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# NOTICE OF MEETING

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## CABINET

**THURSDAY, 5 MARCH 2015 AT 1.00 PM**

**EXECUTIVE MEETING ROOM - THE GUILDHALL - FLOOR 3**

Telephone enquiries to Joanne Wildsmith, Democratic Services Tel 9283 4057  
Email: [joanne.wildsmith@portsmouthcc.gov.uk](mailto:joanne.wildsmith@portsmouthcc.gov.uk)

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## Membership

Councillor Donna Jones (Chair)

Councillor Luke Stubbs  
Councillor Ken Ellcome  
Councillor Frank Jonas  
Councillor Lee Mason

Councillor Robert New  
Councillor Linda Symes  
Councillor Steve Wemyss  
Councillor Neill Young

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(NB This Agenda should be retained for future reference with the minutes of this meeting.)

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

**Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendations). Email requests are accepted.**

## AGENDA

**1 Apologies for Absence**

**2 Declarations of Interests**

**3 Record of Previous Decision Meeting - 5 February 2015 (Pages 1 - 8)**

RECOMMENDED that the record of decisions of the Cabinet meeting held on 5 February 2015 are agreed as a correct record to be signed by the chair.

**4 Local Transport Plan 3 2015/16 (Pages 9 - 14)**

The purpose of the report by the Head of Transport & Environment is to seek approval from the Cabinet to present the draft Local Transport Plan 3 (LTP 3)

Implementation Plan 2015/16 to Full Council for approval.

**RECOMMENDED that the Cabinet:**

- 1) **Approve the attached Implementation Plan for onward consideration by Full Council.**
- 2) **Delegates authority to the Head of Transport and Environment in consultation with the Cabinet Member for Traffic and Transportation, the Strategic Director for Regeneration and the Section 151 Officer to agree any minor amendments to the Implementation Plan that may be required to take account of future funding changes and policy announcements.**

**5 Special Educational Needs and Disabilities (SEND) - Implementation Grant (New Burdens) 2015-16 allocation (Pages 15 - 18)**

The purpose of this report by the Inclusion Commissioning Manager is to seek agreement to allocate the Special Educational Needs Implementation Grant for 2015-16 to continue to fund the additional staff who have been recruited to carry out the 'conversion' statutory assessments, as specified in the new special educational needs and disabilities legislation.

The funding allocated to Portsmouth is £116,389. This has been allocated as an un-ring-fenced grant and so Cabinet approval is required in order to allocate this grant to the Education Service to support continued implementation of the SEND Reforms.

**RECOMMENDED that the Cabinet:**

- 1) **Approve the full allocation of the Special Educational Needs Implementation Grant of £116,389 in 2015-16.**
- 2) **Approve the proposals for utilising the grant to continue to fund the staff who have been employed on a fixed term basis to enable successful conversion of existing statements and Moving-on Plans to Education Health and Care Plans.**

**6 Building Control Partnership - update (Pages 19 - 20)**

The report by the City Development Manager is to provide an update to Cabinet on the progress of the Building Control Partnership discussions between Portsmouth City Council and the Fareham and Gosport Building Control Partnership (FGBCP).

**RECOMMENDED that the Cabinet note:**

- (1) **That the Strategic Director (SD) for Regeneration in consultation with the portfolio holder for PRED have endorsed the recommendation that PCC enter into a partnership arrangement with the Fareham and Gosport Building Control partnership.**
- (2) **The progress and that the proposed date for the formation of the new partnership is 1<sup>st</sup> May 2015 (subject to formal endorsement by**

**Fareham and Gosport Borough Councils -March /April).**

**7 ECYP Scrutiny report on pupil premium in Portsmouth Schools with response report (Pages 21 - 60)**

The Education, Children and Young People (ECYP) Scrutiny Panel conducted a review into the use of Pupil Premium money in Portsmouth Schools and the impact of the spend on narrowing the gap and the purpose of the report by the Interim Head of Education is to respond the ECYP panel's report and recommendations.

**RECOMMENDED:**

- (1) That the panel is thanked for its work in undertaking the review**
- (2) That the Cabinet notes and supports the recommendations in the report, which are listed on pages 6-7 of the report.**
- (3) The original report is circulated with a covering letter to all schools to advise of the panel's findings and to highlight the ongoing importance of the PPG.**

**8 Housing & Social Care Scrutiny Review into hospital discharge arrangements in Portsmouth with response report (Pages 61 - 98)**

The response report on behalf of the Strategic Directors of Children's Services & Adults and for Regeneration is attached with the Housing & Social Care Scrutiny Panel's signed off report.

**RECOMMENDED:**

- (1) That Cabinet notes the comments in relation to the Scrutiny Panel recommendations at Point 3.1 within the response report.**
- (2) That Cabinet notes the points of clarification in Point 5 of the response report.**

**9 Treasury Management Strategy for 2015/16 (Pages 99 - 152)**

The report by the Head of Financial Services & S151 Officer seeks to is to obtain the Council's approval for 2015/16 to the Treasury Management Policy Statement (attached) which includes:

- Annual Minimum Revenue Provision for Debt Repayment Statement
- Annual Investment Strategy

(The recommendations as set out within the report are for referral to Council)

**10 Budget and Performance Management 2014/15 (3rd Quarter) to end December 2014 (Pages 153 - 190)**

The purpose of the report by the Head of Financial Services & S151 Officer is to update members on the current Revenue Budget position of the Council as at the end of the third quarter for 2014/15. To also take the opportunity to

report on the key performance measures of the Council and highlight any relationships between financial performance and service performance that may indicate any potential or emerging matters of concern in relation to either.

**RECOMMENDED to Council that:**

- (i) The forecast outturn position for 2014/15 be noted:
  - (a) An overspend of £822,200 after further forecast transfers to Portfolio Specific Reserves
  - (b) An overspend of £562,000 before further forecast transfers 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 2015/16 Cash Limit.
- (iii) Members note that the following actions have been instigated by the Head of Finance and S151 Officer in relation to the Children & Education Portfolio overspend:
  - (a) Initiated a review of the cost effectiveness of the use of supernumerary and agency posts and the contribution to the Integrated Commissioning Unit by Children's Social Care
  - (b) Requested that the Head of Children's Social Care produce a detailed action plan for reducing expenditure within the service to operate within the authorised cash limit for 2015/16
  - (c) Initiated fortnightly budget monitoring meetings, to review progress against budget and the action plan, with the Leader of the Council, Portfolio Holder, Chief Executive and Head of Children's Social Care.
- (iv) Heads of Service, 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 2015/16 Portfolio cash limit will be managed to avoid further overspending during 2015/16.

**11 Exclusion of Press and Public**

That in view of the contents of the following item on the agenda the Committee is **RECOMMENDED** to adopt the following motion:

**“That, under the provisions of Section 100A of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985, the press and public be excluded for the consideration of the following items on the grounds that the reports contain information**

defined as exempt in Part 1 of Schedule 12A to the Local Government Act, 1972”.

The public interest in maintaining the exemption must outweigh the public interest in disclosing the information.

Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) England Regulations 2012, regulation 5, the reasons for exemption of the listed items is shown below.

Members of the public may make representation as to why the item should be held in open session. A statement of the Council’s response to representations received will be given at the meeting so that this can be taken into account when members decide whether or not to deal with the item under exempt business.

(NB The exempt/confidential committee papers on the agenda will contain information which is commercially, legally or personally sensitive and should not be divulged to third parties. Members are reminded of standing order restrictions on the disclosure of exempt information and are invited to return their exempt documentation to the Senior Local Democracy Officer at the conclusion of the meeting for shredding.)

<u>Item</u>	<u>Exemption Para No.*</u>
12. Delivering Differently - Exempt Appendices 1, 3, 5 & 6	1, 2 & 3
*1. Information relating to any individual	
2. Information that is likely to reveal the identity of an individual	
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)	

**12 Delivering Differently - Establishment of a new social enterprise (Pages 191 - 208)**

The report by the Head of Health, Safety and Licensing informs members about the government's 'Delivering Differently' programme and requests the formal support of the Cabinet to establish a social enterprise in equal partnership with Hampshire Constabulary and Hampshire Fire and Rescue Service. The enterprise will be incorporated in the legal form of a Teckal compliant company limited by guarantee. In practice this means the council (alongside our partners) will retain a high level of control over the company's activity and the services it will provide. The timescale associated with this work means preparation has started in some areas.

**RECOMMENDED that the Cabinet:**

- (1) Delegate authority to the Interim Chief Executive with support from legal services to take all steps and prepare and submit all documents necessary to incorporate formally a 'shell' company ready to commence trading at a later date.**
- (2) Authorise the transfers, commencement of trading, and entering into all necessary legal documentation with the new company (New Co.), upon the section 151 officer in conjunction with the City Solicitor in consultation with the Leader being satisfied of the final business case, terms of transfer, and all related contractual documentation.**
- (3) Appoint the Cabinet Member for Environment and Community Safety as a member of the shadow board and instruct the Chief Executive to appoint another council officer, with the appropriate financial skills to support the Interim Chief Executive on the shadow board, with those individuals to become directors of the company upon incorporation.**
- (4) Approve the resource plan set out at item 19 to provided dedicated resources from HR, IT and finance to support the development of the business plan against the gateways and timeline set out in appendix 1**
- (5) Subject to approval in accordance with recommendation 3.1.2 delegate authority to the City Solicitor in consultation with the Section 151 Officer and the Interim Chief Executive to prepare, settle and execute all documents required for the transfer of staff, contracts, assets, equipment and accommodation as necessary to enable New Co to operate.**

Members of the public are now permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting or records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

23 February 2015

