



Agenda & minutes

Annual Full Council meeting of
Tuesday, 15 May 2018

Portsmouth City Council

THE ANNUAL MEETING OF THE COUNCIL will be held at the Main Concert Hall - The Guildhall on Tuesday, 15 May 2018 at **10.00 am** (following adjournment to start no earlier than 2:30pm - The Council Chamber, Portsmouth Guildhall) and all members of the council are hereby summoned to attend to consider and resolve upon the following business:-

Agenda

*Items 1 (Election of Lord Mayor) and 2 (Appointment of Deputy Lord Mayor) will take place in the **Main Concert Hall**.*

- 1 To elect the Lord Mayor for the ensuing Municipal Year.**
- 2 To appoint the Deputy Lord Mayor for the ensuing Municipal Year.**

*The Council will adjourn at approximately 11.30 am and deal with the remaining items, re-commencing in the **Council Chamber** no earlier than 2.30 pm.*
- 3 Declaration of Members' Interests**
- 4 To confirm the minutes of the meeting of the ordinary Council held on 20 March 2018. (Pages 9 - 18)**
- 5 To receive such communications as the Lord Mayor may desire to lay before the Council, including apologies for absence.**
- 6 Deputations from the Public under Standing Order No 24.**
- 7 Under the Local Government and Public Involvement in Health Act 2007, the current Leader of the City Council will remain in office until May 2020 unless**
 - a) they resign from the office;
 - b) they are no longer a Councillor
 - c) they are removed from office by resolution of the Council

The Lord Mayor to ascertain the intentions of the Leader and the Council.
- 8 In accordance with the Local Government and Public Involvement in Health Act 2007, to receive details from the Leader of the Council regarding Cabinet members (including Deputy Leader) and portfolios for the ensuing Municipal Year.**

The Council will also receive details of the appointments from the Leader (as it is within their gift) for the Health and Wellbeing Board, applying the following criteria;

- Leader of the Council (or nominated representative)
- Portfolio holder responsible for Health & Social Care
- Portfolio holder responsible for Children’s Services
- Leader of the largest opposition group (or nominated representative)

A named standing deputy may also be appointed for each position.

9 Proportional Representation on Panels and Committees

Under the Local Government and Housing Act 1989, the City Council is required at each Annual Meeting to review the representation of different political groups, to determine the allocation of seats to different political groups for the forthcoming Municipal Year based on the Group Strengths on the Council and to appoint Members in accordance with the decisions of the Council as to allocation and according to the wishes of the groups as to the identities of the Members to be appointed. The appointment of Members is dealt with separately under Item 10 below.

Proposed allocation of Seats for 2018/19 (Table 1) below

The representation of groups must be in accordance with the rules set out in the relevant legislation. Details of the proposed allocation of places on Panels and Committees will follow. Set out below are the totals -

Groups	1 No of Cllrs	2 Total No of Cttee Seats	3 Licensing Committee (15 Members)	4 Planning Committee (10 Members)	5 7 committees and panels (see note) (6 Members each)	6 Scrutiny Management Panel (9 Members)
Conservative						
Liberal Democrat						
Labour						
Non-Aligned Independents						
	42	76	15	10	42	9

Note: Group 5 contains the following: Governance & Audit & Standards; Employment; & Health Overview and Scrutiny Panel; and the 4 themed scrutiny panels

Principle 2 within Section 15 of the Local Government and Housing Act

1989 requires the majority of seats on Committees and Panels to be allocated to the group having the majority of seats on the City Council.

A group is defined in the regulations as comprising two or more persons.

2018/19 municipal appointments will be presented at the meeting

RECOMMENDED (1) that the total number of seats on Committees and Panels be divided amongst the political groups and individual members as applicable in accordance with Table 1 above (details to follow);

(2) that any other bodies subject to the political proportionality rules be appointed in accordance with proportions shown in Table 1.

10 To appoint Members to the following Committees and Panels for the 2018/19 Municipal Year :-

Scrutiny Management Panel	- 9 members
Planning Committee	- 10 members
Licensing Committee	- 15 members
Governance & Audit & Standards Committee	- 6 members
Employment Committee	- 6 members
Health Overview & Scrutiny Panel	- 6 members
Economic Development, Culture & Leisure Scrutiny Panel	- 6 members
Education, Children & Young People Scrutiny Panel	- 6 members
Housing and Social Care Scrutiny Panel	- 6 members
Traffic, Environment & Community Safety Scrutiny Panel	- 6 members

11 To appoint Standing Deputies (three named Members for each Group on each Committee or Panel, five in respect of the Planning Committee).

12 To appoint the Chairs and Vice-Chairs of Committees and the Scrutiny Management and Scrutiny Panels for the 2018/19 Municipal Year.

13 Appointments

To appoint representatives, **who must be elected members**, to the following outside bodies. These appointments are reserved to the City Council in accordance with the Council's Constitution.

(1) To appoint **1** member to serve on the **Hampshire Fire & Rescue Authority** for the 2018/19 municipal year.

(In 2017/18 the appointee was Councillor Luke Stubbs)

(2) To appoint **1** member to serve on the **Police and Crime Panel (PCP)** (Councillor Ryan Brent was the Council's representative in 2017/18).

Note: Councils are asked to consider when appointing, whether a conflict of interest might occur for Leaders and Community Safety Portfolio holders, as they are likely to be in regular discussions with the Police and Crime Commissioner about local crime and disorder

issues.

- (3) To appoint up to 4 members to serve on the **Local Government Association General Assembly** for the 2018/19 municipal year, who will be supported by the appropriate officers at the Annual Conference, **and to specify which of the elected members will hold the voting rights.**

Portsmouth City Council has 5 votes on the LGA, which are usually exercised by the party forming the City Council's political administration. Those having the right to vote should be identified.

In 2017/18 the representatives were Councillors Donna Jones (two votes), and Lee Mason, Ryan Brent and Gerald Vernon-Jackson CBE, who each exercised one vote.

- (4) To appoint 6 members to serve on the **Langstone Harbour Board** who must be an elected member and in accordance with the political balance regulations.

For 2017/18, the representatives were; Councillors Alicia Denny, Ian Lyon, Lee Mason, Darren Sanders, Matthew Winnington and former Councillor Steve Hastings.

Standing deputies may also be appointed.

14 Other Appointments

- 6 members to the Twinning Advisory Group - in 2017/18 it the chair was the Resources Portfolio holder (Frank Jonas), with the Lord Mayor (Ken Ellcome) performing the deputy Chair role (the other 4 members in 2017/18 were Councillors Chowdhury, Hugh Mason and Lynne Stagg and former councillor Galloway,).

15 To receive and consider any urgent and important business in accordance with Standing Order No 26.

16 To approve the following dates for meetings of the Council during the 2018/19 Municipal Year as required under Standing Order 6 and 10(k), to commence at 2.00 pm unless otherwise indicated -

10 July 2018	15 January 2019 (provisional)
16 October 2018	12 February 2019
13 November 2018	19 March 2019
11 December 2018	14 May 2019 (Annual) (10:00am)

To provisionally agree the following Council meeting dates for 2019/20

16 July 2019	14 January 2020 (provisional)
15 October 2019	11 February 2020
12 November 2019	17 March 2020
10 December 2019	19 May 2020 (Annual) (10:00am)

David Williams
Chief Executive

Members of the public are permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting nor 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.

Whilst every effort will be made to webcast this meeting, should technical or other difficulties occur, the meeting will continue without being webcast via the Council's website.

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. Please also use this email address for any deputation requests.

Civic Offices
Guildhall Square
PORTSMOUTH
4 May 2018

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Agenda Item 4

20 March 2018

1

MINUTES OF A MEETING OF THE COUNCIL held at the Guildhall
Portsmouth on Tuesday, 20 March 2018 at 2.00 pm

Council Members Present

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

Councillors

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

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

Councillor Hugh Mason declared a personal, non-prejudicial interest under agenda item 9 - Treasury Management Policy in that reference is made in the report to Hampshire Community Bank. Councillor Hugh Mason is a member of Hampshire Credit Union.

Councillor Matthew Winnington declared a prejudicial interest in agenda item 12 - Appointment of Independent Persons - in that Carole Damper is the Chief Executive Officer for the organisation for which he works. He said he would leave the chamber for that item.

Councillor Donna Jones declared a personal, non-prejudicial interest in agenda item 12 - Appointment of Independent Persons - in that one of Diana Turner's children used to be in the same class as Councillor Jones' younger son and so she used to know her through that.

2 20 March 2018

13. Minutes of the Ordinary Council meeting held on 13 February 2018

It was

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

That the minutes of the council meeting held on 13 February 2018 be confirmed and signed as a correct record.

RESOLVED that the minutes of the council meeting held on 13 February 2018 be confirmed and signed as a correct record.

14. Communications and apologies for absence

Apologies for absence were received on behalf of Councillor Neill Young, Councillor Jennie Brent and Councillor Dave Ashmore. Apologies for lateness were received on behalf of Councillors David Fuller, Ryan Brent, Hannah Hockaday and Will Purvis.

The Lord Mayor gave detailed information concerning filming in the chamber and 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 said that in order to assist online viewers a webcast camera will take an overview of members in the chamber when any voting takes place.

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 said that in celebration of the 30th anniversary of the twinning link between Portsmouth and Caen he had great pleasure in welcoming Madam Catherine Pradal-Chazarenc, Caen's First Deputy Mayor for Europe and International Relations Affairs, together with Mr Andrew Starr, Chair of the Caen Committee who will act as translator.

The Leader of the Council, Councillor Donna Jones addressed the chamber on the 30 year twinning link between Portsmouth and Caen and welcomed Caen's First Deputy Mayor for Europe and the Chair of the Caen Committee. She placed on record her thanks to Councillor Lee Mason, the Deputy Lord Mayor for all his work on the twinning arrangements and also to Alderman Terry Hall for all the work she had done on twinning. She said she looked forward to welcoming them back for the mayor making in May. The First Deputy Mayor responded thanking everyone for their hospitality and expressing her hope that twinning would continue in the same friendly way going forward.

The Lord Mayor advised that the Privy Council Office has informed the council that Her Majesty The Queen has appointed Mark Edward Thistlethwayte Esq to be the High Sheriff of the County of Hampshire.

15. Deputations from the Public under Standing Order No 24

The Lord Mayor advised that no deputations had been received for today's meeting.

16. Questions from the Public under Standing Order 25

There was one question from a member of the public, Mr Jerry Brown.

"When will the Leader of the Council press for the appointment of non-executive directors to the active, fully owned companies owned by Portsmouth City Council?"

The question and a supplementary question were answered by the Leader of the Council, Councillor Donna Jones.

17. Appointments

There were no appointments.

18. Urgent Business under Standing Order No 26

Councillor Luke Stubbs made a statement on Hilsea Lodge Care Home as it had just been given an inadequate rating by the Care Quality Commission (CQC). He said that work was underway to improve the situation.

Recommendations from the Cabinet Meeting held on 16 March 2018**19. Minute 13 - Health and Wellbeing Strategy 2018-2021**

This was approved unopposed.

20. Minute 14 - Treasury Management Policy 2018/19

This was opposed.

It was

Proposed by Councillor Donna Jones

Seconded by Councillor Luke Stubbs

That the recommendations from Cabinet be approved.

No amendments were proposed.

Following debate upon being put to the vote the recommendations from Cabinet were CARRIED.

RESOLVED

- 1a that the following changes to the Treasury Management Policy Statement be approved:**
- (i) that provision is not made for the repayment of borrowing to fund the Housing Revenue Account (HRA) Self Financing payment or any other HRA debt from 2017/18 to 2019/20 (paragraph 8.4 of the Treasury Management Policy);**
 - (ii) that the maximum duration of specified investments be increased from 364 days to 365 days (paragraph 11.1 of the Treasury Management Policy);**
 - (iii) that the maximum duration of investment categories 11 (corporate bonds with a BBB+ credit rating) and 14 (unrated building societies that are in a strong financial condition) be increased from 364 days to 365 days (paragraph 12.2 of the Treasury Management Policy);**
 - (iv) that the maximum term of bonds purchased from Hampshire Community Bank be increased from 6 years to 10 years (paragraph 12.2 of the Treasury Management Policy);**
- 1b that the following risk appetite statement be approved:**
- To assist the achievement of the Council's service objectives by obtaining funding and managing the debt and treasury investments at a net cost which is as low as possible, consistent with a high degree of long term interest cost stability. Sums are invested with a diversified range of counter parties using the maximum range of instruments consistent with a low risk of the capital sum being diminished through movements in prices.*
- 1c that the prudential and treasury management indicators, including revisions to the 2016/17 outturn indicators contained in Appendix D be approved;**
- 1d that the attached Treasury Management Policy Statement including the Treasury Management Strategy, Annual Minimum Revenue Provision for Debt Repayment Statement and Annual Investment Strategy for 2018/19, and encompassing the amendments contained in recommendation 1a be approved;**
- 1e the Director of Finance and Information Technology (Section 151 Officer) and officers nominated by him have delegated authority to (paragraph 3.2 of Treasury Management Policy Statement):**
- (i) invest surplus funds in accordance with the approved Annual Investment Strategy;**
 - (ii) borrow to finance short term cash deficits and capital payments from any reputable source within the authorised**

limit for external debt of £660m approved by the City Council on 13 February 2018;

- (iii) reschedule debt in order to even the maturity profile or to achieve revenue savings;**
 - (iv) release the over provision of MRP back into General Fund balances over a prudent period by reducing the MRP in future years;**
 - (v) to buy and sell foreign currency, and to purchase hedging instruments including forward purchases, forward options and foreign exchange rate swaps to mitigate the foreign exchange risks associated with some contracts that are either priced in foreign currencies or where the price is indexed against foreign currency exchange rates.**
- 1f that the Chief Executive, the Leader of the City Council and the Chair of the Governance and Audit and Standards Committee be informed of any variances from the Treasury Management Policy when they become apparent, and that the Leader of the City Council be consulted on remedial action (paragraph 17.1 of Treasury Management Policy Statement)**
- 2 that the Director of Finance and Information Technology (Section 151 Officer) submits the following (paragraph 19.1 of Treasury Management Policy Statement):**
- (i) an annual report on the Treasury Management outturn to the Cabinet and Council by 31 July of the succeeding financial year;**
 - (ii) a Mid-Year Review Report to the Cabinet and Council;**
 - (iii) the Annual Strategy Report to the Cabinet and Council in March 2019;**
 - (iv) quarterly treasury management monitoring report to the Governance and Audit and Standards Committee.**

Recommendations from the Governance & Audit and Standards Committee Meeting held on 9 March 2018

21. Minute 25 - Changes to Standing Orders (Council Procedure Rules)

This was opposed.

It was

Proposed by Councillor Scott Payter-Harris
Seconded by Councillor Leo Madden

That the recommendations from the Governance & Audit & Standards Committee be adopted.

No amendments were proposed.

Following debate upon being put to the vote the recommendations from Governance & Audit & Standards Committee were CARRIED.

RESOLVED

- (1) that the revised Standing Orders, (attached to the recommendation as appendix 1), and which include the Governance & Audit & Standards Committee's recommended changes, are adopted.**
- (2) that the City Solicitor, in consultation with the Chair of the Governance & Audit & Standards Committee, may make amendments to the standing orders to reflect any changes arising out of legislative changes, deal with typographical alterations or amend the layout of the document, none of which would change the material substance of the standing orders.**

Note - In respect of Standing Order 55 b), the City Solicitor will circulate an advisory note in due course regarding the respective timescales for Licensing Sub Committee deputations.

22. Minute 26 - Proposed amendments to the Council's constitution (Part 2 Decision Making)

This was approved unopposed.

23. Minute 27 - Appointment of Independent Persons

This was approved unopposed.

Recommendations from the Employment Committee Meeting held on 27 February 2018

24. Minute 5 - Pay Policy Statement

This was opposed.

It was

Proposed by Councillor Donna Jones
Seconded by Councillor Luke Stubbs

That the Employment Committee's recommendation that the draft Pay Policy Statement attached as Appendix 1 to the report be approved by the Full Council by 31 March 2018 be adopted.

Following debate a recorded vote was requested by eight members standing.

The following members voted in favour:

Councillor Simon Boshier	Ian Lyon
Ryan Brent	Lee Mason
Alicia Denny	Gemma New
John Ferrett	Robert New
James Fleming	Scott Payter-Harris
Colin Galloway	Stuart Potter
Paul Godier	Luke Stubbs
Hannah Hockaday	Linda Symes
Frank Jonas	David Tompkins
Donna Jones	Steve Wemyss

The following members voted against:

Councillor Yahiya Choudhury	Steve Pitt
Ben Dowling	Will Purvis
David Fuller	Darren Sanders
Suzy Horton	Lynne Stagg
Lee Hunt	Gerald Vernon-Jackson
Leo Madden	Matthew Winnington
Hugh Mason	Rob Wood
Stephen Morgan	Tom Wood

There were no abstentions.

The recommendations from the Employment Committee were therefore CARRIED.

RESOLVED that the Pay Policy Statement attached as Appendix 1 of the report be approved by the Full Council.

Notices of Motion

25. Notices of Motion (a) - Proposed Change to Planning Law in light of the Grenfell Tower Fire

It was

Proposed by Councillor Luke Stubbs
Seconded by Councillor Linda Symes

That notice of motion (a) be debated today.

Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Luke Stubbs
Seconded by Councillor Linda Symes

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

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

RESOLVED that

"In light of the Grenfell Tower Fire, this Council agrees to write to the Local Government Association and the Police and Fire Minister asking that Planning Law is changed to make it obligatory for Planning Departments and developers to consult the Fire Service on all Planning Applications which relate to purpose-built student accommodation, schools, hotels, high rise office blocks, high rise housing, large development sites and NHS buildings. In the meantime Portsmouth City Council ask the Council's Planning Committee to consider immediately operating the voluntary process offered by Hampshire Fire and Rescue Service to look at the above-mentioned planning applications."

26. Notice of Motion (b) - Promised Additional Money for Public Services after UK's Departure from the European Union

It was

Proposed by Councillor John Ferrett
Seconded by Councillor Darren Sanders

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 John Ferrett
Seconded by Councillor Darren Sanders

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

"The Council notes that Government Ministers have promised that an extra £350million a week will be available for public services following the UK's departure from the European Union. Therefore, the Council requests the leader to write to the Prime Minister and ask how much of these additional resources will be made available for public services in Portsmouth."

27. Questions from Members under Standing Order No 17

There were three questions before council.

Question No 1 was from Councillor Ian Lyon

"Does the Cabinet Member for Traffic and Transportation agree that officers and staff of the Council were exemplary in their execution of the administration's contingency plan that came into effect during the recent wintry weather in Portsmouth?"

This and a supplementary question were answered by the Cabinet Member for Traffic and Transportation, Councillor Simon Boshier.

Question No 2 was from Councillor Alicia Denny

"In view of this summer's 50th anniversary of the return to Portsmouth of our round-the-world sailor Sir Alec Rose, could the Cabinet Member for Leisure and Culture tell us if any plans have been made to celebrate this fantastic achievement by a Southsea resident, who this council honoured by making him a Freeman of the City?"

This and a supplementary question were answered by the Cabinet Member for Culture Leisure and Sport, Councillor Linda Symes.

Question No 3 was from Councillor Gerald Vernon-Jackson

"Could the cabinet member for education tell me how many employees of Academy Trusts running publicly funded schools in Portsmouth employ people with salaries above £150,000 a year and how many people on these salaries are employed in each Academy Trust?"

This was answered by the Cabinet Member for Education, Councillor Hannah Hockaday.

The Lord Mayor thanked everyone for their support during the year and wished everyone the best of luck in the local elections.

The meeting concluded at 5.20 pm.

Lord Mayor

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