

EXECUTIVE

RECORD OF THE DECISIONS OF THE EXECUTIVE taken at a meeting held on Monday, 13 September 2004, at 2.30 pm in the Guildhall, Portsmouth.

(NB This record of decisions should be read in conjunction with the agenda for the meeting.)

Present

Councillors Gerald Vernon-Jackson (Leader)
Alex Bentley
Terry Hall
Eleanor Scott
Phil Shaddock
Les Stevens

Also in Attendance

Councillor Paula Riches (Deputy Executive Member)

Councillor Mike Park (in accordance with SO 60 for agenda item 6)

88 Apologies for Absence (AI 1)

Apologies were received from Councillor Mike Hancock CBE,MP.

89 Declaration of Members' Interests

Councillor Gerald Vernon-Jackson declared a personal, non-prejudicial interest in respect of agenda item 14 relating to the New Theatre Royal Trust but, having been appointed as a director of the 'Trust by the City Council, remained in the room during the discussions on that item.

Councillors Eleanor Scott, Alex Bentley and Phil Shaddock declared personal, non-prejudicial interests in respect of agenda items 15 and 16 (relating to the reports on the City Council's Ofsted inspection and Key Stage assessments) by virtue of being parents of children attending Portsmouth LEA schools.

90 Record of Decisions - 6 July, 26 July and 27 July 2004 (AI 2)

(TAKE IN RECORD OF DECISIONS)

As a clarification, Members were advised that Councillors Patey, Storey and Park were in attendance at the Executive meeting on 26 July purely as observers.

DECISION:

That the record of decisions for the Executive Meetings held on 6 July, 26 July and 27 July 2004 respectively be confirmed and signed by the Leader as a correct record.

91 Matters Arising from the Record of Decisions (AI 3)

(a) Minute 80/04 - Portsmouth Spinnaker Tower

The Director of Economic Regeneration & Tourism circulated a brief report updating Members on matters relating to the Spinnaker Tower. She advised that the works programme which the City Council were now in possession of was the most robust that had been received up until this point. The projected opening date for the Tower had however, now slipped to 25 May 2005.

The Director of Economic Regeneration & Tourism indicated that members of the Executive were meeting directors from Mowlem on Friday, 24 September and that they would continue to do so on a monthly basis thereafter. Increases in the projected project costs of the Tower's construction and fitting out would be a matter for discussion on September 24th.

DECISION:

That the report be noted.

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92 Treasury Management Outturn 2003/4 (AI 4)

(TAKE IN REPORT)

The Head of Financial Services advised that the report was a technical one that would also be submitted on to City Council.

DECISION:

RECOMMENDED to the City Council that

DFR

(1) the City Council makes the following determinations under Part IV of the Local Government & Housing Act 1989 in accordance with existing policies and decisions for the financial year ended 31st March 2004:-

- (a) under Section 42(2)(g), the City Council determines that a sum of £11,765,808 has been treated as expenditure for capital purposes that is to be reimbursed or met out of money provided by any other person (i.e. grants and contributions);**
- (b) under Section 56(1), the City Council determines that credit approval to the value of £21,731,140 has been used as authorisation to capitalise expenditure;**

- (c) under Section 56(2), the City Council determines that £4,000,000 credit approval was transferred back to the city council from Hampshire County Council;
- (d) under Section 60(2), the City Council determines that the amount of usable capital receipts applied to meet expenditure for capital purposes was £8,765,679;
- (e) under Section 63(1), the City Council determines that the sum set aside as a provision against credit liabilities was £4,573,501. No amount was set aside from revenue to provide credit cover for entering into or varying of a credit arrangement;
- (f) the capital expenditure of £62,616,881 incurred in 2003/04 is financed as shown in paragraph 3 of the report;

(2) it is also recommended that the Treasury Management Outturn for 2004 reported in Section B of the report be noted.

Asset Management Service Business Plan 2004 –2007 (AI 5)

(TAKE IN REPORT)

DECISION:

HAMS

That the Asset Management Service Business Plan for 2004-2007 be approved.

93 Report of Topic Panel B on "Review of Housing Need" (AI 6)

(TAKE IN REPORT)

Councillor Mike Park, the Chair of Topic Panel B was in attendance in accordance with Standing Order 60.

Councillor Park commended the Topic Panel's report on 'Housing Need to the Executive and briefly explained the work which had been done as part of their review exercise. He also placed on record his thanks for the help given to the Panel by the witnesses who had assisted them and the officers who had provided administrative support.

CX

The Executive welcomed the report and also thanked the members of Panel B and the staff who had supported the Panel throughout their sequence of meetings. The Executive endorsed the Panel's 14 recommendations in principle but instructed the Chief Executive and members of the Strategic Management Team to bring back a detailed report to the Executive within two months outlining the resource and policy implications of adopting the Panel's suggestions.

DECISION:

CX **That the Panel's report be endorsed in principle but the Chief Executive and members of the Strategic Management Team report back to the Executive within two months, outlining the resource and policy implication of adopting the Panel's suggestions.**

94 Support to the Voluntary Sector - Grants to Voluntary Organisations and Community Groups (AI 7)

(TAKE IN REPORT)

DECISION:

- VSU **(1) That the annual grant allocation be approved via a single report to the Executive, to be collated and presented by the Voluntary Sector Unit;**
- (2) that the proposal that the existing departmental grants officers form a grants panel and that they meet quarterly to assess grant applications, collate necessary background details and make recommendations to the Executive as appropriate be approved;**
- VSU **(3) that it be noted that the Voluntary Sector Unit will provide all administration to the grant programme (including maintaining the database, notifying applicants, allocating finance and monitoring the grants;**
- (4) that the planned introduction of new application forms for this financial year also be noted.**

95 Designated Public Places Order to Ban Street Drinking and Deal with Alcohol Related Anti-Social Behaviour (AI 8)

(TAKE IN REPORT)

HCX Members of the Executive welcomed the report but indicated that they believed that it would be helpful to consult regarding whether a DPPO should apply to particular hotspots or the whole of the City. Members were also concerned that partnership working possibilities with street drinkers should be investigated, to try and encourage them not to drink on the streets. Executive Members also asked that further work be taken with the local police over the practicalities and implications of the current enforcement guidelines.

 During discussion of this item, Members expressed their concern regarding the need to ensure that managers of licensed premises were regularly reminded of their responsibilities not to sell alcohol to people who they believed were already under the influence of alcohol. They also expressed their wish that managers of licensed premises be reminded of the need to ensure that young, or inexperienced bar staff employees received adequate supervision and support when confronted with aggressive customers who had been refused service.

DECISION:

(1) That provisional approval be given to proceed to a Designated Public Places Order (DPPO) for identified locations within Portsmouth. (The DPPO makes it an offence to drink alcohol after being requested by a police officer not to do so and gives subsequent powers to police officers to request the surrender of alcohol and make an arrest if the drinker refuses to do so after the request has been made);

CX

(2) that the Chief Executive be given delegated authority to undertake full consultation following the publication of a "notice of intention" to make such an order in a local newspaper and a 28-day period for receipt of representations. The final report would then be submitted to the Executive to consider making the order by fixing the Council's seal (with the Crime & Disorder Unit taking forward action as necessary);

HCX

(3) approval be given to the objectives of the Designated Public Places order;

(4) funding is identified to enable the designation to be effective, estimated cost between £15,000 and £30,000. (The existing Crime & Disorder budget does not have a budget for this work however it was agreed that some part of this cost be sought from our strategy partners, the Police and PCT;)

HCX

(5) that the Chief Executive and the Strategic Management Team be instructed to investigate partnership working possibilities with street drinkers to encourage them not to drink on the streets;

CX

(6) further work be undertaken with the local police over the practicalities and implications of the current enforcement guidelines.

HCX

96 Comprehensive Performance Assessment: Progress on the Action Plan - July 2004 (AI 9)

(TAKE IN REPORT)

The Executive welcomed the progress being made in respect of all the seven improvement priority areas. They also instructed the Chief Executive and Strategic Management Group to establish a CPA Working Group across the authority to assist with the City Council's CPA preparations.

CX

DECISION:

(1) That progress be made in all seven improvement priority areas be noted;

- (2) the implementation of moving towards Excellence Review and the way that it should add to the driver improvement, particularly by creating units which will focus on the priority issues such as benefits administration, cleansing, performance management, project and risk management and communications be noted;
- CX (3) the Chief Executive and Strategic Management Group be instructed to establish a CPA Working Group across the authority (to include members) to assist with the City Council's CPA preparations;
- HStgy (4) progress on the CPA improvement plan be considered on a quarterly basis in future;
- (5) the points in paragraph 4.9 of the report be agreed to be included in the summary sought by the Audit Commission for the annual assessment of the Council's progress.

97 Review of Achievement of Local Public Service Agreement Targets (AI 10)

(TAKE IN REPORT)

DECISION:

- (1) that current performance against target performance in respect of each of the 13 stretch targets that the City Council is trying to achieve be noted;

- HStgy (2) quarterly monitoring reports be submitted to the Executive in future.

98 The Portsmouth Second Generation Local Public Service Agreement (AI 11)

(TAKE IN REPORT)

The Executive Members indicated their approval in principle to the themes, outcomes and possible indicators for the second generation LPSA. It was suggested however that consultation with other members of the Council might be helpful.

DECISION:

- HStgy (1) That, subject to the Head of Strategy canvassing all Councillors for their views prior to finalisation, the themes, outcomes and possible indicators for the second generation Local Public Service Agreement be agreed as shown in the report and that;

- CX (2) that delegated authority be given to the Chief Executive, in consultation with the Leader, Deputy Leader and Opposition Group Leaders to agree the initial submission to the Office of the Deputy Prime Minister.

99 Copnor Bowling Association (AI 12)

(TAKE IN REPORT)

The Head of Asset Management advised that the Bowling Association had requested a larger clubhouse than originally proposed be part of their proposed relocation. He advised however that this would be cost neutral, by virtue of changing other elements of the overall scheme.

DECISION:

(1) the progress made in relation to the relocation of the Copnor Bowling Association be noted;

HAMS

(2) the proposal to provide an indoor bowling facility for the association be approved.

100 Ofsted Inspection Report on Portsmouth LEA (AI 15)

(TAKE IN REPORT)

The Leader advised that had accepted this item on a Supplementary Agenda as the information contained within the report was unavailable at the time of the despatch of the main agenda.

The Director of Education & Lifelong Learning briefly introduced the report, welcoming the big improvements and progress that have been made in the past four years. She particularly welcomed the interest that had been shown by members in respect of the task of improving the education service within the City. The Director of Education & Lifelong Learning pointed out that the Portsmouth LEA was one of the fastest improving LEA's in the country.

The Executive endorsed the report and congratulated both the Executive Member and the group Spokespersons for the interest that they had shown. The Executive also indicated that they wished it to be formally recorded that their efforts and those of the education service staff were greatly appreciated.

DECISION:

That the contents of the Ofsted inspection report be noted and welcomed.

101 End of Key Stage Assessments and GCSE Results 2003 (AI 16)

The Leader advised that he indicated his acceptance of this item on a Supplementary Agenda as the information contained within the report was unavailable at the time of the despatch of the main agenda.

The Director for Education & Lifelong Learning gave an update in respect of the provisional results that had recently been received. While acknowledging that fluctuations in results on a year-by-year basis were inevitable, she reminded the Executive Members that the five-year trend within the City had been upward and improving.

The Director for Education & Lifelong Learning stated that action plans had already been put in place to seek further improvement, in particular in respect of progress required at two of the City's schools. The Director indicated that she would report again in November of this year as to the progress that had been achieved.

DECISION:

- (1) That the Executive notes the City averages for 2004 in comparison with this year's national averages and the trend in results since 2000;**
- (2) the Executive notes the progress and actions that have already been put in place by the Education service to secure further improvement, in particular in respect of the progress required at Miltoncross and the City of Portsmouth Boys' School;**
- (3) that the Director of Education & Lifelong report further to the Executive in November 2004 on the actions taken to seek to secure further improvements and the progress that has been made.**

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102 Exclusion of Press and Public (AI 13)

RESOLVED (1) that the public be excluded from the meeting during the following items of business because it is likely that if members of the public were present, there would be disclosure to them of "exempt information" within paragraph 7 of Part I of Schedule 12A to the Local Government Act 1972;

(2) that in the event of the recommendations or resolutions of this Sub-Committee in relation to the following items of business being considered by any other Committee or by the City Council, they be recommended to exclude the public during such consideration because it is likely that if members of the public were present there would be disclosure to them of "exempt information" within paragraph 7 of Part I of Schedule 12A to the Local Government Act 1972.

103 New Theatre Royal (AI 14)

(TAKE IN REPORT AND EXEMPT APPENDIX)

The Head of Financial Services indicated that a formal request had been made by the Theatre Royal to assist in respect of temporary cash flow issues. She advised that were the Executive minded to agree the recommendation before them there would be a loss of interest to the City council of approximately £1,500.

DECISION:

- (1) That an interest free loan be advanced to the new Theatre Royal Trust, based on the cash flow expectations of the Trust's capital project;**
- (2) That interest be charged at 2% over the base rate if the loan is not repaid by November 2004.**

Meeting closed at 3.15 pm

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Councillor Gerald Vernon-Jackson (Leader)

NE/LP
6 October 2004
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