



NOTICE OF MEETING

CABINET

TUESDAY, 5 FEBRUARY 2019 AT 12.00 PM

EXECUTIVE MEETING ROOM - THE GUILDHALL (FLOOR 3)

Telephone enquiries to Joanne Wildsmith, Democratic Services Tel 9283 4057
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If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

Membership

Councillor Gerald Vernon-Jackson CBE (Chair)

Councillor Steve Pitt (Vice-Chair)

Councillor Dave Ashmore

Councillor Ben Dowling

Councillor Suzy Horton

Councillor Darren Sanders

Councillor Jeanette Smith

Councillor Lynne Stagg

Councillor Matthew Winnington

Councillor Rob Wood

(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

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 recommendations). Email requests are accepted.

AGENDA

- 1 **Apologies for Absence**
- 2 **Declarations of Interests**
- 3 **Record of Previous Decision Meetings - 27 November and 4 December 2018 (Pages 9 - 20)**

A copy of the record of the previous decisions taken at Cabinet on 27 November (Special) and 4 December 2018 are attached.

RECOMMENDED that the record of decisions of the Cabinet meetings held on 27 November and 4 December 2018 be approved as correct records to be signed by the Leader.

4 ECYP Scrutiny Panel's review into school attendance and part time timetables in Portsmouth (Pages 21 - 78)

The report by the Director of Children, Families and Education, in responding to the report by the Education, Children & Young People Scrutiny (ECYP) Panel **RECOMMENDS that the Cabinet:**

- (1) Thanks the Scrutiny Committee for its work in undertaking the review**
- (2) Notes and supports the recommendations set out on pages 6 and 7 of the report, taking into account the policy and financial implications of the recommendations summarised on page 35 of the report (section 12).**

5 Health and Care Portsmouth Operating Model (Pages 79 - 94)

Portsmouth City Council (PCC) and NHS Portsmouth Clinical Commissioning Group (PCCG) have a long history of successful integrated working across health and care for the City. This is demonstrated through its single vision and blueprint of 'Health and Care Portsmouth' (HCP) and is underpinned by shared teams and posts as well as pooled funds utilising legislative measures such as section 75 and section 113 agreements.

The report by the Chief Executive of PCC reviews the operating model in place between the two organisations in the context of the broader Hampshire and Isle of Wight Health & Care system reform programme and the desire to have a strong care system for the City and makes recommendations for the next steps for consideration by our Health and Well Being Board and the Governing Board of PCCG.

RECOMMENDED that the Cabinet:

- (1) Support the establishment of a single operating model for Health & Care Portsmouth between PCC and CCG;**
- (2) Support the establishment of a sub-board on behalf of PCC and PCCG for its commissioning of adult and children's health, social care and public health services, with detail of this proposal to be addressed in a separate report to Governance, Audit and Standards Committee in March;**
- (3) Support the integration of PCCG and PCC functions into joint roles: Chief of Health & Care Portsmouth, Director of Children's Services and Director of Public Health; and a review of other enabling functions to assess the benefits of further integration to support delivery of the Health & Care Portsmouth operating model – specifically financial management, business intelligence, communications/engagement, community sector partnership development;**
- (4) Direct the respective Accountable/Chief Executive Officers, working within their scheme of delegations and constitutional powers, review the management and staffing structures currently in place in order to align this capacity with the new Health & Care Portsmouth operating model and for this to include cost-share arrangement.**

6 Local Plan Update (Pages 95 - 172)

The purpose of the report by the Assistant Director of City Development is to update Members on progress in preparing the Local Plan and specifically on work to promote a development option for Tipner. Approval is sought to (i) a publish consultation document with regards to the wider Local Plan work, supported by a range of technical documents (ii) to publish consultation document on the Tipner work, and (iii) to make a provisional revision to the Local Plan timetable set out in the Local Development Scheme.

RECOMMENDED that the Cabinet:

(1) Approve the Portsmouth Local Plan consultation document, and supporting evidence base documents for 6 weeks of public consultation.

(2) Approve the Tipner Strategic Development Area consultation document for 6 weeks of public consultation.

(3) Delegate authority to the Assistant Director City Development to modify and make editorial changes to the all consultation documents and supporting documents in consultation with the Cabinet Member for PRED (if required)

(4) Adopt the revised Local Development Scheme.

7 PCC Budget and Council Tax 2019/20 and Medium Term Budget Forecast
(Pages 173 - 240)

The purpose of the report by the Director of Finance and Section 151 Officer (which is also being considered by full Council on 12 February) is to set the Council's overall Budget for the forthcoming year 2019/20 and the associated level of Council Tax necessary to fund that Budget.

The report makes recommendations on the level of Council spending for 2019/20 and the level of Council Tax in the context of the Council's Medium Term Financial Strategy with its stated aim as follows

Overall aim: "in year" expenditure matches "in year" income over the medium term whilst continuing the drive towards regeneration of the City, being innovative, creative and protecting the most important and valued

The recommended Budget for 2019/20 has been prepared on the basis of the decisions taken by the City Council on the 11 December 2018 relating to:

- An increase in the level of Council Tax for 2019/20 for general purposes of 2.99%
- A continuation of the opportunity to increase the level of Council Tax for an "Adult Social Care Precept" within the limits set by Central Government (i.e. a 1.5% increase for 2019/20), and the direct passporting of that additional funding to Adult Social Care to provide for otherwise unfunded cost pressures.
- The approved budget savings amounting to £4m

The report also provides a comprehensive revision of the Council's rolling 3 year future financial forecast for the new period 2020/21 to 2022/23 (i.e. compared to the previous forecast covering 2019/20 to 2021/22, this forecast

now replaces the forecast for the previous 3 year period). The forecast considers the future outlook for both spending and funding, and in that context, wider recommendations are made regarding the levels of reserves to be maintained and additional contributions to the Capital Programme in order to meet the Council's aspirations for the City as well as maintaining the Council's overall financial resilience.

8 Capital Programme 2018/19 onwards (Pages 241 - 314)

The purpose of the report by the Director of Financial Services and Section 151 Officer (which is also being considered by full Council on 12 February) is to:

- Summarise the key features of the Capital Strategy approved by the City Council on 4th February 2009 and the revised Capital Investment Priorities of the City Council, approved by City Council on 24th January 2012.
- Highlight the inter-relationship between the capital programme, the revenue budget and the Medium Term Financial Strategy
- Determine the corporate capital resources available including:
 - Adjustments for under and overspendings to the existing approved Capital Programme
 - Update the capital resources available for all new and changed grants, capital receipts, revenue contributions and other contributions
 - The identification of any additional assets which the Administration wishes to declare surplus to requirements
- Seek approval of the overall Capital Programme and "new starts" (including the Housing Investment Capital Programme) for 2019/20 and future years in accordance with the Capital Strategy
- Describe and approve the Prudential Indicators arising from the revised Capital Programme 2018/19 to 2023/24
- Delegate authority to the Section 151 Officer to alter the mix of capital funding to make best use of City Council resources

9 Exercise of Standing Order 58 (information item)

The Cabinet is asked to note the following:

An urgent Cabinet decision was taken on 24 January 2019, with regard to a claim made against the Council. This decision was taken through the Chief Executive agreeing to exercise his powers in accordance and compliance with Standing Order 58 of the Council's procedure rules.

The matter concerned a requirement to settle a claim which is valid in law and for which the Council is liable in negligence for some damage to the claiming company

The settlement took into account the likely litigation costs of and associated with the claim put forward to avoid the risk of unnecessary and protracted litigation.

The settlement figure was beyond the delegated authority to the City Solicitor/Deputy City Solicitor to settle a claim - currently £50,000 which necessitated the exercise of Standing Order 58.

10 Date of additional Cabinet meeting (information item)

To note the date of an additional Cabinet meeting to take place at 9am on Tuesday 26th February 2019.

11 Procurement of a contractor of City Centre Regeneration (City Centre Road) (Pages 315 - 322)

The report by the Director of Regeneration seeks approval to progress and conclude the appointment of a contractor to deliver the new road and highways infrastructure required to deliver the wider redevelopment of the City Centre.

12 Exclusion of Press and Public

RECOMMENDED that the Cabinet 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 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 below.

Members of the public may make representation as to why the item should be held in open session. A statement of the Council’s response to representations received will be given at the meeting so that this can be taken into account when members decide whether or not to deal with the item under exempt business.

(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 Local Democracy Officer at the conclusion of the meeting for shredding.)

Item	Paragraph
13 - City Centre Regeneration (appendices A-C only)	3 & 5*

*Exemption Paragraph Numbers

3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information)

5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

13 City Centre Regeneration (proposed Heads of Terms) (Pages 323 - 336)

The report by the Director of Regeneration is asking Cabinet to support the regeneration of Portsmouth's City Centre. This proposal is the first step on a journey to revitalise the City Centre and focuses on the long under used Tricorn site (currently under a long lease to the Delancey Group) together with other adjoining Council and Delancey Group owned land assets. (An indicative red line plan can be found in confidential appendix A.)

The report proposes that the Council and DV4 Limited (a Delancey Group owned vehicle) enter into a limited liability partnership ("LLP") on an equal 50/50 basis. The LLP will assemble land, design and co-develop the sites in line with the Council's aspirations for the regeneration of this area and to revitalise Commercial Road.

(Appendices A-C are exempt)

RECOMMENDED that Cabinet:

(1) Agree the Heads of Terms for the joint venture LLP with the DDV4 as proposed.

(2) Delegate authority to the Director of Finance and Information Services, the Head of Legal and the Director of Regeneration to negotiate and enter into the joint venture LLP in line with the agreed Heads of Terms.

(3) Delegate to the Director of Regeneration the management of spend on project related works against the capital budgets for the City Centre Regeneration. Spend will include negotiations and agreement of contracts, co-development of a feasibility study to ensure that the joint venture is fundable and delivers economic and commercial benefits for the Council and co-developing a meanwhile use for the site.

(3) Delegate authority to the Leader and S151 Officer for the use of unsupported borrowing to fund the joint venture, subject to agreeing that the proposals are feasible and viable.

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.

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