



# Agenda & minutes

Full Council meeting of  
Tuesday, 14 November 2017



# *Portsmouth City Council*

A MEETING OF THE COUNCIL will be held at the Council Chamber - The Guildhall on Tuesday, 14 November 2017 at 2.00 pm and all members of the council are hereby summoned to attend to consider and resolve upon the following business:-

## *Agenda*

- 1 **Members' Interests**
- 2 **To approve as a correct record the Minutes of (Pages 7 - 20)**
  - the ordinary Council meeting held on 17 October 2017.
- 3 **To receive such communications as the Lord Mayor may desire to lay before the Council, including apologies for absence.**
- 4 **Deputations from the Public under Standing Order No 24.**
- 5 **Questions from the Public under Standing Order 25.**
- 6 **Appointments**
- 7 **Urgent Business - To receive and consider any urgent and important business from Members of the Cabinet in accordance with Standing Order No 26.**
- 8 **Independent Remuneration Panel (Pages 21 - 34)**

To receive the recommendations of the Independent Remuneration Panel together with the cover report of the Chief Executive.

On 27 October, the Governance & Audit and Standards Committee met for the exclusive purpose of confirming that it is satisfied with the way the Independent Remuneration Panel undertook the review. The Panel's recommendations are attached (minute 62 refers).

## **Notices of Motion: Process information**

Standing Order (32(d)) requires a vote by members before each motion to determine whether or not the motion is to be debated at the meeting or stand referred to the Cabinet or relevant Committee (including Scrutiny) to report back to a future meeting.

### **9 Notices of Motion**

#### **(a) Notice of Motion (a)**

Proposed Councillor Will Purvis  
Seconded Councillor Robert New

This Council notes the recent activities of anti-abortion protestors outside the main entrance of the St Mary's Hospital Health Campus in Milton, the location of the British Pregnancy Advice Service clinic.

This Council also recognises the concerns of staff and those seeking treatment at the clinic, for example one patient said "It made an extremely difficult decision even more horrendous than it could/should have been... I suffer from mental health problems and I felt the comments made by protestors significantly increased my anxiety... No one should ever have to deal with that."

This motion is explicitly not one for or against abortion, which is available in Great Britain in the circumstances laid out in the Abortion Act 1967. This Council believes that all individuals should be protected from harassment and intimidation when accessing legally existing health services, and that local residents should not to be exposed to related disruption and distress on a daily basis.

The right to protest needs to be balanced with the right of pregnant women to choose and to obtain advice and treatment in confidence and free from intimidation. Those who wish to campaign against abortion have plenty of opportunities and locations in which to do so. The area outside a clinic need not and should not be one of them.

This Council asks the Cabinet to do all within its powers to prevent anti-abortion protestors from intimidating and harassing women outside the St Mary's Hospital, and its entrances.

The Council also notes the steps taken by Ealing Council to pursue a Public Space Protection Order to prevent harassment of women accessing pregnancy advice services in their Borough.

This Council therefore requests that a report be brought to the Cabinet Member for Community Safety fully exploring every possible option, including the use of a Public Spaces Protection Order, to create a 'buffer zone' around this location to provide the necessary reassurance and security that all women need and deserve as they make their own personal decision about their pregnancy.

(b) **Notice of Motion (b)**

Proposed by Councillor Donna Jones  
Seconded by Councillor Lee Mason

Cities across the world benefit from the cultural and economic prosperity that twinning and associated working can bring. Portsmouth City Council is fortunate to have twinning and friendship links with cities around the world from Japan and Australia to the United States of America.

Thirty years ago Portsmouth and Caen agreed a formal twinning link. The agreement was signed by Councillors in the Guildhall on 5<sup>th</sup> June 1987 under the then Leader of the council Councillor Ian Gibson and Lord Mayor Councillor Jim Lodge.

Over the years the city of Portsmouth has hosted councillors, Mayors, businesses, tourists, and historians who have celebrated the significance of the two cities. With companies such as Brittany Ferries prospering as the friendship grows and the two cultures sharing their common history of the significance of the D Day landings this Chamber is pleased to celebrate this active and successful link.

The Council therefore resolves that the Leader of the Council formally present an official letter commemorating the special relationship between the two cities to the Mayor of Caen, Mayor Joël Bruneau, to thank him on behalf of the City of Portsmouth for the 30 years of friendship our cities have enjoyed when they meet at the end of November.”

**10 Questions from Members under Standing Order No 17. (Pages 35 - 36)**

David Williams  
Chief Executive

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.

**This meeting is webcast (videoed), viewable via the Council's livestream account at <https://livestream.com/accounts/14063785>**

If any member of the public wishing to attend the meeting has access requirements, please notify the contact, the Local Democracy Manager at [Stewart.Agland@portsmouthcc.gov.uk](mailto:Stewart.Agland@portsmouthcc.gov.uk). Please also use this email address for any deputation requests.

Civic Offices  
Guildhall Square  
PORTSMOUTH  
6 November 2017

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# Agenda Item 2

17 October 2017

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MINUTES OF A MEETING OF THE COUNCIL held at the Guildhall  
Portsmouth on Tuesday, 17 October 2017 at 2.00 pm

## Council Members Present

The Right Worshipful The Lord Mayor  
Councillor Ken Ellcome (in the Chair)

## Councillors

Dave Ashmore	Hugh Mason
Simon Boshier	Lee Mason
Jennie Brent	Stephen Morgan
Ryan Brent	Gemma New
Yahiya Chowdhury	Robert New
Alicia Denny	Steve Pitt
Ben Dowling	Stuart Potter
John Ferrett	Darren Sanders
Jim Fleming	Lynne Stagg
David Fuller	Luke Stubbs
Colin Galloway	Julie Bird
Paul Godier	Linda Symes
Steve Hastings	David Tompkins
Hannah Hockaday	Gerald Vernon-Jackson CBE
Suzy Horton	Steve Wemyss
Lee Hunt	Matthew Winnington
Frank Jonas BEM	Neill Young
Donna Jones	Rob Wood
Ian Lyon	Tom Wood
Leo Madden	

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

Councillor John Ferrett declared a disclosable pecuniary interest in agenda item 12(d) - Living Wage in that his wife works for a school that is under local authority control and said he would leave for that item.

Councillor Steve Wemyss declared a pecuniary interest in item 12(d) - the Living Wage and left the chamber part way through the debate.

### 66. Minutes of the Extraordinary and Ordinary Council Minutes held on 11 July 2017 and the Extraordinary Council Meeting held on 2 August 2017

It was

Proposed by Councillor Donna Jones

Seconded by Councillor Gerald Vernon-Jackson

That the minutes of the extraordinary and ordinary council meetings held on 11 July 2017 and the extraordinary council meeting held on 2 August 2017 be confirmed and signed as a correct record.

**RESOLVED that the minutes of the extraordinary and ordinary meetings of council held on 11 July 2017 and the extraordinary meeting held on 2 August 2017 be confirmed and signed as a correct record.**

#### **67. Communications and Apologies for Absence**

Apologies for absence were received on behalf of Councillors Will Purvis and Scott Harris.

Apologies for having to leave the meeting early were given by Councillors Paul Godier, Lee Mason, Leo Madden and Frank Jonas.

Apologies for lateness were received from Councillor Jim Fleming.

The Lord Mayor gave detailed information concerning filming in the chamber and advised members that the council chamber had undergone a refurbishment and upgrade to improve its capability and address the previous system's increasing microphone unreliability. He thanked Peter Smith-Parkyn for his work in connection with this. The Lord Mayor then gave detailed information to members about how the new system would work. He reiterated the council's rules which strictly prohibit the filming, photographing or recording of members of the public unless they are addressing the meeting and only then if they do not actively object. Filming from gallery to gallery is also prohibited.

The Lord Mayor then gave details of the evacuation procedure and reminded everyone that there are building evacuation signs displayed both inside the public galleries and in the chamber itself.

The Lord Mayor then welcomed the council's recently appointed Director of Regeneration, Tristan Samuels, to the meeting.

He also welcomed year 2 students from Portsmouth University who are studying public policy and who were in attendance to observe the proceedings.

On behalf of the council, the Leader of the Council, Councillor Donna Jones congratulated Councillor Gemma New on the recent birth of her baby daughter in September.

#### **68. Deputations from the Public under Standing Order No 24**

The City Solicitor advised that six deputation requests had been received by the deadline. He also advised that one written representation on agenda item 12(b) - Notice of Motion - Economic Viability Assessments from Developers had been received from Shelagh Simmons and had been circulated in the chamber.

A deputation on agenda item 8 - Treasury Management Outturn Report 2016/17 was given by Mr Simon Docker.

Deputations on agenda item 12(b) - Economic Viability Assessments from Developers - were given by Ms Charlotte Udy and Ms K Barrett.

Deputations on agenda item 12(c) - Flooding - were given by Mr Charles Burns and Ms J Smyth.

A deputation was given on agenda item 12(d) - Living Wage - by Mr A Tier - Unison.

The City Solicitor thanked all those who had made deputations.

**69. Questions from the Public under Standing Order No 25**

There were no questions from the public.

**70. Appointments**

There were no appointments.

**71. Urgent Business - To receive and consider any urgent and important business from Members of the Cabinet in accordance with Standing Order No 26**

The Lord Mayor advised that there was no urgent business.

**Recommendations from the Cabinet Meeting held on 28 September**

**72. Minute 43 - Treasury Management Outturn Report 2016/17**

Minute 43 was approved unopposed.

**73. Minute 44 - Treasury Management Mid-Year Review 2017/18**

Minute 44 was approved unopposed.

**Recommendations from the Resources Portfolio Meeting held on 12 October 2017**

**74. Minute 14 - Broadcasting Council Meetings**

Minute 14 was approved unopposed.

**Recommendations from the Scrutiny Management Panel held on 26 July 2017**

**75. Minute 13 - Hampshire Fire and Rescue Service - Response Following Motion Referral**

Minute 13 - Hampshire Fire and Rescue Service - response following Motion referral was opposed.

It was

Proposed by Councillor Steve Hastings  
Seconded by Councillor Alicia Denny

That the recommendation from the Scrutiny Management Panel as set out on the agenda papers be approved.

As an amendment it was

Proposed by Councillor Steve Pitt  
Seconded by Councillor Tom Wood

That the following wording be added to the end of the SMP recommendation

"This Council thanks SMP for its work and the Hampshire Fire Service and the FBU for assisting their deliberations.

This Council welcomes Hampshire Fire Service's adoption of changes proposed by the Fire Brigades Union, to the pre-determined attendance (PDA) procedures for tall building fires in Portsmouth.

The previous policy, implemented following last year's Hampshire Risk Review, meant that Southsea's Aerial Ladder Platform (ALP) would not, on occasion, have been able to be deployed were there to have been a high rise incident in Portsmouth, through being part of the PDA for tall buildings fires. As a result, there would be occasions, had the FBU's changes not been adopted, where Portsmouth would be dependent on Southampton's ALP to provide cover whilst Southsea's ALP remained at the Fire Station.

At the time of the Risk Review, this Council was warned that such an issue would arise but decided to ignore the FBU's concerns.

In order to provide a solution, the FBU proposed crewing changes to their management, which have now been fully implemented, enabling Southsea's ALP to be deployed in almost all circumstances.

The council wishes to thank the FBU for its sensible and pragmatic approach to solving the problem, and regrets that it did not listen to the city's FBU representatives, when they brought a deputation to Full Council last year.

The council recognises that the solution of 'triple-jumping' a crew onto the ALP is not ideal and thanks the FBU for proposing changes to its established

working practices, which have enabled this to be possible, in order to better guarantee their safety and the safety of the people of Portsmouth.

Finally, this council wishes to thank Hampshire Fire Service management for agreeing to make the changes proposed by the FBU and for working constructively with them to implement the new policy."

The Leader of the Council, Councillor Donna Jones said that it was likely that the additional wording could be agreed subject to a small amendment. To allow this to happen, it was

Proposed by Councillor Donna Jones  
Seconded by Councillor Vernon-Jackson

That standing orders be suspended in order to agree an amendment to the proposed amendment by Councillor Pitt. The Lord Mayor agreed to proceed on this basis. Upon being put to the vote it was agreed to suspend standing orders for the purpose outlined above.

Councillor Steve Hastings agreed to the amendment to the amendment (which was to agree all of the wording except the words "but decided to ignore the FBU's concerns" to be subsumed into the original recommendation. Upon being put to the vote, the recommendation from the Scrutiny Management Panel including the amended wording was CARRIED.

#### **RESOLVED that**

**"Scrutiny Management Panel (SMP) have considered the notice of motion on the 'Hampshire Fire and Rescue Service'.**

**SMP notes (having heard from representatives of the FBU and Hampshire Fire and Rescue Service) that the ALP has never been taken off the pre-determined attendance (PDA) procedure for tall buildings fires.**

**SMP notes that the Council as landlord of its own housing, as well as in its private-sector housing regulation role, depends on a strong partnership with Hampshire Fire and Rescue Service and works with them and other stakeholders including the FBU to promote and maintain fire safety and to continue to be vigilant and seek to plan for the evolving risks and pressures in which they operate. This involves examining for a range of fire safety issues and solutions, beyond ALPs.**

**SMP welcomes the expertise of Hampshire Fire and Rescue Service and the Fire Brigade Union and recognise that they have jointly worked toward a solution in this instance, and strongly encourages the continuation of the strong partnership ethos which characterises the relationships.**

**This Council thanks SMP for its work and the Hampshire Fire Service and the FBU for assisting their deliberations.**

**This Council welcomes Hampshire Fire Service's adoption of changes proposed by the Fire Brigades Union, to the pre-determined attendance (PDA) procedures for tall building fires in Portsmouth.**

**The previous policy, implemented following last year's Hampshire Risk Review, meant that Southsea's Aerial Ladder Platform (ALP) would not, on occasion, have been able to be deployed were there to have been a high rise incident in Portsmouth, through being part of the PDA for tall buildings fires. As a result, there would be occasions, had the FBU's changes not been adopted, where Portsmouth would be dependent on Southampton's ALP to provide cover whilst Southsea's ALP remained at the Fire Station.**

**At the time of the Risk Review, this Council was warned that such an issue would arise.**

**In order to provide a solution, the FBU proposed crewing changes to their management, which have now been fully implemented, enabling Southsea's ALP to be deployed in almost all circumstances.**

**The council wishes to thank the FBU for its sensible and pragmatic approach to solving the problem, and regrets that it did not listen to the city's FBU representatives, when they brought a deputation to Full Council last year.**

**The council recognises that the solution of 'triple-jumping' a crew onto the ALP is not ideal and thanks the FBU for proposing changes to its established working practices, which have enabled this to be possible, in order to better guarantee their safety and the safety of the people of Portsmouth.**

**Finally, this council wishes to thank Hampshire Fire Service management for agreeing to make the changes proposed by the FBU and for working constructively with them to implement the new policy."**

#### **Notices of Motion**

The Lord Mayor advised that there five notices of motion before council.

#### **76. Notice of Motion (a) - The Committee System**

It was

Proposed by Councillor Colin Galloway  
Seconded by Councillor Stuart Potter

That this notice of motion be debated today.

Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Colin Galloway  
Seconded by Councillor Stuart Potter

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

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

Council adjourned at 4.45 pm.

Council resumed at 5.15 pm.

#### **77. Notice of Motion (b) - Economic Viability Assessments from Developers**

It was

Proposed by Councillor Steve Pitt  
Seconded by Councillor Ben Dowling

That Notice of Motion (b) as set out on the agenda be debated today.

Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Steve Pitt  
Seconded by Councillor Ben Dowling

That Notice of Motion (b) as set out on the agenda be adopted.

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

**RESOLVED that Council adopted the following Notice of Motion**

**This council recognises the need to provide quality homes which are affordable to those on low and middle incomes in Portsmouth, and for transparency in regard to planning applications to ensure that the council's own policies, on affordable housing requirements, as laid out in the Portsmouth Plan, are met.**

**It has become clear that there are companies who are openly boasting in their promotion, that they can help developers to avoid paying Section 106 monies and making appropriate levels of affordable housing provision.**

**These companies produce what are known as Economic Viability Assessments or EVAs, in order to demonstrate that developers are not making sufficient profits to enable councils to insist on full 106 or affordable housing contributions.**

**This issue has caused concern among councillors across the political spectrum in the city, along with notable contributions from both members of the public and party activists of different hues.**

**Whilst some of these EVAs are no doubt submitted in good faith, there is sufficient evidence to suggest that the reports are often prepared in such a way as to attempt to confuse local planning committees and present a misleading picture. Indeed, some councils, especially in London, are now insisting that EVAs are no longer able to be submitted unless they are able to be viewed by members of the public and in open session at planning committee meetings.**

**In principle, this council supports this view and will take every action possible in order to ensure that there is transparency in this regard and that developers are making the appropriate contributions to benefit our communities.**

**Accordingly, this council, which is committed to increasing the delivery of affordable housing as set out in the Portsmouth Plan, requests that the Cabinet Member for Planning, Regeneration and Economic Development, commissions the development of a Draft Development Viability Supplementary Planning Document to:**

- 1. Consider offering a 'fast-track' planning service to applications which deliver 30%, or more, affordable housing, to incentivise this behaviour by developers.**
- 2. Require any planning application which does not meet the affordable housing requirement, contained in the Portsmouth Plan, to submit an Economic Viability Assessment which must be fully public and will be published online alongside the other planning application materials.**
- 3. Require such Economic Viability Assessments to be in a standard form, to be agreed by Portsmouth City Council, to aid understanding and comparison by members of the planning committee and the public.**
- 4. Consider a threshold approach to internal review of Economic Viability Assessments, whereby large applications would be reviewed by external experts to ensure the accuracy of the assessments, especially around residual land values and assumed sales rates.**
- 5. Employ 'clawback' mechanisms as standard when large applications cannot comply with the affordable housing thresholds, to ensure that any subsequent improvement in viability is accompanied by an appropriate increase in the affordable housing provision.**

**Such a document would enable these factors to become a material consideration for the Planning Committee dependent on the circumstances of individual applications.**

**78. Notice of Motion (c) - Flooding**

It was

Proposed by Councillor Luke Stubbs  
Seconded by Councillor Hugh Mason

That notice of motion (c) be debated today

Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Luke Stubbs  
Seconded by Councillor Hugh Mason

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

Following debate, on being put to the vote, this was CARRIED

**RESOLVED that notice of motion (c) as set out on the agenda be adopted.**

**"As a low lying city with an extensive coastline, Portsmouth will be dangerously exposed if climate projections that show rising sea levels and more frequent storms prove to be accurate.**

**It is therefore welcome news that the City Council has secured £5.8m from the Environment Agency to work up a detailed scheme to protect homes and businesses in Southsea from the increased risk of flooding that may arise over the coming century.**

**While acknowledging the critical role public consultation has to play, the City Council is keen for this work to progress. It is opposed to any suggestion which would involve the War Memorial and the Pyramids being moved and it considers the likely cost of an underground car park to be prohibitive. It notes that central government funding is not available for any works not directly associated with reducing flood risk and it acknowledges the pressure on its own capital resources, which it expects to continue for the foreseeable future.**

**The City Council therefore puts on record its support for the general approach to flood defences taken by this administration and by its predecessor."**

**79. Notice of Motion (d) - Living Wage**

It was

Proposed by Councillor Gerald Vernon-Jackson  
Seconded by Councillor Leo Madden

That notice of motion (d) be debated today.

Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Gerald Vernon-Jackson  
Seconded by Councillor Leo Madden

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

As an amendment, it was

Proposed by Councillor Luke Stubbs  
Seconded by Councillor Jennie Brent

"To amend paragraph two to say

The City Council notes that local government is not covered by the public pay cap, but that due to the financial constraints they have had to operate under, local government employers have voluntarily adopted a policy of restraint. The City Council believes that increases in pay should be funded by central government.

Amend paragraph three to say:

Council recommends to the Employment Committee that in respect of PCC, it asks for a paper on whether or not to introduce a policy of paying the Living Wage (as defined by the Living Wage Foundation)."

Following debate upon being put to the vote the amendment standing in the name of Councillor Luke Stubbs was CARRIED

Upon being put to the vote the substantive notice of motion incorporating the amendment was CARRIED.

**RESOLVED that**

**The City Council recognises that many people in Portsmouth working in both the public and private sector have not seen a pay rise for some years. The rise in inflation caused by the fall in the value of the pound means this is a real wage cut for many.**

**The City Council notes that local government is not covered by the public pay cap, but that due to the financial constraints they have had to**

**operate under, local government employers have voluntarily adopted a policy of restraint. The City Council believes that increases in pay should be funded by central government.**

**Council recommends to the Employment Committee that in respect of PCC, it asks for a paper on whether or not to introduce a policy of paying the Living Wage (as defined by the Living Wage Foundation).**

#### **80. Notice of Motion (e) - Cycling**

It was

Proposed by Councillor Hugh Mason  
Seconded by Councillor Matthew Winnington

That notice of motion (e) be debated today.

Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Hugh Mason  
Seconded by Councillor Matthew Winnington

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

As an amendment it was

Proposed by Councillor Stephen Morgan  
Seconded by Councillor Yahiya Chowdhury

That

"In bullet point b.

Replace "financing" with "funding"

Add after "relevant bodies and that,", "once the Local Transport Plan Capital Programme is approved at the Annual Budget meeting,"

Replace "capital funds" with "allocation"

Add at the end after " accomplishment of the strategy", "progressively increasing by 1% per year, with a view to reaching £20 per person per year (in line with Cycling All Party Parliamentary Group recommendations) as a combination of local and national funding contributions"."

Amended bullet point b. to therefore read

- b. "Identifies all implementation costs associated with the strategy and seeks **funding** for these costs through bids to the Department for Transport and other relevant bodies and that, **once the Local**

**Transport Plan Capital Programme is approved at the Annual Budget meeting**, the Cabinet considers allocating 5% of the Local Transport Plan **allocation** each year towards the accomplishment of the strategy, **progressively increasing by 1% per year, with a view to reaching £20 per person per year (in line with Cycling All Party Parliamentary Group recommendations) as a combination of local and national funding contributions**".

As an amendment it was

Proposed by Councillor Simon Boshier,  
Seconded by Councillor Ryan Brent

to

Delete paragraph three and replace with:

The Portsmouth Cycle forum a "City to share" has paved the way to provide the aims of space for cycling. It notes that the Local Transport Plan has committed to cycling £2.5m in the last three years.

Add paragraph four:

This council recognises the government support for our LCWIP (Local Cycling and Walking Investment Plan) which includes our other named interested parties: Portsmouth Friends of the Earth, Ramblers, Walking Friends, Portsmouth Cycle Forum, Sustrans and Cycling UK.

Amend recommendation (a) to:

Continue to develop a cycling strategy based on the Portsmouth Cycle forum's a "city to share" to include a network of safe, accessible and direct routes. This strategy to be drawn up in consultation with stakeholders, including the Portsmouth Cycle Forum.

Amend recommendation (b) to:

Change 5% to 10%

Following debate upon the Labour amendment standing in the name of Councillor Morgan being put to the vote, this was LOST.

The mover of the original motion, Councillor Hugh Mason agreed to subsume into it the Conservative amendment standing in the name of Councillor Boshier.

Upon being put to the vote, the substantive notice of motion incorporating the Conservative amendment was CARRIED.

**RESOLVED that the following notice of motion be adopted**

**"Portsmouth City Council aims to protect residents and visitors from road danger, air and noise pollution, and improve the health economy and wellbeing of our local communities. The Council recognises that creating a public environment that encourages cycling and walking is a low cost and highly effective way of achieving these aims and should therefore invest in changing patterns of travel towards walking and cycling.**

**This Council showed initiative by being the first to introduce a city-wide 20 mph limit in residential roads. This has improved safety. The Council recognises that the Cycling UK's 'Space for Cycling' campaign highlights areas where further improvement should be made.**

**The Portsmouth Cycle forum a "City to share" has paved the way to provide the aims of space for cycling. It notes that the Local Transport Plan has committed to cycling £2.5m in the last three years.**

**This council recognises the government support for our LCWIP (Local Cycling and Walking Investment Plan) which includes our other named interested parties: Portsmouth Friends of the Earth, Ramblers, Walking Friends, Portsmouth Cycle Forum, Sustrans and Cycling UK.**

**In order to progress this the City Council request that the Cabinet**

- a. Continue to develop a cycling strategy based on the Portsmouth Cycle forum's a "city to share" to include a network of safe, accessible and direct routes. This strategy to be drawn up in consultation with stakeholders, including the Portsmouth Cycle Forum.**
- b. Identifies all implementation costs associated with the strategy and seeks financing for these costs through bids to the Department for Transport and other relevant bodies and that the Cabinet also considers proposing the allocation of at least 10% of all Local Transport Plan capital funds each year towards the accomplishment of the strategy."**

#### **81. Questions from Members under Standing Order No 17**

There were five questions before council.

**Question No 1** was from Councillor Linda Symes

"Could the Leader give an update on the property portfolio and outline the criteria under which the government allows this money to be spent?"

This and supplementary questions were answered by the Leader of the Council, Councillor Donna Jones.

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**Question No 2** was from Councillor Neill Young

"Following the recent spate of burglaries across Portsmouth, would the Cabinet Member for Community Safety agree that the re-establishment of the Community Tasking Coordination Group meetings would ensure that there was a co-ordinated response to these incidents?"

This and supplementary questions were answered by the Cabinet Member for Environment & Community Safety, Councillor Robert New.

The 45 minutes allowed for questions expired before the remaining questions could be put and so in accordance with Standing Order 17(h) written replies would be circulated to members.

The Lord Mayor thanked everyone for their attendance.

The meeting concluded at 9.15 pm.

.....  
Lord Mayor

# Agenda Item 8

Recommendations to Council from the meeting of Governance & Audit & Standards Committee held on 27 October 2017

Council Agenda Item 8 (G&A&S minute 62)

**RECOMMENDED to Council** (on behalf of the Independent Remuneration Panel)  
**the findings of the Panel**

**That**

- (1) No change should be made to any of the various elements comprising the Members Allowances Scheme ("the Scheme") except that,**
- (a) the Lord Mayor and Deputy Lord Mayor are to be included in the Scheme with a Special Responsibility Allowance (SRA) multiple of Basic Allowance of 0.7 and 0.1 respectively making the positions index-linked and if the recommendation is agreed by Council, to be effective from the date of that Council Meeting.**
- Note 1 This is not an additional allowance for the Lord Mayor and Deputy Lord Mayor but is simply to bring their allowance formally within the scheme and particularly within the Index Linked regime rather than be permanently fixed as they have been. The proposed changes result in broadly similar allowances currently paid for these positions outside of the scheme which are - Lord Mayor allowance is currently £7,100 and the Deputy Lord Mayor is currently £923.
- Note 2 A footnote would be added to the relevant section as follows "Recognising the roles of Lord Mayor and Deputy Lord Mayor are greater than is required normally of a councillor, as per The Local Authorities (Members' Allowances) (England) Regulations 2003, Special Responsibility Allowances"
- (b) a note would be added to the Scheme to clarify that any remuneration received through representing the Council on any Outside Body sits outside the Scheme.**
- (c) the wording in the section on Carers' Allowance is amended to link it to the "Portsmouth Living Wage" (currently £7.85 per hour)**
- (d) the wording of the first paragraph of section B (1) Travelling Allowances is amended to add the following wording**  
**That "Travel claims to a destination outside the City must be from a member's Portsmouth registered address, (or from the Council's Civic Offices if that is the member's starting point and is nearer to the destination). Claims from another location can be made if it is nearer to the destination outside the City."**
- (2) Notwithstanding the index-linked arrangement, a further review of the Scheme be carried out to be completed in time for the start of the 2021-2022 financial year to meet the 4-yearly review requirement.**

**(3) The existing Independent Review Panel be retained as a Standing Panel in the interim period, whose members (with a quorum of three for any decision to be taken) can consider issues that arise in connection with the Scheme before the next review, either by email or in meetings.**

The Scheme incorporating the above revisions is attached as Appendix 1 of the report for approval

Further to the Panel's recommendations the committee also wished to recommend that the members of the Independent Review Panel be thanked for their time and attention in undertaking the Review.



<b>Title of meeting:</b>	Governance & Audit & Standards Committee Council
<b>Date of meeting:</b>	27 October 2017 14 November 2017
<b>Subject:</b>	Review of Members' Allowance Scheme
<b>Report by:</b>	Chief Executive
<b>Wards affected:</b>	n/a
<b>Key decision:</b>	No
<b>Full Council decision:</b>	Yes

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## 1. Purpose of report

The purpose of the report is

- (1) To seek approval for the review process from the Governance & Audit & Standards Committee
- (2) To recommend to Council the findings of the Independent Remuneration Panel for adoption into the Members' Allowances Scheme.

## 2. Recommendations

### To Governance & Audit & Standards Committee

That it approves the review process.

### To Council (via Governance & Audit & Standards Committee)

That

- (1) **No change should be made to any of the various elements comprising the Members Allowances Scheme ("the Scheme") except that,**
  - (a) **the Lord Mayor and Deputy Lord Mayor are to be included in the Scheme with a Special Responsibility Allowance (SRA) multiple of Basic Allowance of 0.7 and 0.1 respectively making the positions index-linked and if the recommendation is agreed by Council, to be effective from the date of that Council Meeting.**

Note 1 This is not an additional allowance for the Lord Mayor and Deputy Lord Mayor but is simply to bring their allowance formally within the scheme and particularly within the Index Linked regime rather than be permanently fixed as they have been. The proposed changes result in broadly similar

allowances currently paid for these positions outside of the scheme which are - Lord Mayor allowance is currently £7,100 and the Deputy Lord Mayor is currently £923.

Note 2 A footnote would be added to the relevant section as follows "Recognising the roles of Lord Mayor and Deputy Lord Mayor are greater than is required normally of a councillor, as per The Local Authorities (Members' Allowances) (England) Regulations 2003, Special Responsibility Allowances"

- (b) a note would be added to the Scheme to clarify that any remuneration received through representing the Council on any Outside Body sits outside the Scheme.**
- (c) the wording in the section on Carers' Allowance is amended to link it to the "Portsmouth Living Wage" (currently £7.85 per hour)**
- (d) the wording of the first paragraph of section B (1) Travelling Allowances is amended to add the following wording  
That "Travel claims to a destination outside the City must be from a member's Portsmouth registered address, (or from the Council's Civic Offices if that is the member's starting point and is nearer to the destination). Claims from another location can be made if it is nearer to the destination outside the City."**
- (2) Notwithstanding the index-linked arrangement, a further review of the Scheme be carried out to be completed in time for the start of the 2021-2022 financial year to meet the 4-yearly review requirement.**
- (3) The existing Independent Review Panel be retained as a Standing Panel in the interim period, whose members (with a quorum of three for any decision to be taken) can consider issues that arise in connection with the Scheme before the next review, either by email or in meetings.**

The Scheme incorporating the above revisions is attached as Appendix 1 for approval

- (4) The members of the Independent Review Panel be thanked for their time and attention in undertaking the Review.**

### **3. Background**

- 3.1. Under the Local Authorities (Members Allowances) (England) Regulations 2003, Portsmouth City Council is required to have an Independent Remuneration Panel to review the Members' Allowance Scheme. The last review took place in 2012.
- 3.2. PCC Members' Allowances are index-linked, which means that instead of an annual review ( which the Regulations would otherwise require) the Council must review the scheme every 4 years.
- 3.3 In order to ensure impartiality, an Independent Remuneration Panel (IRP) was formed to review the Portsmouth City Council Members' Allowances Scheme.
- 3.4. The 2017 Independent Remuneration Panel comprised representatives of the local Business, Public, Voluntary and Community sectors:

- Walter Cha - retired former Senior Partner at Blake Laphorn (Panel Chair)
- Mark Waldron - The News
- Sue Dovey - Action Hampshire
- Brian Johnson - BAE Systems
- Bernie Topham- University of Portsmouth
- Michael Dyer - Verisona
- Keith Greenfield - Wightlink Ferries

- 3.5 The Panel first met to agree the review process on 23 February 2017 and decided to adopt a two stage approach to the review. The Panel decided initially to recommend to Council to continue to apply to Members' Allowances the index-linked arrangement with Portsmouth City Council staff pay awards. This was recommended to Council via the Governance & Audit & Standards Committee and was adopted at the Full Council meeting on 21 March 2017.
- 3.6 The second stage was to send a request to Councillors seeking their views on any aspects of the scheme including the Basic Allowance, Special Responsibility Allowances, Carers' Allowances and Travel Allowances, which they would like the Panel to consider as part of the scheme. The responses received (four) were circulated in advance of the second meeting (along with a general information pack) to all Panel members with other comparative information that had been requested.
- 3.7. At a meeting held on 3 October 2017, (meeting notes attached at Appendix 2), the Panel discussed the responses received to assist in agreeing further recommendations (via Governance & Audit & Standards Committee) to a future Full Council meeting and to express their own views on the Scheme. Officers were also in attendance to answer any queries that the Panel had.

#### **4. Reasons for recommendations**

- 4.1 The Regulations state that where an authority has regards to an index for the purpose of an annual adjustment of allowances it must not rely on the index for longer than a period of 4 years before seeking a further recommendation from the Independent Remuneration Panel established in respect of the authority on the application of an index to its scheme.
- 4.2. The Council is required by law to consult with the Independent Remuneration Panel, prior to making any decision to replace, amend or not implement the existing scheme of allowances. The recommendations of the Independent Remuneration Panel are therefore set out above.

#### **5. Equality impact assessment**

An equality impact assessment is not required as the recommendations do not have a negative impact on any of the protected characteristics as described in the Equality Act 2010

**6. Legal implications**

Under the Local Authorities (Members Allowances) (England) Regulations 2003, Portsmouth City Council is required to have an Independent Remuneration Panel to review the Members' Allowance Scheme. This review is compliant with these regulations.

**7. Director of Finance's comments**

The recommendations contained in the report can be met from the existing budget

.....  
Signed by:

**Appendices:**

- Appendix 1 - Members' Allowance Scheme 2017/18 (proposed revised version)
- Appendix 2 - Notes from the Independent Remuneration Panel Meeting held on 3 October 2017

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Information Pack for Panel	Directorate of Community and Consultation

.....  
Signed by:



PORTSMOUTH CITY COUNCIL  
MEMBERS' ALLOWANCES SCHEME  
2017/18

(A) PAYMENT OF ALLOWANCES

(1) Basic Allowance

The annual basic allowance is £10,740, payable to each member in monthly instalments, in arrears.

(2) Special Responsibility Allowances

The following are specified as the positions carrying special responsibilities, for which special responsibility allowances are payable. Payments will be made in monthly instalments, in arrears.

(A Member may claim only one such allowance, which, in the case of ambiguity, is the special responsibility allowance with the highest value):-

Role	Multiple of basic allowance	SRA
Leader	1.8	£19,333
Cabinet member	0.7	£7,518
Leader of the main opposition group	0.6	£6,444
Other group leader (5 or more members)	0.3	£3,222
Other group leader (2 to 4 members)	0.2	£2,148
Chair of a regulatory committee	0.35	£3,759
Chair of a scrutiny panel	0.25	£2,686
Shadow Cabinet Spokesperson	0.1	£1,075
*Lord Mayor	0.7	£7,518
*Deputy Lord Mayor	0.1	£1075

The basic allowance is index linked to any annual pay adjustment that may be awarded to local government officers, and does not constitute an amendment to this scheme.

\* Recognising the roles of Lord Mayor and Deputy Lord Mayor are greater than is required normally of a councillor, as per The Local Authorities (Members' Allowances) (England) Regulations 2003, Special Responsibility Allowances.

(3) Technical Additions

(i) Members' allowances will be annually adjusted in accordance with average percentage pay award figures applicable to local government employees from 1<sup>st</sup> April of each year (or from whenever implemented).

(ii) When the term of office for a member begins or ends other than at the beginning or end of a financial year, entitlement shall be to payment of part of the basic or special responsibility allowance as is proportionate to the number of days served as a member/holding the relevant special responsibility allowance in that year.



This allowance is to enable a carer to be employed to look after a child or an elderly or disabled person who normally resides with a councillor and cannot be left alone. This allowance can only be claimed when the Member concerned is required to attend approved meetings as per Appendix 1.

A carers' allowance is not applicable for party group meetings, canvassing or electioneering, but is available for ward work, advice centres and civic functions. Reimbursement for meetings is allowed beyond the actual duration of the meeting, given that care must usually be booked in advance for a fixed period. The allowance will not be payable to the claimant's own household.

The rate of reimbursement for carers' allowance is equivalent to the **Portsmouth Living Wage – currently £7.85** per hour. This is per person cared for and is unlimited. Records of any payments made must be submitted to the local democracy manager. No payment under this scheme can be made without receipts.

NB(1): Any claim for carers' allowances made under this scheme shall be made within **TWO MONTHS** of the meeting.

(D) IT ALLOWANCE

An IT allowance is not claimable.

(E) ATTENDANCE ALLOWANCES

In accordance with Section 99(4) of the Local Government Act 2000, attendance allowances are no longer payable.

(F) PRIVATE TELEPHONES/PRIVATE TELEPHONE USAGE

The costs involved in the installation of a telephone line at a member's private address, the costs of council related calls made from such a telephone and the monthly line rental for the telephone are not claimable.

(G) MOBILE PHONE ALLOWANCE

All Members are entitled to the use of a council-owned mobile phone, and may receive reimbursement for all council business calls made.

(H) LOCAL GOVERNMENT PENSION SCHEME (LGPS)

In accordance with The Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014, members can no longer join the LGPS.

(I) OUTSIDE BODIES APPOINTMENTS

Any remuneration received through representing the Council on any Outside Body sits outside the Scheme.

(J) DATE OF THE NEXT INDEPENDENT REMUNERATION PANEL REVIEW OF MEMBERS' ALLOWANCES

Annual adjustments are in place but **notwithstanding the index-linked arrangement, a further review of the Scheme be carried out to be completed in time for the start of the 2021-2022 financial year to meet the 4-yearly review requirement.**

**APPENDIX 1**  
**(to the Members' Allowances Scheme)**

**APPROVED DUTIES FOR THE PURPOSES OF CLAIMING CARERS' & TRAVEL ALLOWANCES**

- a meeting of the Cabinet (including informal Cabinet meetings)
- a meeting of a committee of the Cabinet
- a meeting of the authority
- a meeting of a committee, panel or sub-committee of the authority
- a meeting of some other body to which the authority make appointments or nominations, or
- a meeting of a committee or sub-committee of a body to which the authority make appointments or nominations
- ward advice centres, and other ward work
- civic functions
- a meeting which has both been authorised by the authority, a committee, or sub-committee of the authority or a joint committee of the authority and one or more other authorities, or a sub-committee of a joint committee and to which representatives of more than one political group have been invited (if the authority is divided into several political groups) or to which two or more councillors have been invited (if the authority is not divided into political groups)
- a meeting of a local authority association of which the authority is a member
- duties undertaken on behalf of the authority in pursuance of any standing order requiring a member or members to be present while tender documents are opened
- duties undertaken on behalf of the authority in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises
- duties undertaken on behalf of the authority in connection with arrangements made by the authority for the attendance of pupils at a school approved for the purposes of section 342 of the Education Act 1996
- any other duty approved by the authority in connection with discharging the duties of the authority or its committees or sub-committees.

**Appendix 2**  
**Independent Remuneration Panel (IRP)**

**Meeting Notes**

Tuesday 3 October 2017

A meeting of the Independent Remuneration Panel (IRP) was held at 4pm on Tuesday 3 October 2017 at the Civic Offices, Portsmouth.

**Panel:-**

Ms Bernie Topham (Chief Operating Officer - Portsmouth University)  
Keith Greenfield (CEO of Wightlink Ferries)  
Walter Cha (Retired Solicitor)  
Mark Waldron - (Editor, The News)  
Brian Johnson - BAE Systems

**Officers:-**

Michael Lawther, Deputy Chief Executive, City Solicitor and Monitoring Officer  
Stewart Agland, Local Democracy Manager  
Sue Page, Finance Manager  
Vicki Plytas, Senior Local Democracy Officer  
Peter Smith-Parkyn, Local Democracy Assistant

**Apologies**

Apologies for absence were received on behalf of Sue Dovey and Michael Dyer.

**Interests**

There were no declarations of interest.

**Summary of discussion**

Walter Cha was appointed Chair.

Stewart Agland advised that PCC Members' Allowances are index-linked, which means that instead of an annual review ( which the Regulations would otherwise require) the Council must review the scheme every 4 years.

He summarised the process so far advising that the Panel had adopted a two stage approach to the review and this was the second stage. At the last meeting, the Panel had agreed to send a request to Councillors seeking their views on any aspects of the scheme including the Basic Allowance, Special Responsibility Allowances, Carers' Allowances and Travel Allowances, which they would like the Panel to consider as part of the scheme.

The Panel meeting today was to discuss the responses received following that request to assist in agreeing further recommendations (via Governance & Audit & Standards Committee) to a future Full Council meeting and to express their own views on the Scheme. He said that the responses had been circulated to the panel in advance of the meeting.

The Chair suggested that the Panel should consider the responses received from Councillors first and then move on to a more general discussion to enable them to decide on their recommendations.

### Consideration of Responses Received

- Of the numerous Outside Bodies on which elected members were represented, only 2 currently provided remuneration. This was paid by the Outside Body concerned and was not a payment made by the Council. One was a Cabinet appointment (involving 2 members being appointed (Portsmouth Dockyard Naval Trust) and one was a Full Council appointment, involving one member being appointed (Hampshire Fire and Rescue Service). The City Solicitor said that there was no discretion in respect of these positions as to which Council body appointed the elected members and that payment was made in respect of work done by those elected members. Following debate it was agreed that a note would be added to the scheme to clarify that payment from Outside Bodies was outside the Members Allowances Scheme.
- It was confirmed that paying elected members an attendance allowance was not permissible under national legislation and this was already noted in the scheme. There were many opinions on what made a good councillor and there was much more involved in the role than attending council meetings although obviously that was important.
- The Panel was advised that reducing the Special Responsibility Allowances (as suggested in one response) was technically an option, but the money saved would be subject to political will and could not be ear-marked for a specific purpose.
- The Panel noted those responses from members that their allowances should not be increased at this time, other than in line with the index-linked amount.

A general discussion then took place during which it was confirmed that overall the roles of elected members had remained much the same as when the last review took place. The City Solicitor said that the level of remuneration should encourage participation in local democracy and the Panel should take this into account during their deliberations.

In response to queries, it was confirmed

- That the current formula was introduced in 2008/9
- That members had not indicated any discontent about their allowance
- That the current governance arrangements had only varied slightly since the last review.
- That the allowances paid to members of PCC were about average as compared with similar authorities

Members of the Panel discussed all the information before them and noted the answers to their queries. They concluded that the current members' allowance scheme should remain in its existing form, except for the recommended changes listed below

- the anomaly whereby the Lord Mayor and Deputy Lord Mayor were not included in the scheme should be corrected and that if this recommendation were accepted, this should take effect from the date of the Council Meeting where this was agreed. The allowance should be 0.7 for the Lord Mayor and 0.1 for the Deputy Lord Mayor and index-linking should apply as for other elected members

- With regard to the Carers' Allowance, the City Solicitor said he would arrange for the wording to be amended to refer to the Portsmouth Living Wage (currently £7.85)
- With regard to the Travel Allowance, it was confirmed that this was the same as applied to officers. The Panel said they wanted the wording to make clear that regarding travel expenses to a venue outside the City, the amount should be calculated using the distance either from a Member's Portsmouth registered address (or from the Council's Civic Offices if that is the Member's starting point and it is closer to the destination). Claims from another destination can be made if it is nearer to the destination outside the City.

**RECOMMENDATIONS to Council (via Governance & Audit & Standards Committee)  
That**

- (1) No change should be made to any of the various elements comprising the Members Allowances Scheme ("the Scheme") attached as Appendix 1 except that,**
  - (a) the Lord Mayor and Deputy Lord Mayor are to be included in the Scheme with a Special Responsibility Allowance (SRA) multiple of Basic Allowance of 0.7 and 0.1 respectively making the positions index-linked and if the recommendation is agreed by Council, to be effective from the date of that Council Meeting. A footnote would be added to the relevant section as follows "Recognising the roles of Lord Mayor and Deputy Lord Mayor are greater than is required normally of a councillor, as per The Local Authorities (Members' Allowances) (England) Regulations 2003, Special Responsibility Allowances"**
  - (b) a note would be added to the Scheme to clarify that any remuneration received through representing the Council on any Outside Body sits outside the Scheme.**
  - (c) the wording in the section on Carers' Allowance is amended to link it to the "Portsmouth Living Wage" (currently £7.85 per hour)**
  - (d) the wording of the first paragraph of section B (1) Travelling Allowances is amended to add the following wording**

**That "Travel claims to a destination outside the City must be from a member's Portsmouth registered address, (or from the Council's Civic Offices if that is the member's starting point and is nearer to the destination). Claims from another location can be made if it is nearer to the destination outside the City."**
- (2) That notwithstanding the index-linked arrangement, a further review of the Scheme be carried out to be completed in time for the start of the 2021-2022 financial year to meet the 4-yearly review requirement.**
- (3) That the existing Independent Review Panel be retained as a Standing Panel in the interim period, whose members (with a quorum of three for any decision to be taken) can consider issues that arise in connection with the Scheme before the next review, either by email or in meetings.**

The meeting ended at 5.20pm.

# Agenda Item 10



**Portsmouth**  
CITY COUNCIL

**QUESTIONS FOR THE CABINET OR CHAIR  
UNDER STANDING ORDER NO 17**

**CITY COUNCIL MEETING – 14 November 2017**

## **QUESTION NO 1**

**FROM: COUNCILLOR BEN DOWLING**

**TO REPLY: LEADER OF THE COUNCIL  
COUNCILLOR DONNA JONES**

What planning and preparation has Portsmouth City Council undertaken for changes caused by Brexit?

## **QUESTION NO 2**

**FROM: COUNCILLOR JULIE BIRD**

**TO REPLY: DEPUTY LEADER OF THE COUNCIL  
COUNCILLOR LUKE STUBBS**

The Portsmouth Lottery has now been running for twelve months. Could the cabinet member please update council as to how much has been raised so far for local charities and what the average cash prize amount is per winner?

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