

CABINET

RECORD OF DECISIONS of the meeting of the Cabinet held on Friday, 3 July 2015 at 1.00 pm at the Guildhall, Portsmouth

Present

Councillor Donna Jones (in the Chair)

Councillors Luke Stubbs
Ken Ellcome
Lee Mason
Robert New
Linda Symes
Steve Wemyss
Neill Young

38. Apologies for Absence (AI 1)

None.

39. Declarations of Interests (AI 2)

Regarding agenda item 6 (Friendship Agreement) Councillor Wemyss is a co-opted member of the Duisburg-Portsmouth Friendship Committee, which is not a pecuniary or personal interest.

40. Record of Previous Decision Meeting - 11 June 2015 (AI 3)

DECISION: that the record of decisions of the Cabinet meeting held on 11 June be approved as a correct record and signed by the Chair.

41. TECS Scrutiny panel - safety around schools - with response report (AI 4)

Alan Cufley, Director of Transport, Environment & Business Support presented the response report and would be working with his colleagues as well as the appropriate Cabinet Members to alleviate concerns and to meet the expectations raised by this review, as set out in the recommendations within the response report. (Councillor Potter, chair of the TECS Scrutiny Panel, apologised for not being able to attend the meeting.)

Councillor Ellcome, as Cabinet Member for Traffic & Transportation, reported that PCC are seeking to recruit more school crossing attendants. The Cabinet thanked the TECS Scrutiny Panel for its comprehensive report.

DECISIONS:

(1) The Panel was thanked for its work in undertaking the review.

- (2) **The Traffic, Environment and Community Safety Scrutiny Panel's recommendations be approved in line with the responses noted in paragraph 4 of the report by the Director of Transport, Environment, and Business Support.**
- (3) **The Cabinet Member for Traffic & Transportation would oversee the enforcement of the recommendations through his portfolio.**

42. Flood Prevention Works - North Portsea and Southsea (AI 5)

a) North Portsea Flood Defences

Alan Cufley, Director of Transport, Environment & Business Support presented the report with Guy Mason, Coastal Defence Manager, which outlined the progress made. He updated the consultation information - the drop-in surgeries were being held on Tuesdays and Thursdays (not Wednesdays).

Councillor New, Cabinet Member for Environment & Community Safety, was pleased that there had been positive feedback from the residents' consultation and that as well as offering protection there would also be enhanced areas for recreational use.

DECISION: The Cabinet noted the contents of the report.

b) Southsea Flood Defences

Councillor Gerald Vernon-Jackson addressed the Cabinet welcoming both of the flood defence reports and the works taking place and asked that the opposition spokespersons be kept informed of progress as well as the Cabinet Member. It was confirmed that the Cabinet Member for Environment & Community Safety and the spokespersons were being updated. Alan Cufley further stated that the Environment Agency would be looking at how councils corporately support the Southsea scheme and there would be dialogue on where the physical barriers will be before further permission is sought and further bids are made for other sources of funding. Guy Mason reported that they would be going back to the Environment Agency Large Project Review Group, the following week, to further the council's business case for Southsea Flood Defences and would be scrutinised regarding contributions.

DECISION The Cabinet:

(1) Approved the appointment of the Director of Transport, Environment and Business Support as the Senior Responsible Owner for the project.

(2) Noted that the scheme of delegations accommodates the Project by delegating, to the Director of Transport, Environment and Business Support, the responsibility for the delivery of the scheme with the control and oversight of the Deputy Chief

Executive (and City Solicitor) and the Head of Finance & Section 151 officer.

(3) Noted that the Director of Transport, Environment and Business Support will report regularly on progress to the Cabinet Member for Environment and Community Safety and the Opposition Spokespersons.

43. Notice of Motion - Friendship agreement with Zhuhai (AI 6)

Robert Parkin, Deputy City Solicitor, presented the City Solicitor's report on behalf of Michael Lawther, which set out the mutual benefits of a twinning arrangement, including increasing tourism opportunities. Councillor Donna Jones, as Leader, welcomed this proposal.

Councillor Lee Mason reported that this had been discussed and supported at the Twinning Advisory Group, and hoped that there could be cross party support, having worked with Councillor Gray to seek to alleviate his concerns. The Cabinet members felt that wider concerns of human and animal rights issues abroad could be best influenced through dialogue with both partner cities and companies engaged in business with the city council.

RECOMMENDED that Council approve the friendship agreement with Zhuhai.

44. Notice of Motion - Animal Welfare (AI 7)

Robert Parkin, Deputy City Solicitor, presented the City Solicitor's report which set out how various departments responded to the areas of the Animal Charter. Councillor Donna Jones, as Leader, was pleased to see how many areas the council is already enforcing sympathetic policies such as in the licensing of fairs and control of circuses, and she thanked the officers involved in the compilation of the report.

RECOMMENDED that Council note the position as set out in the report.

45. Property Investment Strategy 2015/16 - 2019/20 (AI 8)

Tom Southall, Property & Investment Manager, presented the report for the Director of Property & Housing, which sought approval for the strategy and would ask Council for the funding from the Capital Programme to establish the £30 million fund.

Councillor Stubbs, as Cabinet Member for Planning, Regeneration & Economic Development (PRED), requested a fourth recommendation for Cabinet to receive an annual report on the performance of this fund.

Councillor Gerald Vernon-Jackson addressed the Cabinet, welcoming the report and the suggested annual report back, and hoped that there would be involvement of the opposition spokespersons for the PRED portfolio.

Councillor Donna Jones, Leader of the Council, welcomed the establishment of "Portsmouth PLC" through this strategy and investment fund, and was pleased that the Administration was proactive in the council creating its own income. She would be working closely with Councillor Stubbs, Claire Upton-Brown and Tom Southall to ensure the swift implementation of the strategy. Councillor Stubbs stressed that the £30m was a starting point, not a fixed sum for the investment.

DECISIONS:-

(1) The Cabinet:

- i. Acknowledge and endorse the Investment Property Strategy 2015/16 - 2019/20 (attached as appendix 1 of the report) to be used as a guide to investments.**
- ii. Empowers the Corporate Asset Development Board to recommend and reject the purchase of investments including the sanctioning of formal offers and counter offers (due to the need for timely decision making in this type of industry and the need to respond to opportunities quickly).**
- iii. Agrees to give delegated authority to the Director of Property and the Director of Finance & Section 151 Officer, taking advice from the City Solicitor, and in consultation with the Leader of the City Council and the Cabinet Member for PRED, to approve the completion of investment purchases. This to be conditional upon the City Council approving the budget pursuant to recommendation (2) below.**
- iv. That an annual report be submitted to Cabinet summarising the activity within the Property Investment Fund including the fund's financial performance.**

(2) Cabinet RECOMMENDS to the City Council that authority is delegated to the Director of Finance and Section 151 Officer in consultation with the Leader of the Council and the Cabinet Member for PRED to:

- i) Amend the Corporate Capital Programme to create a Property Investment Fund of up to £30m financed from Prudential borrowing in 2015/16 and future years, to acquire additional investment property.**
- ii) Borrow as required for investment property purchases subject to a robust financial appraisal approved by the Director of Finance & S151 Officer that meets the criteria contained within the Property Investment Strategy and has proper regard to the following:**

- **The relevant capital and revenue costs and income resulting from the investment over the whole life of the asset.**
- **The extent to which the investment is expected to deliver a secure ongoing income stream.**
- **The level of expected return on the investment.**
- **The payback period of the capital investment.**

46. Developing proposals for devolved powers and responsibilities (AI 9)

David Williams, Chief Executive, presented his report and stressed that this was not about merger or takeover of local councils, instead it was about devolving national powers to a more local level, to the benefit of our residents. The original areas for devolution of powers of planning and transport were being broadened, and at Manchester they were also looking at health and social care. These proposals required significant discussion with other councils in the area to secure a good deal from the government. This would be a complex process due to the different pressures and issues for the councils involved. There may also be devolution of powers from other agencies who currently work in partnership with councils.

Regarding the issue of directly elected mayors, whilst this was a prerequisite where police and crime commissioner powers were taken on, this would not be required for other combined authorities. Even if there was a local consensus to the combined authority approach this would need central government approval. A further report would be needed to set out formal decision making arrangements for this to happen, and the Chief Executive would be speaking to the Leader and other group leaders in the meantime.

Councillor Gerald Vernon-Jackson addressed the Cabinet whose comments included welcoming the report, seeking assurances that the powers were being devolved downwards, making explicit that the Lord Mayor of Portsmouth's role would not be affected, ensuring Portsmouth decides spatial planning and housing numbers for the city, seeking reassurance that a congestion charge could not be imposed, and to ensure there is public consultation. He also felt the bid could include greater powers regarding motorways, the creation of a Hampshire Planning Inspectorate, and being able to scrutinise the decisions of the Boards.

In response Councillor Donna Jones, Leader, spoke regarding the preservation of the non-political role of the Lord Mayor of Portsmouth and felt that the elected mayor model would not be suitable for all areas (and was not being imposed for Cornwall). The whole of Hampshire could request to have a Chair of the Combined Authority. Whilst some of the extra suggested powers were desirable, the bid would need to be achievable in a swift timescale. Portsmouth City Council would remain a unitary authority but there could be efficiencies in working closely with other local authorities.

The Leader was working closely with Councillor Letts (Leader of Southampton City Council) and Councillor Bacon (Leader of the Isle of Wight Council) to give consideration to powers of veto for the unitary authorities to avoid impositions of measures e.g. congestion charges. She asked the Cabinet to give the power to the Chief Executive and the Leader. This would be a coming together of Leaders of Hampshire councils to make faster decisions and was not adding a 3rd tier of government. Portsmouth City Council would remain as it is unless decided otherwise by the full Council which would require constitutional changes. This report required an Executive rather than Council decision, and there would be a report back as this progressed. The Cabinet Members were supportive of this approach and the benefits that could be gained.

DECISION: the Cabinet is agreed that:

- 1) The Leader of the Council and Chief Executive continue to work with other authorities in the wider Hampshire area to develop a proposal for submission to Government to achieve devolved powers and responsibilities from Central Government that will lead to better outcomes for local people.**
- 2) This submission should include a proposal for a new governance arrangement, covering the geographical area of Hampshire and the Isle of Wight that would enable binding decisions to be made.**
- 3) Delegated authority is given to the Chief Executive and Leader of the Council, in consultation with the Opposition Group Leaders, to approve the initial proposal for submission to Central Government.**

Cabinet RECOMMEND to Council:

- 1) Given the potential significance of the proposals, that this report be presented to Full Council to note.***

(*Note - as 1-3 are Executive decisions they consequently are not subject to full Council approval or any amendments under current legislative provisions)

The meeting concluded at 2.05 pm.

Councillor Donna Jones
Leader of the Council