



Agenda & minutes

Full Council meeting of
Tuesday, 15 October 2019

Portsmouth City Council

A MEETING OF THE COUNCIL will be held at the Council Chamber - The Guildhall on Tuesday, 15 October 2019 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 the Council meeting held on 16 July 2019 (Pages 15 - 24)**
- 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 (there are none)**
- 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 **Portsmouth Economic Development and Regeneration Strategy 2019-36 (Pages 25 - 62)**
To receive and consider the attached report and recommendations from Cabinet meeting held on 9 September.
- 9 **Treasury Management Outturn Report for 2018/19 (Pages 63 - 80)**
To receive and consider the attached report and recommendations from Cabinet meeting held on 9 September.
- 10 **Southsea Coastal Flood Defence Amendment to Capital Programme (Pages 81 - 86)**
To receive and consider the attached report from the Cabinet meeting held on 8 October (recommendations to follow).
- 11 **Forward Plan Omission**
The Crane Purchase report by the Director of Finance & Revenues (Section 151 Officer), was omitted from the Forward Plan covering October 2019 published on 10 September 2019. The Chair of the City Council's Scrutiny Management Panel has been notified of the decision being made and a public notice published.

RECOMMENDED that

- (1) the omission to the Forward Plan be noted and**
- (2) that publication of the omission notice be noted**

12 Crane Purchase

To receive and consider the report by the Director of Finance & Revenues (Section 151 Officer) from the Leader's portfolio meeting held on 11 October to seek approval for a new crane to be purchased at the cost of £3 million (to be leased to Portico) and for this to be added to the capital programme (report and recommendations to follow).

The exempt appendix A is under paragraph 3 so Council will need to move into exempt business by resolving to exclude the press and public if it wishes to discuss this at that time.

(Paragraph 3 relates to information relating to the financial or business affairs of any particular person or authority)

“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 report(s) contain information defined as exempt in Part 1 of Schedule 12A to the Local Government Act, 1972”.

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

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

13 Contract Price Increases and Approval Process (Pages 87 - 92)

To receive and consider the attached revised report and recommendations from Governance & Audit & Standards Committee held on 20 September.

14 Scrutiny Call-in Arrangements (Pages 93 - 100)

To receive and consider the attached report and recommendations from Governance & Audit & Standards Committee held on 20 September.

15 Review of Polling Districts and Polling Places (Pages 101 - 132)

To receive and consider the attached report and recommendations from Governance & Audit & Standards Committee held on 20 September. It would be helpful if any Members who have any questions/points in respect of this report or the recommendations, could please kindly discuss them in the first instance with the Electoral Services Manager on 02392 834217 before the day of the meeting.

16 Review of Political Proportionality on Committees and Panels (Pages 133 - 136)

To receive and consider the attached report from the Chief Executive.

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.

17 Notices of Motion

(a) HMRC Portsmouth

Proposed by Councillor Jason Fazackarley
Seconded by Councillor Leo Madden

“In November 2015, HMRC made a national announcement proposing a massive transformation of its estate, to reduce the current network of 170 offices to 13 Regional Centres and 4 Specialist Centres. The vast majority of these offices will close by 2020/21 and all by 2025/26.

In Portsmouth, the affect will be to remove all HMRC work from the city, with the likely loss of over 1200 jobs. This will be another terrible blow to long-term employment prospects following on from the loss of BAE jobs.

Portsmouth, along with every other south coast city, will have no operational HMRC presence at all and redeployment of staff would be unlikely, as the nearest proposed regional centres will be in Bristol, Croydon and Stratford.

This Council deplores the decision of HMRC to withdraw from Portsmouth and believes that the job losses incurred will have a significant effect on the local economy.

This Council supports the HMRC staff in Portsmouth and the efforts of their PCS Union Reps to retain an HMRC presence in Portsmouth. The Council calls upon the HMRC Chief Executive and the other Senior HMRC Management to reconsider their plans and retain good quality HMRC jobs in Portsmouth.

The Council agrees to write to the HMRC Chief Executive and the HMRC Board, as well as the Financial Secretary to the Treasury, imploring them to retain a working HMRC presence in Portsmouth and end their plans to withdraw from the city.”

(b) Supporting LGBT+ education

Proposed by Councillor Suzy Horton
Seconded by Councillor Lee Hunt

Council notes:

1. That, under the Equalities Act 2010, Portsmouth City Council

- has a legal duty to combat discrimination and promote equality;
2. That the Council's Equality and Diversity Strategy 2019-22 states: 'The vision of Portsmouth City Council is to achieve equality, celebrate diversity and advance inclusion in Portsmouth';
 3. That the Council's Equality and Diversity Strategy 2019-22 also has, as a key objective, the need to 'create Member equality champions';
 4. That there were 94 hate crimes motivated by sexual orientation recorded in Portsmouth reported by Hampshire Police in the 12 months to April 2019;
 5. That the 2017 report by Stonewall: *LGBT in Britain: Hate Crime and Discrimination* noted that their results were "particularly alarming" for trans people and that "*Black, Asian and minority ethnic LGBT people are also disproportionately affected, with a third having experienced a hate crime or incident in the last year compared to one in five white LGBT people*".¹
 6. That the Department for Education's draft guidance on Relationships Education, Relationships and Sex Education (RSE) and Health Education, which are expected to take effect in September 2020, states that "we expect all pupils to have been taught LGBT content at a timely point as part of this area of the curriculum". It says schools should "ensure that this context is fully integrated into their programme of study for this area of the curriculum rather than delivered as a stand-alone unit or lesson" and that their teaching should be "sensitive and age appropriate";
 7. That the attempts to teach an LGBT+ inclusive curriculum at a number of Birmingham schools have been met with protests. The headteacher of one of the affected schools said they had led to "distress and harassment" and warned that "we cannot be a primary school if staff and children are afraid to come to school";²
 8. That 45% of LGBT+ young people report being bullied at school because of their sexual orientation;³
 9. That 9% of trans pupils report receiving death threats at school;⁴
 10. That only 40% of LGBT+ young people report having someone at home they can talk to about their sexuality;⁵
 11. That Dr Mary Bousted, the joint general secretary of the National

¹ <https://www.hampshire-pcc.gov.uk/wp-content/uploads/2019/04/HC-Public-Data-FY-201819.pdf>

² https://www.huffingtonpost.co.uk/entry/birmingham-lgbt-protests_uk_5cfe920ce4b0aab91c09c9a4?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xlMmNvLnVrLw&guce_referrer_sig=AQAAAGaWQaYuOuDX87kNePfvxUV5ZVJU7HLRopvGjFHBRd1kE56XzBilRsdruBtkewKcfwlySYC0Zf4Td6bsLdJdEzHD2EQjG1_sJ5CCmvaJIhBhTxuh7n6XUioPgu9dRZEYeBmtAROkx8d2pdc3IT9fuzMNCB2yD_vsXr2RG7k8Gn6
<https://news.sky.com/story/lgbt-lesson-row-school-staff-have-counselling-over-homophobic-protests-in-birmingham-11737134>

³ https://www.stonewall.org.uk/system/files/the_school_report_2017.pdf

⁴ https://www.stonewall.org.uk/system/files/the_school_report_2017.pdf

⁵ https://www.stonewall.org.uk/system/files/the_school_report_2017.pdf

Education Union has stated that *“education professionals want PSHE and RSE to become compulsory in all schools so they can help young people to become resilient, well-rounded and confident adults. Teaching young people about sex and relationships helps them to make well-informed choices. Parents support this, education professionals support this and, most importantly, young people want this. The Education Select Committee also recommends it is taught in schools.”*⁶

12. That, of 810 young people aged 16-25 surveyed by the Terrence Higgins Trust, 787 (97%) wanted Sex and Relationship lessons to be LGBT+ inclusive;⁷
13. That, despite this, politicians from major parties continue to argue that it is right for children not to learn about LGBT+ relationships. For example, the Rt Hon Esther McVey (Cons, Tatton; Housing and Planning Minister) has said *“it is down to parents”* whether their children should participate in these lessons and the Hon Roger Godsiff (Lab, Birmingham Hall Green) has stated he has *“concerns about the age appropriateness of children of four and five being introduced to these ideas”*.⁸

Council believes:

1. In the equality of all people, regardless of their sexual orientation or gender identity;
2. That prejudice against LGBT+ people frequently interacts with and worsens other forms of prejudice, including that aimed at people on the basis of their gender, ethnicity, religion and socio-economic status. Therefore, countering anti-LGBT+ prejudice will help reduce other forms of hatred and discrimination;
3. That relationship education should be a compulsory part of the curriculum at all schools and for every child;
4. That the age appropriateness of sex and relationship education is not affected by recognising the existence of differing sexual orientations and gender identities;
5. It is not realistic nor desirable for any parent to expect their child’s school to keep them in ignorance of LGBT+ relationships;
6. That most of the arguments offered against LGBT+ inclusive education fail to distinguish between sex and relationship education and/or do not recognise that schools are required to ensure lessons on these topics are age appropriate;
7. That teaching an LGBT+ inclusive curriculum in schools will foster attitudes among citizens that promote an inclusive and

⁶ <https://www.tht.org.uk/sites/default/files/2018-07/Shh%20No%20talking%20LGBT%20inclusive%20SRE%20in%20the%20UK.pdf> p.17

⁷ <https://www.tht.org.uk/sites/default/files/2018-07/Shh%20No%20talking%20LGBT%20inclusive%20SRE%20in%20the%20UK.pdf> p.30

⁸ <https://www.birminghammail.co.uk/news/showbiz-tv/moment-esther-mcvey-doubles-down-16371454>
https://en.wikipedia.org/wiki/Roger_Godsiff

cohesive society in which homophobic hate crimes are rarer.

Council, therefore, welcomes:

1. The inclusion of LGBT+ content in the DfE draft guidance on Relationships Education, Relationships and Sex Education (RSE) and Health Education.

Council resolves:

1. To ask the Cabinet Member for Education to work with the PHSE Framework Development Officer and the Diversity in Education Network to offer every school support with delivering an LGBT+ inclusive curriculum;
2. That, in the event any schools in Portsmouth are subject to demonstrations as a result of teaching an LGBT+ inclusive curriculum, the Council will not tolerate the disruption of children's education nor the intimidation of pupils, staff or parents;
3. To ask Cabinet to appoint an elected Member LGBT+ children and young people's champion.

NOTE -

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(c) **Stop the Service Charge**

Proposed by Councillor Matthew Winnington
Seconded by Councillor Gerald Vernon-Jackson

Portsmouth City Council supports the Stop the Service Charge campaign led by the Royal British Legion to end the charging of fees on Indefinite Leave to Remain visas for Commonwealth former service personnel who have served for at least four years, which is the point when former service personnel are eligible to apply for Indefinite Leave to Remain.

Portsmouth, as home of the Royal Navy, has many Commonwealth and other foreign naval veterans living in the city who have had to pay nearly £2,500 per visa application which has often put them and their families into debt. There are also many Commonwealth and other foreign servicemen and women living in Portsmouth who will be faced with this bill when they leave the services for themselves and their family members.

The Council recognises the Early Day Motion (EDM) first presented to the House of Commons in March 2019 that addresses this issue

and has support from MPs from all parties that take their seats in the Commons and therefore encourages the two Portsmouth MPs to support this EDM as well.

To show support for the Royal British Legion campaign and also the plight of non-Commonwealth foreign former service personnel a letter will be prepared from all Portsmouth City Council members who wish to sign it to send to the Government asking for the visa fees to be dropped for former service personnel and their families who have served in the armed forces for at least four years.

(d) **EU Citizens**

Proposed by Councillor Will Purvis
Seconded by Councillor Ben Dowling

Council notes that EU nationals are part of our shared communities. They are our partners, parents, friends and colleagues. They are an integral part of a vibrant and thriving Portsmouth.

Since 2016 EU nationals (including those in Portsmouth) have been promised again and again that "there will be no change for EU citizens already lawfully resident in the UK and ... will be treated no less favourably as they are at present".

After three years of Portsmouth residents living in limbo, their homes and livelihoods are yet again being threatened by the further uncertainty brought about by the prospect of an even more chaotic no-deal Brexit.

According to the Home Office's June statistics, only a third of EU nationals have applied for the Settled Status and 42% of them have been granted the inferior Pre-Settled status leading them to reapply for the Settled status later on. There is no possibility to know how many EU nationals need to apply, leaving vulnerable and unaware EU nationals at risk of becoming unlawful residents at the mercy of the Home Office's hostile environment. Lack of clarity regarding differentiating between EU citizens arriving before and after the UK's exit from the EU will likely lead to discrimination in the labour market and will prevent many from accessing the services that they are entitled to in Portsmouth.

Another Windrush-like scandal is unfolding right before the eyes of this Council and we mustn't be passive observers to it.

Therefore, the Council asks that:

1. Officers, through the Cabinet, undertake an urgent review of how a disorderly exit from the EU is likely to affect EU nationals accessing services provided or managed by the Council (licensing, benefits etc).
2. Officers, through the Cabinet, report on how the Council, at local

level, can mitigate adverse impacts on the rights of EU nationals (including but not limited to advising on what the Council can do to help landlords and employers to be trained on immigration status and therefore avoid potential discrimination against EU nationals).

3. The Leader of the Council writes to the Home Secretary to ask that the current European Settlement Scheme is clarified by:

- Providing a clear deadline for application to the EUSS in case of no-deal exit from the EU.
- Providing physical proof of Settled status to those Portsmouth residents that have obtained the status which can be used to access services.
- Confirming that there will be no changes to the rights of settled EU citizens that they currently have by ratifying the Immigration Bill as primary legislation before the exit day.
- Replacing the current European Settlement scheme with a registration scheme without a deadline where EU citizens are considered lawful by default and can request a proof of immigration status only when they are asked to demonstrate it.

"Should Motion (a) above be considered at the Council meeting, below motion (e) cannot subsequently be put and considered as it will be caught by the Council's Standing Orders in respect of the 6 month rule"

(e) **HMRC Presence in Portsmouth**

Proposed by Councillor Tom Coles
Seconded by Councillor Judith Smyth

In November 2015, HMRC made a national announcement proposing a massive transformation of its estate, to reduce the current network of 170 offices to 13 Regional Centres and 4 Specialist Centres.

The vast majority of these offices will close by 2020/21 and all by 2025/26.

In Portsmouth, the affect will be to remove all HMRC work from the city, with the likely loss of over 1,200 jobs. This will be another terrible blow to long-term employment prospects following on from the loss of BAE jobs.

Portsmouth, along with every other south coast city, will have no operational HMRC presence at all and redeployment of staff would be unlikely, as the nearest proposed regional centres will be in Bristol, Croydon and Stratford.

This Council deplores the decision of HMRC to withdraw from

Portsmouth and believes that the job losses incurred will have a significant effect on the local economy.

This Council supports the HMRC staff in Portsmouth and the efforts of their PCS Union Reps to retain an HMRC presence in Portsmouth.

This Council calls upon the Interim HMRC Chief Executive and the other Senior HMRC Management to reconsider their plans and retain good quality HMRC jobs in Portsmouth.

This Council asks all Group Leaders to write to the Interim HMRC Chief Executive and the HMRC Board, as well as the Financial Secretary to the Treasury, imploring them to retain a working HMRC presence in Portsmouth and end their plans to withdraw from the city.

(f) **Stanhope House**

Proposed by Councillor Luke Stubbs
Seconded by Councillor Donna Jones

The failure of Prime Student Living and its contractor to complete the development of Stanhope House on time has caused the many students who should have been living there from the start of term distress and financial loss.

Council is disappointed by the cavalier attitude of the company to deal with this issue properly. The losses to students go far beyond financial, as many missed out on the important induction events including Freshers' Week. Many members of this council have been contacted by concerned students and parents expressing their serious concerns about this situation.

Council calls upon the Chief Executive to write to Prime Student Living to express its concern and to add its voice to those seeking appropriate and comprehensive recompense for those who have suffered losses.

(g) **Nitrates**

Proposed by Councillor Terry Norton
Seconded by Councillor Donna Jones

Unacceptably high levels of Nitrates across the Solent has resulted in the failure of Portsmouth City Council to issue a single residential planning consent since 1st May 2019. This is seriously undermining the council's ability to meet the Delivery Test on new housing. As well as failing to meet critical housing targets, the lack of adopted short term or long term mitigation strategy is threatening the livelihoods of thousands of people across the city. This is a serious issue and as such local people and businesses deserve a full explanation of the current position of the council.

Full council therefore requests the Cabinet Member for Culture & City Development writes to all members of the city council providing a detailed explanation of what short term and long term mitigation has been considered and rejected or considering and progressing and an update on when the council will start issuing planning consents again?

(h) **Water Refill Stations**

Proposed by Councillor Luke Stubbs
Seconded by Councillor Linda Symes

Council notes the authority's commitment towards abolishing single use plastics. It is therefore very concerned that many of the drinking fountains installed along the seafront are still not working some 18 months after installation. Council calls for the Cabinet Member for Culture & City Development to publish an urgent report and action plan detailing the steps that will be taken, by whom and when to rectify this situation.

(i) **Improving Private Rented Sector Standards Through Landlord Licensing**

Proposed by Councillor Cal Corkery
Seconded by Councillor George Fielding

The causes of the housing crisis are complex and varied but it is without doubt that a key contributory factor has been the deregulation of housing standards and weakening of local authority enforcement powers.

In Portsmouth 22.1% of households rent their properties from private landlords, compared with 16.3% across the whole of the South East. In a number of Portsmouth council wards that figure is over 40%. In areas with significant concentrations of privately rented housing there tend to be higher levels of anti-social behaviour, noise and waste pollution and crime.

Around the country councils are addressing these issues by implementing selective licensing schemes whereby all private landlords in particular areas are required to be licensed by the local authority. This differs from mandatory licensing which applies only to Houses in Multiple Occupancy (HMOs).

In areas where such schemes have been implemented there have been improved standards in the private rented sector, reduced anti-social behaviour and a decline in the poor management of properties by rogue landlords. In Newham, selective licensing has been used to address poor standards across the private rented sector, to protect tenants and to tackle criminal landlords, resulting in 1,306 prosecutions since the scheme was introduced.

In Portsmouth large HMOs, consisting of 5 or more unrelated persons, are currently licensed in a similar way. But, despite

widespread issues in areas with high concentrations of HMOs the local authority has not made use of its powers to extend licensing to include smaller HMOs consisting of 3 or 4 unrelated persons.

Landlord licensing is self-financing with income generated through licence application costs which can then be spent on the administration of the scheme. Authorities have discretion to set the precise conditions of the licence. These can include conditions relating to the use and occupation of the house, and measures to deal with anti-social behaviour of the tenants or those visiting the property.

Our council's own statistics show the single highest cause of homelessness to be the ending of a private sector tenancy. Landlord licensing schemes can help to reduce evictions and homelessness approaches by forcing irresponsible landlords out of the sector and giving tenants greater protections.

Landlords who consistently meet their legal and ethical obligations to tenants should have nothing to fear from landlord licensing. It is their less scrupulous peers who will become subject to greater scrutiny and enforcement action.

Full Council therefore calls on the Cabinet to begin the formal processes for the implementation of a selective licensing scheme and the extension of HMO licensing to include smaller properties.

18 Questions from Members under Standing Order No 17. (Pages 137 - 142)

David Williams
Chief Executive

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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

Guildhall Square
PORTSMOUTH
7 October 2019