

MINUTES OF A MEETING OF THE COUNCIL held at the Guildhall
Portsmouth on Tuesday, 13 October 2015 at 2.15 pm

Council Members Present

The Right Worshipful The Lord Mayor
Councillor Frank Jonas (in the Chair)

Councillors

Dave Ashmore	Ian Lyon
Simon Boshier	Hugh Mason
Jennie Brent	Lee Mason
Ryan Brent	Gemma New
Yahiya Chowdhury	Robert New
Alicia Denny	Stuart Potter
Ben Dowling	Darren Sanders
John Ferrett	Phil Smith
Ken Ferrett	Lynn Stagg
David Fuller	Sandra Stockdale
Colin Galloway	Luke Stubbs
Paul Godier	Julie Swan
Aiden Gray	Linda Symes
Scott Harris	David Tompkins
Stephen Hastings	Gerald Vernon-Jackson
Hannah Hockaday	Steve Wemyss
Suzy Horton	Matthew Winnington
Lee Hunt	Rob Wood
Donna Jones	Neill Young

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

Councillor Darren Sanders declared a personal non-prejudicial interest in notice of motion 17(d) in that one of the deputations was being made by a member of the Red Cross for which he acts as a volunteer.

Councillor Steve Wemyss declared a personal non-prejudicial interest in agenda item 14 - Care Charter as this originated from Unison of which he is a member.

He also declared a personal non-prejudicial interest in agenda item 17(b) as he is an employee of the NHS but works outside the city.

Councillor Donna Jones, Councillor Gerald Vernon-Jackson and Councillor Neill Young each declared a personal non-prejudicial interest in agenda item 9 - Retaliatory Evictions - in that they are all landlords.

73. Minutes of the Meeting of the Council held on 7 July 2015

It was

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

That the minutes of the meeting of the council held on 7 July 2015 be confirmed and signed as a correct record.

RESOLVED that the minutes of the meeting of the council held on 7 July 2015 be confirmed and signed as a correct record.

74. Communications and apologies for absence

Apologies for absence had been received on behalf of Councillor Ken Ellcome, Councillor Margaret Foster and Councillor Will Purvis.

The Lord Mayor advised that today's meeting is being filmed.

The Lord Mayor gave details of the evacuation proceedings and advised that a note covering these issues could be found on the green sheet previously circulated.

The Lord Mayor advised of a change in group membership. He said that the Chief Executive had received formal notification that Councillor Ken Ferrett has become a non-aligned independent member. The implications for political proportionality on committees would be dealt with under agenda item 8 and the circulated seating plan had been changed to reflect this change.

The Lord Mayor advised that he had recently visited Honorary Alderman Elaine Baker who was now at home recovering from a major operation and sent best wishes to her on behalf of the council.

75. Deputations from the Public under Standing Order No 24

The City Solicitor advised council that seven deputation requests had been received. He also advised that a number of written representations had been received in respect of item 17(d) and these had been previously circulated to members with the green sheet.

In view of the number of deputation requests made in respect of agenda item 17(d) it was

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

That standing orders be suspended to allow each person making a deputation on this item to be allowed a full six minutes to speak.

On being put to the vote this was CARRIED.

Honorary Alderman Dr Alan Burnett made deputations in respect of agenda item 14 - Ethical Care Charter and item 17(b) - Guildhall Walk Healthcare Centre. Mr Malcolm Little, Mr M Woolley, Mrs S Benali, Ms Patricia Mooney

and Reverend Canon Nick Ralph each made deputations on agenda item 17(d).

The City Solicitor thanked members of the public for their deputations.

76. Questions from the Public under Standing Order 25

There were no questions from the public.

77. Appointments

The Lord Mayor advised that he had been notified of the appointment of Councillor Alicia Denny to replace Councillor Stuart Potter as a full member on the Housing & Social Care Scrutiny Panel.

He also noted that Councillor Phil Smith had been selected to be the Environment & Community Safety opposition spokesperson for the Liberal Democrat Group.

RESOLVED that Councillor Alicia Denny be appointed as a full member for the UKIP Group on the Housing & Social Care Scrutiny Panel.

78. Urgent Business - To receive and consider any urgent business

It was

Proposed by Councillor Donna Jones

Seconded by Councillor Colin Galloway

That in accordance with Standing Order 8 the January 2016 council meeting be rescheduled from 19 to 26 January should the meeting be required. This was CARRIED.

RESOLVED that in accordance with Standing Order 8, the January 2016 council meeting be rescheduled from 19 to 26 January should the meeting be required.

79. Review of Political Proportionality on Committees and Panels

The Lord Mayor advised that following a change in group strengths on the council, a report from the Chief Executive had been previously circulated regarding a review of the political proportionality on committees.

It was

Proposed by Councillor Donna Jones

Seconded by Councillor Simon Boshier

That council

Adopts the overall political balance and allocation of seats as set out in the Chief Executive's previously circulated report on the basis that

- (i) **Planning Committee - Councillor Stockdale remains on the committee but as a Conservative member, taking up the Conservative Group's extra seat.**
- (ii) **Licensing Committee - Councillor Gemma New is replaced by Councillor Ken Ferrett. Councillor Stockdale is replaced by Councillor Vernon-Jackson. Councillor Aiden Gray is appointed as a Labour group member.**
- (iii) **Housing & Social Care Scrutiny Panel - Councillor Stockdale replaces Councillor Phil Smith.**
- (iv) **Education, Children & Young People Scrutiny Panel - Councillor Ken Ferrett remains on the panel but sits as an independent member (replacing the Labour seat).**

RESOLVED that this be approved.

80. Recommendations from the Housing Cabinet Meeting held on 14 July 2015 - Retaliatory Evictions - Response to notice of motion - Deregulation Act 2015 and the implications on the private rented sector (Housing Cabinet Minute Number 15 refers)

The following minute was opposed to allow for thanks and support to be expressed to the Cabinet Member for his response.

Minute 15 - Retaliatory Evictions - Response to Notice of Motion.

It was

Proposed by Councillor Steve Wemyss
Seconded by Councillor Ian Lyon

That the recommendations contained in minute 15 be adopted. Upon being put to the vote this was CARRIED.

RESOLVED that council notes the decisions set out in Housing Cabinet minute number 15, meeting of 14 July 2015.

81. Recommendations from the Traffic & Transportation Cabinet Meeting held on 23 September 2015 - Fares on Buses - Minute 39

The following minute was opposed to allow for a short debate concerning a meeting that had been arranged with bus operators.

Minute 39 - Fares on Buses in Portsmouth - Response to Notice of Motion

It was

Proposed by Councillor Donna Jones
Seconded by Councillor Luke Stubbs

That the response to the notice of motion referred to it by full council as set out in minute 39 of the Traffic & Transportation's decision meeting be noted. Upon being put to the vote this was CARRIED.

RESOLVED that council noted the response to the notice of motion referred to the Traffic & Transportation's decision meeting dated 23 September 2015 as set out in minute 39.

82. Recommendations from the Cabinet Meeting held on 24 September 2015

The following minutes were approved unopposed:

Minute 58 - Treasury Management Outturn 2014/15

Minute 59 - Revision of Investment Strategy and Treasury Management Monitoring Report 1st Quarter 2015/16

Minute 54 - St George's Day Celebration - Response to Notice of Motion

The following minutes were opposed.

Minute 60 - Revenue Budget Monitoring Quarter 1

It was

Proposed by Councillor Donna Jones

Seconded by Councillor Luke Stubbs

That the recommendations contained in minute 60 be noted. Upon being put to the vote this was CARRIED.

RESOLVED that

- (i) The forecast outturn position for 2015/16 be noted:**
 - (a) An overspend of £5,247,800 before further forecast transfers from/(to) Portfolio Specific Reserves**
 - (b) An overspend of £5,381,100 after further forecast transfers from/(to) Portfolio Specific Reserves.**
- (ii) Members note 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 2016/17 Cash Limit.**
- (iii) 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 2016/17 Portfolio cash limit will be managed to avoid further overspending during 2016/17.**

Minute 53 - Ethical Care Charter - Response to Notice of Motion

It was

Proposed by Councillor Luke Stubbs
Seconded by Councillor Donna Jones

That the recommendations contained in minute 53 - Ethical Care Charter - Response to Notice of Motion be adopted.

As an amendment it was

Proposed by Councillor Matthew Winnington
Seconded by Councillor Ben Dowling

To add the following words after "that the report be noted".

"The city council regrets the decision of the Cabinet not to support the Ethical Care Charter and asks the Cabinet to reconsider its unethical decision."

Following debate, upon being put to the vote the amendment standing in the name of Councillor Matthew Winnington was LOST.

Upon being put to the vote the proposal to note the recommendations set out in paragraph 2 of the report was CARRIED.

RESOLVED that the recommendations set out in paragraph 2 of the report be noted.

Minute 55 - The Administration's Handling of the Emirates Tower Deal - Response to Notice of Motion

The following minute was opposed.

Minute 55 - The Administration's Handling of the Emirates Tower Deal
(Cabinet minute 55 refers)

It was

Proposed by Councillor Donna Jones
Seconded by Councillor Luke Stubbs

That the decisions contained in minute 55 be noted. Upon being put to the vote this was CARRIED.

RESOLVED that the recommendations contained in minute 55 be noted.

83. Notices of Motion

Notice of Motion (a) - Devolving Planning Powers to Portsmouth

It was

Proposed by Councillor Matthew Winnington
Seconded by Councillor Darren Sanders

That this notice of motion be debated today.

Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Matthew Winnington
Seconded by Councillor Darren Sanders

That notice of motion (a) as set out in the agenda be adopted.

Following debate, upon being put to the vote this was CARRIED.

RESOLVED that

Portsmouth is highly densely populated with a large number of conservation areas so has a need to control what is built where to continue to have a city that residents can be proud of. It is with dismay that Portsmouth residents see planning decisions taken by their democratically elected representatives overturned by unelected central government officials time and time again.

Therefore:

1) This Council believes that planning decisions made locally by the Portsmouth City Council Planning Committee should not be able to be overturned by the unelected officials of the Planning Inspectorate.

2) Any appeals against planning permission refusal should be heard locally by councillors not involved in the original Planning Committee decision.

3) To attain the above this Council calls on a letter to be sent to the Secretary of State for Communities and Local Government and the Minister for Portsmouth asking for these powers to be devolved from Central Government to Portsmouth City Council and therefore give our City and its people full responsibility and final say over future development in Portsmouth.

Council adjourned at 4.35 pm.

Council resumed at 5.00 pm.

Notice of Motion (b) - Guildhall Walk Healthcare Centre

It was

Proposed by Councillor Alicia Denny
Seconded by Councillor Lynne Stagg

That this notice of motion be debated today. Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Alicia Denny
Seconded by Councillor Lynne Stagg

That notice of motion (b) as set out on the agenda be adopted. As an amendment it was

Proposed by Councillor Darren Sanders
Seconded by Councillor Yahiya Chowdhury

That the following words be added after the words "the council" in the final paragraph

"opposes the proposal and"

Following debate, upon being put to the vote the amendment standing in the name of Councillor Darren Sanders was LOST.

Upon being put to the vote the original notice of motion as set out on the agenda paper was CARRIED.

RESOLVED that

The city council wishes to recognise the high standards of professional skill and attention which are shown to all patients of the Guildhall Walk Healthcare Centre and that it is concerned at proposals by Portsmouth Clinical Commissioning Group (CCG) to close this centre of excellence.

While appreciating the CCG's wish for more efficient use of its community premises and services, and in no way criticising the work done at St Mary's Treatment Centre, the greater good of all residents of Portsmouth, particularly those who are disadvantaged, would be better served by increasing the number of places in the city where appropriate medical treatment can be obtained rather than reducing them.

The council urges all patients and those likely to be affected by the proposed closure of Guildhall Walk Healthcare Centre to make their views known to the CCG before a final decision is made.

Notice of Motion (c) - Concerning Councillors as Corporate Parents

It was

Proposed by Councillor John Ferrett
Seconded by Councillor Donna Jones

That this notice of motion be debated today. Upon being put to the vote, this was CARRIED.

It was

Proposed by Councillor John Ferrett
Seconded by Councillor Donna Jones

That notice of motion (c) as set out on the agenda paper be adopted.
Following a short debate an adjournment was requested by the City Solicitor.

Council adjourned at 6.00 pm.

Council resumed at 6.05 pm.

Councillor Donna Jones asked that the motion be put without further debate. The Lord Mayor agreed to do so, whereupon the motion as set out on the agenda was put to the vote and was CARRIED.

RESOLVED that this Council welcomes efforts by the administration to find properties within the city where looked-after children can be better integrated with the community. It is particularly important that those children who are shortly to exit the care of the council are able to live in an environment which enables them to learn and exhibit greater self-reliance. This is vital in enabling looked-after children to prepare for life outside of the care of the council.

Councillors, as Corporate Parents must ensure they are always working with the very best interests of the looked after children in mind. It is essential that councillors ensure looked-after children can integrate seamlessly within the local community. Therefore, this council gives an unequivocal commitment to Portsmouth's looked after children that it will continue to explore how best they can be accommodated and integrated within the local community.

Notice of Motion (d) - Cluster Area for the Dispersal of Asylum Seekers

It was

Proposed by Councillor Luke Stubbs
Seconded by Councillor Steve Wemyss

That notice of motion (d) as set out on the agenda be debated today. Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Luke Stubbs
Seconded by Councillor Steve Wemyss

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

As an amendment it was

Proposed by Councillor Gerald Vernon-Jackson

Seconded by Councillor Hugh Mason

That new paragraph 2 be inserted after paragraph 1 "The City Council recognises that the proportion of asylum seekers in the South East accommodated in Portsmouth has fallen from 87% in 2007 to 26% now". The Red Cross say this is 126 people

New paragraphs at the end of the motion.

"The Council recognises that refugees/asylum seekers should be supported in all communities, and welcomes comments from the Minister responsible that councils around the country are offering to help. Therefore towns and cities that currently provide no homes for refugees should do so.

The City Council therefore condemns the approach taken by the administration in its interpretation of the decision of the UK Government to offer a safe haven for just a few thousand refugees, and congratulates the people of Portsmouth for their open hearted and generous response to refugees from war which is not being reflected by the Government or the current administration at the City Council.

Following debate, recorded votes on this notice of motion were requested by eight members standing. Upon the amendment standing in the name of Councillor Gerald Vernon-Jackson being put to the vote the following members voted in favour:

David Ashmore
Yahiya Chowdhury
Ben Dowling
John Ferrett
Ken Ferrett
David Fuller
Aiden Gray
Suzy Horton

Lee Hunt
Hugh Mason
Darren Sanders
Phil Smith
Lynne Stagg
Gerald Vernon-Jackson
Matthew Winnington
Rob Wood

The following members voted against:

Simon Boshier
Jennie Brent
Ryan Brent
Alicia Denny
Colin Galloway
Paul Godier
Scott Harris

Steve Hastings
Hannah Hockaday
Donna Jones
Ian Lyon
Lee Mason
Gemma New
Rob New

Sandra Stockdale
Luke Stubbs
Julie Swan
Linda Symes
David Tompkins
Steve Wemyss
Neill Young

The following member abstained:

Councillor Stuart Potter

The amendment standing in the name of Councillor Gerald Vernon-Jackson was therefore LOST.

Upon the original notice of motion as set out in the agenda being put to the vote the following members voted in favour:

Simon Boshier	Steve Hastings	Stuart Potter
Jennie Brent	Hannah Hockaday	Sandra Stockdale
Ryan Brent	Donna Jones	Luke Stubbs
Alicia Denny	Ian Lyon	Linda Symes
Colin Galloway	Lee Mason	David Tompkins
Paul Godier	Gemma New	Steve Wemyss
Scott Harris	Rob New	Neill Young

The following members voted against:

David Ashmore	Lee Hunt
Yahiya Chowdhury	Hugh Mason
Ben Dowling	Darren Sanders
John Ferrett	Phil Smith
Ken Ferrett	Lynne Stagg
David Fuller	Gerald Vernon-Jackson
Aiden Gray	Matthew Winnington
Suzy Horton	Rob Wood

The following member abstained:

Councillor Julie Swan

The notice of motion was therefore CARRIED.

RESOLVED that Since 2000 Portsmouth has been designated as a cluster area for the dispersal of asylum seekers. The intent of this policy was to lower the pressure on London and on those areas with the largest international ports - notably Kent. However while this has worked to some extent, it has done so by simply shifting many of those same pressures elsewhere.

In the first quarter of this year fully 43% of the asylum seekers housed in the south east of England were housed in Portsmouth. While their accommodation and support costs are met by the Home Office, the costs of looking after unaccompanied minors and of providing additional school places falls on the local authority and are only partially reimbursed by central government.

Portsmouth City Council will face some difficult choices as part of the 2016/7 revenue budget. Meanwhile despite substantial investment in the

capital programme to create new school spaces in both the primary and secondary sectors most city schools will remain at or near capacity.

.....
This council acknowledges the chaotic and dangerous conditions that exist for civilians in Syria and elsewhere. It supports efforts by the government to provide aid to those displaced by violence. However it is concerned that any addition to the number of asylum seekers housed in the city will put an undue strain on already stretched local services. It therefore asks the Chief Executive to write to the Home Secretary requesting that Portsmouth be removed from the list of cluster areas.

84. Questions from Members under Standing Order No 17

There were three questions before council but question number 2 from Councillor Colin Galloway was withdrawn.

Question number 1 was from Councillor Julie Swan

"In a recent survey the residents of Fratton Ward were asked if they wanted to keep or scrap residents parking. The result of this is that the former GA Zone has now considerably shrunk in size and it looks as though the new scheme will limit households to two permits.

Will the cabinet member please confirm that they will be informing residents in the new scheme area of these proposed limits, and provide details to both residents in the outlying areas where parking has been removed and the Ward Councillors on how they intend to manage parking on the roads outside of this zone which have traditionally suffered as a result of both commuter and football match day parking problems."

In the absence of the Cabinet Member for Traffic & Transportation, Councillor Donna Jones, Leader of the Council answered this question.

Question number 2 was from Councillor Colin Galloway but was withdrawn.

Question number 3 was from Councillor Stuart Potter

"Can the leader supply an update on the progress of the UKIP motion put forward addressing the sewage problem in and around Langstone harbour? Have the government departments officially responded yet?"

This and a supplementary question was answered by the Leader of the Council, Councillor Donna Jones.

The meeting concluded at 7.55 pm.

Lord Mayor

