved in litter picking at the area and presented dog faeces in the meeting. She looked at surveys undertaken by the Liberal Democrat office which had shown that residents were in favour of fining and she was supportive of the aims of 3GS who were focused on enforcement and education to change people's outlooks. She had been in contact with other councils regarding their dealings with 3GS (such as Leeds and Swansea) regarding the success of their scheme and stressed that their policy was not just issuing fixed penalty notices but also changing people's outlooks.

A deputation was then made by Councillor Darren Sanders who believed that the pilot scheme would have been good for the city and challenged the decision to reverse the previous Cabinet's decision. He queried the dispute over the contract start date and number of staff to be involved and felt that the fear of court case costs should not deter the council from undertaking the pilot as other councils had made money from the scheme. He stressed that the use of existing enforcement teams would be alongside 3GS (which would not be a replacement service).

The Head of Transport & Environment then presented his report and stressed that his officers wished to ensure proper evaluation and had spoken to other councils who had dealings with 3GS. Consideration was being given to better use of internal resources with the enforcement officers to work with the community wardens. He stressed that there were other companies undertaking similar work so there would need to be a full procurement process should this be felt appropriate to pursue in the future.

Councillor Donna Jones as Leader stressed that the new Cabinet Members had been fully briefed, receiving professional advice from officers regarding the pilot scheme, and wished to stress their commitment to a clean street agenda. Their concerns had been regarding the cost of the contract and they wished for the council's own various enforcement officers to be used to combat littering and dog fouling more effectively. Concerns were also raised over the apparent lack of procurement and notice taken of the advice given by the police, solicitors and officers. They were also aware of an alternative operator being used by the neighbouring authority of Havant Borough Council and were concerned about the length of legal processes to reclaim income from fines.

Councillor New as Cabinet Member for Environment & Community Safety stressed the need for transparency, whereas there had not been the opportunity for a competitive tender process for the previously suggested scheme.

**DECISIONS:**

- (1) That the 6 month pilot scheme by 3GS for the delivery of Fixed Penalty Notices in relation to environmental and dog control offences, be abandoned;**
- (2) The Strategic Director - City Solicitor & Monitoring Officer be authorised, in consultation with the Cabinet Member for Environment & Community Safety and the Head of Service - Transport & Environment, to close any on-going work relating to the implementation of the original resolution.**
- (3) The Cabinet continue to support work to improve the current approach to enforcement of environmental and street cleanliness issues through the use of existing City Council Teams and the Shared Services Board.**

**56. Public Toilet Review (AI 7)**

Councillor Gerald Vernon-Jackson made a short deputation stressing that no-one had liked closing the toilets and he was pleased that the new Administration had found funding to reopen some facilities. He referred to a letter from the City Solicitor dated 17 June saying the decision had been taken not to proceed with the closure of toilets.

The Head of Transport & Environment's report was presented by Paul Fielding; this outlined what had happened to those earmarked for closure with some having been demolished and officers had looked at the options of where some may be reopened such as at Hilsea Lido and Marsden Road with the use of unisex cubicles and these would now be managed by the Green and Clean team. There would be a review of options for Lower Drayton Lane toilets and extended opening at D-Day as well as maintaining the existing community toilet scheme.

Councillor Donna Jones as Leader reported that Councillor Rob New as Cabinet Member for Environment & Community Safety and herself had worked together with colleagues and officers who she thanked for their help on this project and it was acknowledged that savings would need to be made. It was agreed that the use of public toilets was an important facility in the city. She was also grateful to the Housing department for the appropriation of some of the toilets to the Housing Revenue Account to facilitate their opening. The location of facilities at White Hart Road would serve a prime tourist area, especially with the new proposals for the Ben Ainslie Racing site. Councillor Jones was pleased that there would be rent towards the costs of some of these toilets.

## **DECISIONS:**

- (1) That a unisex toilet cubicle be opened to the public at Hilsea Lido, Marsden Road and White Hart Road.**
- (2) That an additional unisex toilet cubicle be provided at Hilsea Lido.**
- (3) That Officers review options for alternative use of the public toilet at Lower Drayton Lane to include a publically accessible unisex toilet cubicle.**
- (4) That the opening hours of the public toilets in the D-Day car park be extended until 9 pm during the summer season.**
- (5) That the existing number of toilets in the Community Toilet Scheme is maintained.**

### **57. The Camber - East Street and Broad Street, Old Portsmouth (AI 8)**

Alan Cufley, the Head of Corporate Assets, Business & Standards presented his report, which followed on from a decision taken by Councillor Stubbs as Cabinet Member for PRED and the Planning Committee decision of 18 June for the Ben Ainslie Racing Ltd (BAR) project on this site and leases were now being prepared between solicitors. Cabinet Members asked questions regarding the alternative uses of the site if the Americans Cup use ceases, whether the land would pass back to the city council or whether it could be sublet without PCC's permission? It was reported that there was a right to assign in the lease with the landlord's consent which is PCC and there would be discussion with the current users regarding taking the interest back if their use ceases, with the city council asking for first refusal. This would be the basis of the negotiations as confirmed by the City Solicitor. Cabinet Members wished to thank the previous administration for their role in promoting this scheme which all parties were supportive of.

Councillor Donna Jones as Leader wished to involve the Cabinet Member for Planning, Regeneration & Economic Development within the ongoing negotiations and therefore wished this to be reflected in the resolutions. She also placed on record her thanks to Admiral Rob Stevens for his report on the economic impact on Portsmouth of the BAE announcement and the maritime task force from which this proposal had come out of. The huge economic benefit to the city of the BAR proposal was recognised.

## **DECISIONS:**

**That the Cabinet agreed to:**

- (1) enter into a lease agreement with BAR for the Camber site, on the terms set out in paragraph 3.3, together with any necessary associated agreements**
- (2) authorise the City Solicitor and Head of Corporate Assets, Business & Standards in conjunction with the Cabinet Member for**

**Planning, Regeneration & Economic Development be authorised to complete all legal documentation in order to give effect to the above recommendation.**

**Outside Bodies 2014-15 (Appointments Schedule)**

The meeting concluded at 2.30 pm.

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Councillor Donna Jones  
Leader of the Council