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# NOTICE OF MEETING

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## **CABINET MEMBER FOR PLANNING, REGENERATION & ECONOMIC DEVELOPMENT**

**WEDNESDAY, 19 OCTOBER 2016 AT 9.30 AM**

### **CONFERENCE ROOM A - CIVIC OFFICES**

Telephone enquiries to Vicki Plytas 02392 834058

Email: [vicki.plytas@portsmouthcc.gov.uk](mailto:vicki.plytas@portsmouthcc.gov.uk)

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

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### **CABINET MEMBER FOR PLANNING, REGENERATION & ECONOMIC DEVELOPMENT Decision maker -**

Councillor Donna Jones (Conservative) Leader of the Council with responsibilities for PRED

### **Group Spokespersons**

Councillor Yahiya Chowdhury, Labour

Councillor Ben Dowling, Liberal Democrat

Councillor Colin Galloway, UK Independence Party

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

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

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

### **A G E N D A**

- 1        Declarations of Members' Interests**
- 2        Apologies for Absence**
- 3        Forward Plan Omission**

The decision relating to the report from the Port Manager, International Port entitled " Portsmouth International Port - Brittany Ferries Agreement" is a Key Decision for the purposes of the Forward Plan as defined in Article 13 of the Constitution but was not included in the Forward Plan for the period from 14 September to 31 December 2016 and is therefore an omission from the Forward Plan and also an omission of explanation of exempt information.

Article 13 defines a Key decision as an Executive decision which is likely to: result in the Council incurring expenditure or the making of savings which are significant having regard to the local authority's budget for the service or function to which the decision relates, or be significant in terms of its effects on communities living or working in an area comprising 2 or more wards in the city's administrative area.

The Chair of the City Council's Scrutiny Management Panel has been notified that the decision is being made, in accordance with the City Council's Constitution (Access to Information Procedure Rules, Rule 15).

The reason why urgent action has to be taken in connection with this proposal is that a key member of staff will be shortly leaving the council's employment and that it is important to conclude the commercial agreement forthwith.

As the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next forward plan, this decision will not be subject to call-in.

#### **4 Exclusion of Press and Public**

(NB Please note that appendices 1 and 2 of this report are Exempt and if Members wish to refer to them, there is provision to do so following the exclusion of the press and public)

**That in view of the contents of the following item on the agenda the Leader of the Council with responsibilities for PRED is RECOMMENDED to adopt the following motion:**

**“That, under the provisions of Section 100A of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985, the press and public be excluded for the consideration of the following item on the grounds that the appendix to the report contains information defined as exempt in Part 1 of Schedule 12A to the Local Government Act, 1972”.**

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

**(NB The exempt/confidential committee papers on the agenda will contain information which is commercially, legally or personally**

sensitive and should not be divulged to third parties. Members are reminded of standing order restrictions on the disclosure of exempt information and are invited to return their exempt documentation to the Senior Local Democracy Officer at the conclusion of the meeting for shredding.)

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

Item	Exemption Para No.*
5	3
*Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information)	
5	Portsmouth International Port - Brittany Ferries Agreement (Pages 1 - 4)

The purpose of the report is to seek approval for a new agreement with Brittany Ferries.

**RECOMMENDED that:**

- (1) The draft Heads of Agreement with Brittany Ferries (Exempt Appendix 1) is approved.
- (2) Delegated authority be given to the Port Manager, Director of Finance, and City Solicitor to agree final terms and enter into the agreement.

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.