



Agenda & minutes

Full Council meeting of
Tuesday, 21 July 2020

Portsmouth City Council

A REMOTE MEETING OF THE COUNCIL will be held virtually on Tuesday, 21 July 2020 at 2.00 pm and all members of the council are hereby summoned to attend remotely (link sent separately to members) to consider and resolve upon the following business:-

Agenda

- 1 **Declaration of Members' Interests**
- 2 **To approve as a correct record the Minutes of the Annual Council meeting held on 19 May 2020** (Pages 19 - 34)
- 3 **To receive such communications as the Lord Mayor may desire to lay before the Council, including apologies for absence**
- 4 **Written deputations from the Public under Standing Order No 24 for all items excluding those in respect of items 7 and 8, which are dealt with separately on the agenda**
- 5 **Questions from the Public under Standing Order 25** (Pages 35 - 36)

Questions received are attached and will be read out at the meeting, with an oral response given by the Cabinet member.
- 6 **Appointments**
- 7 **Petition - Title "Accessible Beach 4 Pompey"**

Statement "Improve Eastney Beach by making it fully and easily accessible to people of all ages and abilities"

The Council's rules state that if the petition contains more than 1000 signatures (as it does) it will be debated by the Full Council (if the lead petitioner so requests and they do) even if the issue has been considered by the Council within the last 24 months, (which it has not). Consequently 500 signatures was the requisite threshold on this occasion.
 1. The petition organiser, Mr John Cullen, will be given six minutes to present the petition to the meeting,
 2. Followed by any written public deputations received on this item (to be read out).
 3. The Administration, via a proposer and seconder, will then present its response to the petition

4. The petition will then be discussed by councillors and the normal rules of debate will apply,

Note - As an Executive (Cabinet) matter, the Full Council is precluded from determining the issues raised in the Petition, although of course the petition can still be debated at the Full Council meeting.

8 Petition - Make Portsmouth Streets Safe

We call upon Portsmouth City Council to create an immediate network of safe streets throughout the city so residents can walk, cycle, wheel and shop safely, whilst keeping 2m apart.

Traffic levels are rising fast, and whilst the Council's 'quick win' proposals are very welcome, they don't go far enough

Therefore we ask that they immediately use 'pop-up' measures to:

1. Widen narrow pavements in busy streets so that people can keep 2 metres apart whilst walking, queuing, etc.
2. Create a network of roads throughout the city with cycle and pedestrian priority
3. Create commuter cycle routes to allow people who usually travel by public transport to get quickly and safely to work by bike.

These changes need to happen quickly, and as Croydon, Manchester, Brighton and other cities have shown they can be put in place using low cost 'pop up' measures such as footway extension, thermoplastic tape, bollards and planters.

The alternative- going back to normal levels of traffic- would mean dangerous roads for cyclists, polluted air for families, severe congestion for motorists and crowded pavements that are impossible to socially distance on.

We have a short window of opportunity to keep cyclists, walkers and wheelchair users safe: let's make it happen."

The Council's rules state that if the petition contains more than 1000 signatures (as it does) it will be debated by the Full Council (if the lead petitioner so requests and they do) even if the issue has been considered by the Council within the last 24 months, (which it has not). Consequently 500 signatures was the requisite threshold on this occasion.

1. The petition organiser, Dr Jonathan Lake, will be given six minutes to present the petition to the meeting,
2. Followed by any written public depositions received on this item (to be read out) _.
3. The Administration, via a proposer and seconder, will then present its

response to the petition

4. The petition will then be discussed by councillors and the normal rules of debate will apply,

Note - As an Executive (Cabinet) matter, the Full Council is precluded from determining the issues raised in the Petition, although of course the petition can still be debated at the Full Council meeting.

- 9 **Urgent Business - To receive and consider any urgent and important business from Members of the Cabinet in accordance with Standing Order No 26**
- 10 **Modern Slavery Transparency Statement** (Pages 37 - 60)
To receive and consider the attached report from Cabinet held on 14 July (recommendations to follow).
- 11 **UK Municipal Bonds Agency Framework Agreement** (Pages 61 - 66)
To receive and consider the attached report from Cabinet held on 14 July (recommendations to follow).
- 12 **Proposed Revision to Standing Order 32 - Referral of Motions to other bodies of the Council** (Pages 67 - 70)
To receive and consider the attached report and recommendation from Governance and Audit and Standards Committee held on 3 March.
- 13 **Political Proportionality Review on Committees and Panels** (Pages 71 - 74)
To receive and consider the attached report from the Chief Executive.
- 14 **Urgent decision by the Chief Executive - Use of Standing Order 58 to temporarily extend licensing delegations** (Pages 75 - 94)
To note the attached Decision.
- 15 **Urgent Decision by the Chief Executive Use of Standing Order 58 - Adoption of Model Standing Orders** (Pages 95 - 98)
To note the attached Decision.

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.

16 Notices of Motion

(a) Central Police Station

Proposed by Councillor Hugh Mason
Seconded by Councillor Matthew Winnington

Central Police Station in Winston Churchill Avenue is earmarked for

closure & disposal. The Council calls on Hampshire Police & Crime Commissioner to reopen Central Police station with its public counter; if this proves not to be possible, then to open a police public counter in the vicinity of this current location.

(b) **Carbon reduction**

Proposed by Councillor Gerald Vernon-Jackson
Seconded by Councillor Hugh Mason

The City Council recognises that to achieve Carbon neutral status by 2045 will be a major endeavour, but one that is needed if we are to confront the climate emergency.

The City Council therefore commits to using the emerging Portsmouth Local Plan to push for the highest standards of environmental enhancements that the Government will allow. So that all new build properties in Portsmouth will have:

Solar Panels to reduce fossil fuel energy use
The highest levels of insulation in roof spaces and walls
Double glazing throughout.

The City Council asks the Cabinet to look at how to make sure that the maximum number of homes benefit from higher environmental standards, any property where there is a change to the roof would have to install solar panels and the highest levels of insulation in roof spaces.

The City Council will also lobby the Government to provide funding and the powers to retrofit solar panels and better insulation to all properties in Portsmouth.

(c) **Thank You During the Coronavirus Lockdown**

Proposed by Councillor Darren Sanders
Seconded by Councillor Steve Pitt

Council formally thanks the people of this city for the sacrifices so many of them have made during the coronavirus lockdown.

It also wishes to thank the many people across our city who have worked hard to keep us all safe and, in so many cases, alive. These include:

1. NHS and care workers
2. Refuse collectors and delivery drivers
3. Cleaners and gardeners
4. People in newsagents, pharmacies and other essential shops
5. Those who have been looking after the homeless

Council also wishes to thank the many mutual aid organisations - whether of neighbours, friends, relatives or brought together by

social media - whose volunteering efforts have brought hope to so many.

In particular, Council wishes to congratulate the HIVE for its work co-ordinating hundreds of volunteers to bring a friendly call, vital food or essential medical supplies, as well as the many organisations that have helped it do that.

Council recognises this is a crisis with no clear ending. However, it does want this city to be greener, fairer and kinder once it is. To that end, it recommends the following:

1. That the Cabinet lobbies Government to ensure frontline workers get an appropriate reward for their work.
2. To request the Cabinet to ask the people of the city and council staff to nominate people for a special, independently-judged Coronavirus Civic Award to recognise those who have gone above and beyond the call of duty at this time. Such an award will be given with the other Civic Awards at the 2021 AGM.
3. To request the Cabinet to Work on plans, in line with the City Vision, to deliver a kinder, fairer and greener city that seeks to harness the efforts of all the volunteers who have come forward to help the vulnerable during this pandemic.

(d) **Sustainable Travel in Portsmouth**

Proposed by Councillor Graham Heaney
Seconded by Councillor George Fielding

The city urgently needs a more sustainable transport system to meet both its carbon reduction and air quality targets. Road transport is now the largest source of emissions locally and air quality is still harmful in many areas of the city.

In March 2019 The City Council unanimously declared a Climate Emergency and committed to net zero carbon emissions by 2030.

During the Coronavirus Pandemic we have seen significant increases in walking and cycling in the city. The requirement for social distancing to continue, especially on public transport, will require giving greater priority for cycling and walking on our streets.

Recently Lord Deben, Chair of the Committee on Climate Change said

“We have to do this as rapidly as possible. What we do not want is lots of good-hearted statements about beginning policies- what we need to do is seize the opportunity”.

We welcome the initial proposals put forward for funding from the

Emergency Active Travel Scheme as a useful start including the seafront road closures, Charlotte Street, Isambard Brunel Road and Guildhall Walk, the Eastern Parade temporary Toucan Crossings, pop-up segregated cycle lanes in Ordnance Row and Elm Grove, Changing Landguard Road/Reginald Road/Maxwell Road/Tredegar Road - into one way streets with contraflow cycling, and filtered permeability (Stopping cars using it as a through route) in Castle Road and Canal Walk. However we will need to be more ambitious to build back a better future with a truly sustainable transport system for our city.

The Pompey Street Space Campaign has got significant support across the city from groups and individuals and has recently been asking for the council to do more. We support the Pompey Street Space Campaign and their three requests and call on the Cabinet to consider agreeing them. They are;

- To widen narrow pavements in busy streets so that people can keep the appropriate distance whilst walking and queuing,
- To create a joined up network of roads throughout the city that give priority to cyclists and pedestrians.
- To create commuter cycle routes that enable residents, from all areas of the city, to travel to work quickly and safely by bike

We also call on the Cabinet to consider agreeing;

That all bids for funding relating to city development should include measures that prioritise walking and cycling.

That proposals for the second tranche of funding for the Emergency Active Travel Scheme should support the three requests of the Pompey Street Space Campaign.

(e) **Youth Services**

Proposed by Councillor Tom Coles
Seconded by Councillor George Fielding

Since 2010, the government has slashed £1 billion from Youth Services nationally. In Portsmouth, there has been a significant reduction in youth provision. Youth Clubs exist in Portsea, Buckland, Somerstown and Paulsgrove/Wymering; there used to be additional provision but this has been cut in recent years having an impact on community wellbeing and cohesion.

You are only young once. Our Young People deserve much better than this. What is needed is money and resources to put support back into our communities, enabling Portsmouth City Council to work with young people to build a system whereby they are safe and secure in the modern world, treated fairly, supported in the present, and ambitious for their future:

- Skilled and equipped to learn and earn
- Positive health and wellbeing
- Active members of their communities
- Happy and confident in their future

To achieve this vision, we as a Council need to be able to provide long-term, stable funding for youth services to ensure all young people have access to high quality youth work provision that matches their needs and the main purpose of youth services provided should be to provide non-formal education through personal and social development and citizenship.

Therefore:

- 1) This Council notes that, in order to provide for those in the city aged between 10 and 19, Youth Services funding needs to be reviewed and increased.
- 2) This Council believes that, like Social Care and Education, Youth Services should be a statutory service of local government and that the Government should be encouraged to make it so.
- 3) This Council believes that Youth Services budgets should be protected, and that the Government should make Youth Services a statutory function of local government in order to protect funding for services for young people.
- 4) This Council requests the Cabinet to protect and increase Youth Services funding within the annual budget as much as possible.
- 5) This Council asks all Group Leaders to write to the Government to request Youth Services is re-categorised as a statutory service and funding is increased and ring-fenced in future budgets.

(f) **Fair pay for staff in council services**

Proposed by Councillor Cal Corkery
Seconded by Councillor Tom Coles

Since the onset of the coronavirus pandemic, staff working in council services have played a vital role in supporting our communities through these incredibly challenging times. The efforts of those working in essential services have been remarkable and must be recognised as such through meaningful action.

A proposal for council staff to receive a one-off bonus of £500 each had been put to the cross party Local Government Association (LGA) resources board who agreed to lobby government for the necessary funding to make it happen. However this decision was

then effectively overturned by the LGA Executive Advisory Board. It is believed that council staff fully deserve a financial bonus for their efforts in recent months and call on the LGA to lobby government to fund this. Portsmouth City Council directly employed staff currently receive at least the Living Wage as defined by the Living Wage Foundation, however many staff in outsourced or commissioned council services do not. In order to become an accredited Living Wage employer the local authority must pay all directly employed staff the Living Wage and have a plan to ensure that staff in outsourced services also receive at least this rate.

The current round of local government pay negotiations remains unresolved and the most recent employers' offer of 2.75% doesn't go anywhere near far enough recognising the contributions of council staff to dealing with pandemic. Nor does the offer come close enough to making up the average 22% real terms reduction in the earnings of the lowest paid since 2010. Trade union members are right to reject this paltry offer which fails to fairly reward hard working council staff. Employers should reconsider their position and lobby for an increased pay deal funded by central government.

The local authority has a responsibility to ensure staff in council services are fairly treated and properly rewarded for their efforts. Given the exceptional contributions made by public service workers over the past few months this is a responsibility which we must take even more seriously.

Full Council therefore resolves:

1. To publicly place on record our appreciation of the role that staff in council services, and their trade unions, have played in dealing with the impact of the pandemic.
2. To request the Chief Executive write a public letter on behalf of the local authority to the LGA Executive Advisory Board expressing dismay at their decision not to lobby for cash to provide special payments to staff as a result of COVID-19 and ask they reconsider this position.
3. To ask the Cabinet to sign the council up to become a Living Wage employer as accredited by the Living Wage Foundation.

(g) **Black Lives Matter**

Proposed by Councillor Tom Wood
Seconded by Councillor Will Purvis

Council condemns the senseless torture and murder of George Floyd.

Council notes that the death of George Floyd in the USA has attracted significant international attention and peaceful protest, as

yet another tragic example of people from Black, Asian and Minority Ethnic (BAME) communities being treated as if their lives matter less.

From our Government's deportation of the Windrush generation who came to rebuild this country after WWII, to the persecution of Yazidi Christians in the Middle East and Rohingya Muslims in Myanmar, to the killing in Charlottesville, the dream that all lives matter rings hollow for many.

Council believes that black lives matter, and resolves to send a message of solidarity and support to those who have attended Portsmouth's home grown Black Lives Matter peaceful protests, in recognition of the importance of peaceful protest against racial injustice, racist violence, and abuse of power, and in recognition that in Portsmouth, the right to life, liberty, and justice of every citizen is precious, and that we all have a role in upholding and defending these rights.

In particular Council condemns the actions of President Trump in deploying violence against peaceful protests against police brutality in numerous US cities.

Council resolves to support calls for the Department for International Trade to suspend exporting of CS and tear gas, rubber bullets, and similar riot control equipment to the US pending investigation of whether any UK-supplied equipment has been misused by US authorities against peaceful protestors.

Council resolves to seek a revisit of the findings of the Government's Race Disparity Audit (2017), the Lammy Review (2017), and the McGregor-Smith Review (2017), among others, and their recommendations for developing effective strategies to reduce disparities between ethnic groups in our city.

Council resolves to welcome the EHRC's announcement of an inquiry into long-standing structural race inequalities in the UK in relation to Covid-19 deaths, and commits to working to address structural inequalities in the city through engagement with communities in Portsmouth to assess the impact of the pandemic on the most vulnerable.

Council asks Cabinet to appoint cross-party Equalities Champion to oversee the Council's work on equalities, diversity and inclusion.

Council requests that the Cabinet brings forward a report on the actions it will take to address structural inequalities in the city and how these actions will be delivered and monitored. The report should address the resourcing of BAME groups to ensure they have stronger voices and influence both within our communities and among our workforce, and a commitment to developing an anti-racism strategy for the city in conjunction with communities and

partners such as the police and NHS.

(h) **Reform of the Gender Recognition Act and Support for our Trans Community**

Proposed by Councillor George Fielding

Seconded by Councillor Suzy Horton

This council notes

The UK Government consultation on reforming the 2004 Gender Recognition Act (GRA) took place nearly two years ago, and the results of the consultation have not yet been released.

In April 2020, Minister for Women and Equalities Liz Truss MP said in evidence to the Women and Equalities Select Committee that she will guided by the following important principles:

- the protection of single-sex spaces.
- that transgender adults are free to live their lives as they wish without fear of persecution, whilst maintaining the proper checks and balances in the system.
- ensuring that the under 18s are protected from decisions that they could make, that are irreversible in the future.

However since then, there have been concerns that the Government are rowing back on their commitments.

Portsmouth City Council has promoted LGBT+ rights and welcomed the creation of councillor champions in fighting for equality for all since.

At present, trans people face significant disadvantage in society - one in four trans people report being discriminated against in work, over a third avoid expressing their gender through physical appearance in fear of being assaulted or harassed, and almost 50% of trans people have attempted suicide at some point in their lives.

It is our duty as community leaders who seek to create an open Portsmouth to speak out against transphobia and make clear it will not be tolerated under the guise of 'legitimate concerns' over someone's basic humanity

This council therefore resolves

- That all Group Leaders be requested to write to the Minister for Women and Equalities in support of reforms to the GRA as per the 70% of respondents to the consultation regarding the principle of legal gender self-identification for trans people living in the UK
- That the Administration, as political leaders of this council, step up and be visible in challenging transphobia in our community
- The council continues to work actively with the LGBT+

champions in fighting against any other form of LGBTQ+ hatred in this city, and continue to help communities through relevant LGBTQ+ services within the council.

The City Solicitor has advised that should the earlier motion (g) from Councillor T Wood be considered by the Council, the below motion from Councillor Smyth cannot be put to this meeting as it is would be caught by the six month rule.

(i) Black Lives Matter

Proposed by Councillor Judith Smyth
Seconded by Councillor Stephen Morgan

The harrowing footage of the murder of George Floyd has quite rightly shaken the world. Tragically this is not a one-off event. It is endemic of a deep-set racism in society. While the Black Lives Matter movement is on the frontier of the battle for civil rights and their peaceful resilience is an inspiration, there are things that we can do here in Portsmouth to stamp out all forms of racism and injustice.

The Black Lives Matter movement has reminded us that there remains considerable violence, prejudice and inequality against BAME communities happening across the UK and here in Portsmouth, whilst Covid-19 has shone a spotlight on this inequality and there is significant actions required locally and nationally.

Public Health England (PHE) has confirmed in a report published on 16 June 2020, that people from a BAME background are twice as likely to die from Covid-19 than those who are White British background because of structural and racial inequalities. Those living in a deprived community have higher levels of diagnosis and death rates.

Thousands of people and organisations have made it clear that urgent, collaborative and decisive action is needed. Hundreds have demonstrated in Portsmouth. The Government cannot make the same mistakes if there is a second wave of coronavirus, nor can we in Portsmouth.

Council notes:

- The decision to light Spinnaker Tower purple in commemoration of the tragic and wholly unnecessary death of George Floyd
- The commitment to engage BAME council staff to assist with the local authority's response to the Black Lives Matter movement

Council resolves:

- 1) To stand in complete solidarity with BAME communities in America, in Britain, and around the world and to give its

support to the Black Lives Matter movement here in Portsmouth

- 2) To lobby for immediate government action on to address the disproportionate impact of Covid-19 on black, Asian and minority ethnic people
- 3) To specifically call on the government to:
 - make urgent changes to Government policy and guidance to protect BAME communities as the recent PHE report requested; and;
 - implement the action plan as requested by the Chair of the BMA (British Medical Association) to reduce the risk to BAME employees and to address the underlying issues
- 4) The cabinet be asked to work with local groups to ensure BAME voices are heard locally in decision making and to feed into inquiries on the handling of the Covid-19 pandemic
- 5) The Cabinet be asked to Review to improve engagement with BAME community groups by the council to see what lessons can be learnt to strengthen cohesion, engagement and closer partnership working to root out all forms of racism and injustice
- 6) That Officers through the Cabinet be asked to undertake a Review to improve existing learning and development for all Members of the City Council to ensure that as community leaders councillors are aware of their responsibilities and obligations in law.

(j) **Consultation on changes to the road network**

Proposed by Councillor Luke Stubbs
Seconded by Councillor Donna Jones

Council notes that:

- The closure of Eastern Parade and parts of the Esplanade have been enacted via the Temporary Traffic Regulation Order process
- The since abandoned reduction of Eastern Road to a single southbound lane was to have been progressed through the same process
- Both the above schemes were drawn up with the potential of them being made permanent
- No consultation was required or carried out

Council recognises the pressures put on cycling and pedestrian infrastructure by the COVID 19 crisis and the difficult position this put the administration in. Nevertheless it is concerned that

extensive and potentially long lasting changes are being made to the road network without any opportunity for public input or for the consideration of detailed comments from businesses, taxi groups and other stakeholders.

It therefore puts on record its concerns and calls for the Cabinet to engage with the public on any schemes with a potential duration of more than six months.

(k) **Consultation on our heritage**

Proposed by Councillor Luke Stubbs
Seconded by Councillor Donna Jones

Council notes the mounting concern at the actions and attitudes of historical figures, some of whom are commemorated with statues or with streets or public buildings bearing their names.

However council also believes that the history of Portsmouth belongs to all the people of the city and not just to councillors.

If the administration comes to the conclusion that it wants to rename a building or road under its control or wishes to remove a statue, it has the legal power to do so. However council considers this would not be the right thing to do without establishing whether there is public support first.

Council therefore calls on the Cabinet to commit to carrying out the most extensive consultation before any such decision, including the holding of public meetings and exhibitions and direct approaches to civic society organisations for their input; it also asks that group leaders are fully briefed in advance of any moves. In the case of the most wide ranging changes, council considers that a local referendum may be the most appropriate form of engagement.

(l) **Re-opening of Schools**

Proposed Councillor Terry Norton
Seconded Councillor Scott Payter-Harris

Covid-19 has been challenging for many across the UK, in particular children who have suffered educationally and in some cases personally too. School offers not just an education, but also a place for social development and in some cases a safe haven away from abuse and neglect. Schools play a vital role in keeping some of the most vulnerable children in our city safe, whilst also enhancing their aspirations and outcomes in life.

Portsmouth City Council welcomes the commitment for children to return to educational settings in September.

Portsmouth City Council notes that:

- 1) The recovery of education is critical for this generation of

- schoolchildren.
- 2) Portsmouth has a rising number of children returning to school with no reported outbreaks
 - 3) The government's decision has been taken based on statistical evidence.
 - 4) The pressures of sustained amounts of time away from an educational setting is having a detrimental effect on children's mental health.
 - 5) School is a safe place where children from all backgrounds can learn, develop and play.

Portsmouth City Council believes that the government's decision to reopen schools will relieve parents of the additional burden and assist with childcare enabling parents to return to work where possible, prevent wider educational inequality for our most disadvantaged children and assist in reopening of the economy.

Portsmouth City Council resolves:

- 1) To express its support for teachers and school staff who have attended work to support the children of Keyworkers.
- 2) To ask the Cabinet to ensure that parents, school staff and governors from across the city are kept well informed of each schools reopening plan.
- 3) To ask the Cabinet to offer support to Portsmouth schools who have expressed concerns over the functionality of reopening.

Portsmouth City Council notes that any actions taken by this council must be subject to the government's scientific advice both now and in the future.

17 Questions from Members under Standing Order No 17. (Pages 99 - 102)

David Williams
Chief Executive

Deputations - A written deputation stating which agenda item it refers to must be received by the Local Democracy Manager by 12 noon two working days preceding the meeting. Any written deputation received by email will be sent to the Council Members and be referred to and be read out at the meeting. Please notify the Local Democracy Manager at Stewart.Agland@portsmouthcc.gov.uk.

Civic Offices
Guildhall Square
PORTSMOUTH
13 July 2020

Agenda Item 2

19 May 2020

1

MINUTES OF A MEETING OF THE COUNCIL held at the Guildhall
Portsmouth on Tuesday, 19 May 2020 at 10.00 am

Council Members Present

The Right Worshipful The Lord Mayor
Councillor David Fuller (in the Chair until minute 37)

Councillors

Dave Ashmore	Stephen Morgan
Matthew Atkins	Gemma New
Chris Attwell	Robert New
Simon Bosher	Terry Norton
Tom Coles	Steve Pitt
Cal Corkery	Will Purvis
Ben Dowling	Darren Sanders
Jason Fazackarley	Jeanette Smith
George Fielding	Judith Smyth
John Ferrett	Lynne Stagg
Scott Payter-Harris	Luke Stubbs
Graham Heaney	Benedict Swann
Hannah Hockaday	Linda Symes
Jo Hooper	Claire Udy
Suzy Horton	Gerald Vernon-Jackson CBE
Lee Hunt	Steve Wemyss
Frank Jonas BEM	Matthew Winnington
Donna Jones	Rob Wood
Leo Madden	Tom Wood
Hugh Mason	Neill Young
Lee Mason	

Stewart Agland, Local Democracy Manager, welcomed everyone to the first virtual meeting to be held by Portsmouth City Council and advised that the meeting is being broadcast to enable the Press and public to view the meeting.

He said that the Council is meeting virtually in response to the limitations placed on governance by the COVID-19 pandemic. Until recently the law stated that all Members had to be present in the room to make formal decisions at meetings. However, the law has been amended in response to the COVID-19 emergency, and Councils are now able to hold public meetings virtually.

For the purposes of this meeting and having been advised by the City Solicitor, the Local Democracy Manager confirmed that pursuant to section 78 of the Coronavirus Act 2020, this meeting will be run by reference to the model Standing Orders as set out in The Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) Regulations 2020 No 392 (The Regulations).

The Dean then said prayers.

The Lord Mayor then spoke to give thanks to those who had supported him during his year in office and the money raised for local charities.

34. Vote of thanks to the Retiring Lord Mayor and Lady Mayoress

The Lord Mayor welcomed everyone to the meeting.

It was

Proposed by Councillor Gerald Vernon-Jackson

Seconded by Councillor Donna Jones

That a vote of thanks be given to the retiring Lord Mayor and Lady Mayoress.

It was RESOLVED unanimously that the Council places on record its sincere thanks to Councillor David Fuller and Mrs Leza Tremorin for their outstanding service to the City as Lord Mayor and Lady Mayoress during their year of office.

That the Council expresses its great appreciation of the fine qualities which Councillor David Fuller brought to the conduct of the business of this Council, his devotion to duty, and the distinction and goodwill with which he carried out the many and various duties of the office of Lord Mayor.

That the Council also places on record its gratitude to Mrs Leza Tremorin for the untiring support and help which she has given as Lady Mayoress to the Lord Mayor.

That this resolution be engrossed and be presented to Councillor David Fuller and Mrs Leza Tremorin at a later ceremony.

35. Election of the Lord Mayor for the ensuing Municipal Year

Councillor Gerald Vernon-Jackson nominated Councillor Robert Wood for election to the Office of Lord Mayor for the ensuing Municipal Year. The nomination was seconded by Councillor Steve Pitt.

There being no other nominations, the Lord Mayor put the proposal which was CARRIED unanimously and he declared Councillor Robert Wood duly elected Lord Mayor.

The new Lord Mayor then took the affirmation of office and would sign the formal Declaration of Acceptance of Office at a later date.

36. Investiture of the new Lady Mayoress

Mrs Debra Wood, the new Lady Mayoress, would sign the formal affirmation at a later date.

37. New Lord Mayor takes the Chair and returns thanks to the Council

Councillor Rob Wood took the Chair. He thanked members of the Council for his election and gave a short speech.

38. Appointment of the Deputy Lord Mayor for the ensuing Municipal Year

Councillor Donna Jones nominated Councillor Frank Jonas to be the Deputy Lord Mayor for the ensuing municipal year. This nomination was seconded by Councillor Scott Payter-Harris.

There being no other nominations, the Lord Mayor put the proposal which was CARRIED unanimously and he declared Councillor Frank Jonas duly elected as the Deputy Lord Mayor.

The Deputy Lord Mayor then took the affirmation of office and would sign the formal Declaration of Acceptance of Office at a later date.

Councillor Frank Jonas would be supported by his sister Mrs Joy Maddox as Deputy Lady Mayoress who would sign the formal affirmation at a later date.

39. Appointment of Chaplains to the City Council

The Lord Mayor announced that Dr Anthony Cane and Reverend Tracey Ansell had been appointed as chaplains for the ensuing municipal year.

The Lord Mayor advised that in the circumstances, it is not considered appropriate to appoint any new Lord Mayor's cadets for the ensuing municipal year due to the limited opportunities they will have to undertake their role. The current Lord Mayor's cadets will remain in post to enable them to complete a full year.

40. Civic Awards and Youth Civic Award

The Civic Awards and Youth Civic Award will be announced at a more appropriate time and will be presented in a separate ceremony.

41. Declaration of Members' Interests

There were no declarations of Members' interests.

42. Minutes of the Ordinary Council meeting held on 17 March 2020

It was

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

That the minutes of the meeting held on 17 March 2020 be confirmed and signed as a correct record.

RESOLVED that the minutes of the ordinary council meeting held on 17 March 2020 be confirmed and signed as a correct record.

43. Communications and Apologies

No apologies for absence had been received.

44. Deputations from the Public under Standing Order No 24

There were no deputations from Members of the public.

45. Office of Leader of the Council

Under the Local Government and Public Involvement in Health Act 2007, the current Leader of the City Council, Councillor Gerald Vernon-Jackson will remain in office until May 2023 subject to the conditions set out on the agenda.

46. 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 Lord Mayor explained that the Council Leader is empowered to determine the number of councillors on the Cabinet and decide portfolios and portfolio remits and to select one of the appointed members to the position of Deputy Leader. The Leader announced his Cabinet and confirmed that Councillor Steve Pitt would remain as Deputy Leader. Cabinet positions, including the opposition spokespersons provided by the respective Group Leaders are attached to these minutes as Appendix 1.

The membership of the Health & Wellbeing Board which is in the gift of the Leader would be circulated at a later date.

RESOLVED that Council

- (1) noted the 10 portfolios (including the Leader) for the ensuing municipal year as set out in Appendix 1 attached to these minutes;**
- (2) noted the membership of the Health & Wellbeing Board for the ensuing municipal year would be circulated at a later date.**

47. Proportional Representation on Panels and Committees

The Lord Mayor proposed and the Council agreed to take agenda items 9, 10, 11, 12, 13 and 14 together regarding proportional representation on committees and panels and consequent appointment of members and standing deputies, chairs and vice-chairs and other appointments.

It was

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

To adopt the overall political balance and allocation of seats schedule circulated in the chamber and to agree the membership of committees and panels, standing deputies, chairs and vice-chairs of committees and panels, including appointments and other appointments.

Upon being put to the vote the Council agreed all the appointments

Proportionality Chart (May 2020)

Groups	1 <i>No of Cllrs</i>	2 <i>Total No of Cttee Seats</i>	3 <i>Licensing Committee (15 Members)</i>	4 <i>Planning Committee (10 Members)</i>	5 <i>7 committees and panels (see note) (6 Members each)</i>	6 <i>Scrutiny Management Panel (9 Members)</i>
<i>Liberal Democrat</i>	17	31* (but 1* gifted to PPPG)	6* but gifted *1 seat to PPPG	4	17	4
<i>Conservative</i>	15	27 (was 29)	5 (was 6)	4	14 (was 15)	4
<i>Labour</i>	6	11	2	1	7	1
<i>PPP</i>	2	3* (4 th seat gifted by LD)	*1 *gifted 1 seat by LD	1	2	
<i>Non-Aligned Independent JF</i>	1	2	1		1	
<i>Non-Aligned Independent LM</i>	1	2	1 (was 0)		1 (was 0)	
	42					

* Liberal Democrat Group gifted 1 seat to Progressive Portsmouth People.

Liberal Democrat (30 seats)

5 seats on Licensing Committee
4 seats on Planning Committee
2 seats on each of the 7 Regulatory/Scrutiny bodies +1 addition on
three of them (max 3)
4 seats on Scrutiny Management Panel

Conservative (27 seats)

5 seats on Licensing Committee
 4 seats on Planning Committee
 2 seats on each of the 7 Regulatory/Scrutiny bodies
 4 seats on Scrutiny Management Panel

Labour (11 seats)

2 seats on Licensing Committee
 1 seat on Planning Committee
 7 seats on the 7 Regulatory/Scrutiny bodies
 1 seat on Scrutiny Management Panel

Progressive Portsmouth People (4 seats)

1 seat on Licensing Committee
 1 seat on Planning Committee
 2 seats on the 7 Regulatory/Scrutiny bodies

Non-Aligned Independents (2 seats each) [Cllrs Ferrett & L. Mason]

Both Members are each entitled to have 1 seat on one of the 7 Regulatory/Scrutiny bodies and it proposed each of their other seats is both on the Licensing Committee.

All groups where possible, to name 3 Standing Deputies (5 in respect of the Planning Committee) per political group.

RESOLVED (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.

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

RESOLVED (3) that the following committees and panels be appointed with the membership as shown together with the standing deputies and chairs and vice-chairs where appropriate as indicated

Licensing Committee

15 Members and 3 standing deputies per group represented

Group	Position 2020-20	Nomination (name) for 2019-20
1. Liberal Democrat		David Ashmore
2. Liberal Democrat		Chris Attwell
3. Liberal Democrat		Jason Fazackarley
4. Liberal Democrat		Leo Madden
5. Liberal Democrat		Gerald Vernon-Jackson
6. Conservative	Vice Chair	Scott Payter-Harris
7. Conservative		Hannah Hockaday
8. Conservative		Robert New

9. Conservative		Benedict Swann
10. Conservative		Linda Symes
11. Labour		Tom Coles
12. Labour		George Fielding
13. Progress Portsmouth People	Chair	Claire Udy (gifted from LD)
14. NA Independent (JF)		John Ferrett
15. NA Independent (LM)		Lee Mason
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Hugh Mason
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	David Fuller
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Lee Hunt
<i>Conservative</i>	<i>Standing Deputy</i>	Jo Hooper
<i>Conservative</i>	<i>Standing Deputy</i>	Gemma New
<i>Conservative</i>	<i>Standing Deputy</i>	Steve Wemyss
<i>Labour</i>	<i>Standing Deputy</i>	Cal Corkery
<i>Labour</i>	<i>Standing Deputy</i>	Vacant
<i>Labour</i>	<i>Standing Deputy</i>	Vacant
<i>Progressive Portsmouth People</i>	<i>Standing Deputy</i>	Vacant

Planning Committee

10 Members and 5 standing deputies per group represented

Indicate "Chair" & "Vice Chair" in position column.

Group	Position for 2020-21	Nomination for 2020-21
1. Liberal Democrat	Chair	David Fuller
2. Liberal Democrat		Lee Hunt
3. Liberal Democrat		Lynne Stagg
4. Liberal Democrat		Gerald Vernon-Jackson
5. Conservative		Matthew Atkins
6. Conservative		Donna Jones
7. Conservative		Terry Norton
8. Conservative		Luke Stubbs
9. Labour	Vice Chair	Judith Smyth
10. Progressive Portsmouth People		Claire Udy
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Chris Attwell
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Hugh Mason
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Steve Pitt
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Tom Wood
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Vacant
<i>Conservative</i>	<i>Standing Deputy</i>	Jo Hooper
<i>Conservative</i>	<i>Standing Deputy</i>	Frank Jonas
<i>Conservative</i>	<i>Standing Deputy</i>	Gemma New

<i>Conservative</i>	<i>Standing Deputy</i>	Robert New
<i>Conservative</i>	<i>Standing Deputy</i>	Scott Payter Harris
<i>Labour</i>	<i>Standing Deputy</i>	George Fielding
<i>Labour</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Labour</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Labour</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Labour</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Progressive Portsmouth People</i>	<i>Standing Deputy</i>	<i>Vacant</i>

Scrutiny Management Panel

9 Members and 3 standing deputies per group represented

Indicate "Chair" & "Vice Chair" in position column.

Group	Position for 2020-21	Nomination for 2020-21
1. Liberal Democrat	Chair	Jason Fazackarley
2. Liberal Democrat		Ben Dowling
3. Liberal Democrat	Vice Chair	Leo Madden
4. Liberal Democrat		Will Purvis
5. Conservative		Simon Boshier
6. Conservative		Jo Hooper
7. Conservative		Scott Payter-Harris
8. Conservative		Benedict Swann
9. Labour		George Fielding
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Chris Attwell
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	David Fuller
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Conservative</i>	<i>Standing Deputy</i>	Donna Jones
<i>Conservative</i>	<i>Standing Deputy</i>	Luke Stubbs
<i>Conservative</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Labour</i>	<i>Standing Deputy</i>	Tom Coles
<i>Labour</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Labour</i>	<i>Standing Deputy</i>	<i>Vacant</i>

Governance & Audit & Standards Committee

6 Members and 3 standing deputies per group represented.

Indicate "Chair" & "Vice Chair" in position column.

Group	Position for 2020-21	Nomination for 2020-21
1. Liberal Democrat	Chair	Leo Madden
2. Liberal Democrat		Chris Attwell
3. Conservative	Vice Chair	Simon Boshier
4. Conservative		Neill Young

5. Labour		Judith Smyth
6. NA Independent		John Ferrett
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Ben Dowling
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Vacant
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Vacant
<i>Conservative</i>	<i>Standing Deputy</i>	Matthew Atkins
<i>Conservative</i>	<i>Standing Deputy</i>	Donna Jones
<i>Conservative</i>	<i>Standing Deputy</i>	Terry Norton
<i>Labour</i>	<i>Standing Deputy</i>	Graham Heaney
<i>Labour</i>	<i>Standing Deputy</i>	Vacant
<i>Labour</i>	<i>Standing Deputy</i>	Vacant

Employment Committee

6 Members and 3 standing deputies per group represented.
Indicate "Chair" & "Vice Chair" in position column.

Group	Position for 2020-21	Nomination for 2020-21
1. Liberal Democrat	Chair	Ben Dowling
2. Liberal Democrat		Darren Sanders
3. Conservative	Vice Chair	Donna Jones
4. Conservative		Matthew Atkins
5. Labour		Cal Corkery
6. Liberal Democrat		Gerald Vernon-Jackson
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Hugh Mason
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Lynne Stagg
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Matthew Winnington
<i>Conservative</i>	<i>Standing Deputy</i>	Simon Boshier
<i>Conservative</i>	<i>Standing Deputy</i>	Luke Stubbs
<i>Conservative</i>	<i>Standing Deputy</i>	Linda Symes
<i>Labour</i>	<i>Standing Deputy</i>	Tom Coles
<i>Labour</i>	<i>Standing Deputy</i>	Vacant
<i>Labour</i>	<i>Standing Deputy</i>	Vacant

Health Overview & Scrutiny Panel

6 Members and 3 standing deputies per group represented.
Indicate "Chair" & "Vice Chair" in position column.

Group	Position for 2020-21	Nomination for 2020-21
1. Liberal Democrat	Chair	Chris Attwell
2. Liberal Democrat		Leo Madden
3. Conservative		Steve Wemyss
4. NA Independent	Vice-Chair	Lee Mason
5. Labour		Graham Heaney
6. Liberal Democrat		Not filling at this time
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Conservative</i>	<i>Standing Deputy</i>	Gemma New
<i>Conservative</i>	<i>Standing Deputy</i>	Robert New
<i>Conservative</i>	<i>Standing Deputy</i>	Luke Stubbs
<i>Labour</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Labour</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Labour</i>	<i>Standing Deputy</i>	<i>Vacant</i>

Other Joint Members (not for PCC to determine) are from:

Fareham Borough Council
Havant Borough Council
Hampshire County Council
Winchester City Council
East Hampshire District Council
Gosport Borough Council

Economic Development, Culture & Leisure Scrutiny Panel

6 Members and 3 standing deputies per group represented.

Indicate "Chair" & "Vice Chair" in position column.

Group	Position for 2020-21	Nomination for 2020-21
1. Liberal Democrat		Ben Dowling
2. Liberal Democrat		David Fuller
3. Conservative		Frank Jonas
4. Conservative		Robert New
5. Labour	Chair	George Fielding
6. PPP		Jeanette Smith
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Jason Fazackarley
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Conservative</i>	<i>Standing Deputy</i>	Hannah Hockaday

<i>Conservative</i>	<i>Standing Deputy</i>	Scott Payter-Harris
<i>Conservative</i>	<i>Standing Deputy</i>	Linda Symes
<i>Labour</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Labour</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Labour</i>	<i>Standing Deputy</i>	<i>Vacant</i>

Education, Children & Young People Scrutiny Panel

6 Members and 3 standing deputies per group represented.
Indicate "Chair" & "Vice Chair" in position column.

Group	Position for 2020-21	Nomination for 2020-21
1. Liberal Democrat		Ben Dowling
2. Liberal Democrat		David Fuller
3. Conservative	Chair	Frank Jonas
4. Conservative		Hannah Hockaday
5. Labour	Vice Chair	Tom Coles
6. PPP		Jeanette Smith
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Chris Attwell
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Conservative</i>	<i>Standing Deputy</i>	Terry Norton
<i>Conservative</i>	<i>Standing Deputy</i>	Neill Young
<i>Conservative</i>	<i>Standing Deputy</i>	Jo Hooper
<i>Labour</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Labour</i>	<i>Standing Deputy</i>	<i>Vacant</i>
<i>Labour</i>	<i>Standing Deputy</i>	<i>Vacant</i>

Housing and Social Care Scrutiny Panel

6 Members and 3 standing deputies per group represented.
Indicate "Chair" & "Vice Chair" in position column.

Group	Position for 2020-21	Nomination for 2020-21
1. Liberal Democrat		Chris Attwell
2. Liberal Democrat		Jason Fazackarley
3. Conservative	Chair	Luke Stubbs
4. Conservative		Steve Wemyss

5. Labour	Vice Chair	Cal Corkery
6. Liberal Democrat		Leo Madden
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Ben Dowling
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Vacant
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Vacant
<i>Conservative</i>	<i>Standing Deputy</i>	Hannah Hockaday
<i>Conservative</i>	<i>Standing Deputy</i>	Benedict Swann
<i>Conservative</i>	<i>Standing Deputy</i>	Neill Young
<i>Labour</i>	<i>Standing Deputy</i>	Vacant
<i>Labour</i>	<i>Standing Deputy</i>	Vacant
<i>Labour</i>	<i>Standing Deputy</i>	Vacant

Traffic, Environment & Community Safety Scrutiny

6 Members and 3 standing deputies per group represented.
Indicate "Chair" & "Vice Chair" in position column.

Group	Position for 2020-21	Nomination for 2020-21
1. Liberal Democrat		Jason Fazackarley
2. Liberal Democrat		Leo Madden
3. Conservative	Chair	Simon Bosher
4. Conservative		Jo Hooper
5. Labour	Vice Chair	Judith Smyth
6. Conservative		Robert New
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Chris Attwell
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Vacant
<i>Liberal Democrat</i>	<i>Standing Deputy</i>	Vacant
<i>Conservative</i>	<i>Standing Deputy</i>	Matthew Atkins
<i>Conservative</i>	<i>Standing Deputy</i>	Benedict Swann
<i>Conservative</i>	<i>Standing Deputy</i>	Steve Wemyss
<i>Labour</i>	<i>Standing Deputy</i>	Graham Heaney
<i>Labour</i>	<i>Standing Deputy</i>	Vacant
<i>Labour</i>	<i>Standing Deputy</i>	Vacant

RESOLVED (4) that the following appointments be made for 2020/21 municipal year:

Hampshire Fire & Rescue Authority (1 member)

Appointed: Councillor Jason Fazackarley

Police and Crime Panel (1 Member)

Appointed: Councillor Lee Hunt

Local Government Association General Assembly (4 Members)

Appointed:

1. Councillor Lee Mason (gifted by Conservatives)
2. Councillor Judith Smyth
3. Councillor Gerald Vernon-Jackson CBE
4. Councillor Darren Sanders

Portsmouth City Council has up to 5 votes on the LGA, which are usually exercised by the party forming the City Council's political administration.

Langstone Harbour Board (6 Members)

Appointed :

1. Councillor Graham Heaney
2. Councillor Lee Mason (gifted by Conservatives)
3. Councillor Darren Sanders
4. Councillor Robert New
5. Councillor Jeanette Smith
6. Councillor Matthew Winnington

Standing deputy: Councillor Hugh Mason

Standing deputy Councillor Matthew Atkins

Twinning Advisory Group (AI14) (6 Members)

To be chaired by the Resources Portfolio holder, with the Lord Mayor performing the deputy Chair role.

6 Members appointed (not required to be politically proportional): -

- | | |
|-----------------------------|---|
| 1. Councillor Tom Wood | (Chair, ex-officio, Resources Portfolio holder) |
| 2. Councillor Rob Wood | (Vice-Chair, ex-officio, Lord Mayor) |
| 3. Councillor Leo Madden | |
| 4. Councillor Tom Coles | |
| 5. Councillor Chris Attwell | |
| 6. Councillor Linda Symes | |

48. Urgent and Important Business in accordance with Standing Order No 26

There was no urgent business.

49. To approve the following dates for meetings of the Council during the 2020/21 municipal year to commence at 2pm unless otherwise indicated

It was

Proposed by Councillor Gerald Vernon-Jackson

Seconded by Councillor Donna Jones

That the dates and times for the Council meetings for the next municipal year (2020/21) as set out in agenda item 16, be approved and that the provisional dates for 2021/22 Council meetings also set out in agenda item 16, be agreed in principle, subject to later ratification.

Upon being put to the vote this was CARRIED.

RESOLVED (1) that the meetings of the Council be held on the following dates in the 2020/21 municipal year to commence at 2.00 pm unless otherwise indicated:

21 July 2020	12 January 2021 (provisional)
13 October 2020	9 February 2021
10 November 2020	16 March 2021
8 December 2020	18 May 2021 (Annual) (10:00am)

(2) that the following provisional council meeting dates for 2021/22 be agreed in principle subject to later ratification:

20 July 2021	18 January 2022 (provisional)
12 October 2021	8 February 2022
9 November 2021	15 March 2022
7 December 2021	17 May 2022 (Annual) (10:00am)

All meetings to start at 2pm unless otherwise stated.

The meeting concluded at 10.50 am.

.....
Lord Mayor

Cabinet & Opposition spokespersons for 2020/21

Portfolio	Cabinet Member (Councillor)	Group Spokespersons (Councillor)
The Leader	Gerald Vernon-Jackson (Leader) (Liberal Democrat)	Donna Jones (Conservative) Stephen Morgan (Labour) Claire Udy (PPP)
Environment & Climate Change	Dave Ashmore (Liberal Democrat)	Robert New (Conservative) George Fielding (Labour) Vacant (PPP)
Community Safety	Lee Hunt (Liberal Democrat)	Gemma New (Conservative) Cal Corkery (Labour) Vacant (PPP)
Culture, Leisure and Economic Development	Steve Pitt (Deputy Leader) (Liberal Democrat)	Linda Symes (Conservative) Stephen Morgan (Labour) Claire Udy (PPP)
Traffic and Transportation	Lynne Stagg (Liberal Democrat)	Simon Boshier (Conservative) Graham Heaney (Labour) (PPP)
Health, Wellbeing & Social Care	Matthew Winnington (Liberal Democrat)	Matthew Atkins (Conservative) Graham Heaney (Labour) Jeanette Smith (PPP)
Housing	Darren Sanders (Liberal Democrat)	Scott Payter-Harris (Conservative) Cal Corkery (Labour) Vacant (PPP)
Resources	Tom Wood (Liberal Democrat)	Donna Jones (Conservative) Tom Coles (Deputy Leader) (Labour) Jeanette Smith (Deputy Ldr) (PPP)
Children, Families & Education	Suzy Horton (Liberal Democrat)	Terry Norton (Conservative) Judith Smyth (Labour) Jeanette Smith (PPP)
Planning Policy & City Development	Hugh Mason (Liberal Democrat)	Luke Stubbs (Deputy Ldr) (Conservative) Judith Smyth (Labour) Claire Udy (PPP)

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Agenda Item 5



Portsmouth
CITY COUNCIL

COUNCIL MEETING

QUESTIONS BY THE PUBLIC AT COUNCIL MEETINGS UNDER STANDING ORDER NO 25

CITY COUNCIL MEETING – 21 JULY 2020

QUESTION NO 1

FROM: HONORARY ALDERMAN ALISTAIR THOMPSON

**TO REPLY: CABINET MEMBER FOR ENVIRONMENT AND
CLIMATE CHANGE
COUNCILLOR DAVE ASHMORE**

"Portsmouth City Council has introduced a number of schemes and activities to encourage recycling over recent years, such as the introduction of the black and green wheelie bins. Whilst these have improved recycling rates in the City, according to the ONS, in 2018/19, less than 30 per cent of our rubbish was recycled, which is one of the worst records across England. By way of comparison, Surrey Heath BC and Vale of the White Horse DC, have recycling rates above 60 per cent for the same period and Guildford BC, Oxfordshire CC and Milton Keynes Council, all of which are in the South East, have recycling rates in the high 50s. One way to encourage more recycling might be to allow our residents and visitors to recycle when they are visiting the shops, the Common and Seafront, or the many wonderful places in our City, but currently they can't as we do not seem to have public bins designed for recycling. Therefore would the Cabinet Member for Environment and Climate Change instruct his officers to investigate the cost and potential benefits of a) replacing some of the rubbish bins in the City with recycling bins, b) creating two separate internal compartments within

the existing bins so that one side can be used for dry recycling and the other remains available for rubbish, c) introducing new bins that allow for recycling as well as rubbish as used by some other local authorities, or d) a mixture of the above?"

QUESTION NO 2

FROM: HONORARY ALDERMAN ALISTAIR THOMPSON

TO REPLY: CABINET MEMBER FOR ENVIRONMENT AND
CLIMATE CHANGE
COUNCILLOR DAVE ASHMORE

"Will he further instruct his officers to examine how such a change might impact on the cost of collecting and disposing of this rubbish as landfill tax rose again last April to nearly £95 per tonne and will in all likelihood increase in future years, so reducing what we throw away might deliver a saving to the taxpayers of Portsmouth?"

<https://www.gov.uk/government/statistical-data-sets/env18-local-authority-collected-waste-annual-results-tables>

QUESTION NO 3

FROM: SELMA HEIMEDINGER

TO REPLY: CABINET MEMBER FOR ENVIRONMENT AND
CLIMATE CHANGE
COUNCILLOR DAVE ASHMORE

"Are we on track to reach carbon net zero by 2025? Or even by 2030?"

- Extinction Rebellion Portsmouth



Title of meeting:	Cabinet
Date of meeting:	14 th July 2020
Subject:	Modern Slavery Transparency Statement
Report by:	Corporate Strategy - Lisa Wills
Wards affected:	All
Key decision:	No
Full Council decision:	No

1. Purpose of report

The purpose of this report is to provide context to the council's Modern Slavery Transparency Statement and seek approval to publish the statement on the council's website (appendix 1)

2. Recommendations

That Cabinet approves

- i) The Modern Slavery Transparency Statement for publication on the council's website (see appendix 1) and**
- ii) The programme of work set out in item 5.**
- iii) Full Council is asked to note the recommendations for information only**

3. Background

3.1 The Modern Slavery Act 2015 (MSA 2015) applies to England and Wales and includes the offences of human trafficking and slavery, servitude and forced or compulsory labour. The Act consolidated and simplified existing offences and establishes a legal duty under Section 52 for specified public authorities to notify the Home Office where there is reasonable grounds to believe a person may be a victim of modern slavery.

3.2 Section 54 of the MSA 2015 requires commercial organisations carrying out business in the UK, with a turnover of at least £36 million, to prepare and publish a slavery and human trafficking statement for each and every financial year.

3.3 A review of the legislation published in May 2019 recommended that Government should extend section 54 requirements to the public sector and strengthen its public procurement processes. The council published first statement in advance of this recommendation in March 2019. This is the council's second published statement.

3.4 The Local Government Association has published helpful guidance in relation to preparing transparency statements which has been used to develop the draft statement attached. Portsmouth City Council's existing statement is published on the LGA Portal here: <https://www.local.gov.uk/topics/community-safety/modern-slavery/transparency-statements>. Not all local authorities have published a statement.

4. Hampshire and Isle of Wight Modern Slavery Partnership

4.1 The council believes that tackling modern slavery and trafficking cannot be addressed by one organisation alone. Portsmouth is therefore an active member of the Hampshire and Isle of Wight Modern Slavery Partnership. The Partnership has undergone a restructure over the past 18 months and senior managers responsible for adult and children's safeguarding are represented on the core group. Other Council staff play an active role in supporting the relevant sub-groups and have been involved in the development of the most recent strategic plan (2020-23) available here: [https://www.modernslaverypartnership.org.uk/files/2115/9169/7447/Hamp MSP Strategy.pdf](https://www.modernslaverypartnership.org.uk/files/2115/9169/7447/Hamp_MSP_Strategy.pdf)

4.2 The partnership has also developed a clear referral pathway for victims of modern slavery (appendix 2). It is helpful for members to note that in relation to the trafficking of children, the council has developed a good working relationship with the Immigration Enforcement Team, UK Border Force and the Police through quarterly meetings to share intelligence and protect vulnerable children. Safeguarding procedures for children and adults are implemented when required as referenced in the statement.

4.3 Staff from Learning and Development are leading the work to develop a consistent e-learning package across the county as part of the training sub-group.

4.4 The partnership co-ordinator has provided helpful infographics from the national Modern Slavery and Exploitation Helpline (see Executive Summary of data 2017-2019 at appendix 3). More detailed information for Portsmouth has been requested from Police colleagues; this will provide a better understanding of the issues locally and enable more targeted action.

5. Programme of continuous improvement

5.1 A local Modern Slavery Steering group has been established to take forward the improvement programme set out in the statement. This will be reviewed annually alongside the statement itself ensuring appropriate levels of awareness, response and enforcement across the relevant council directorates.

5.2 The programme of work will include:

- Finalising corporate performance indicators as part of a new corporate health monitoring process.
- Working in active partnership with the Hampshire and Isle of Wight Modern Slavery Partnership to support a consistent approach and response to modern slavery and trafficking

- Raising awareness of modern slavery by developing improved internal and external communications
- Extending the current and developing training to a wider staff group and developing universal multi-agency safeguarding training as mandatory for all council staff.
- Focus on ensuring that all supply chains are free from modern slavery, including undertaking local risk assessments and audits.
- Deliver community safety responses and disruption activities, working alongside partner agencies such as the police, fire and health services.

6. Reasons for recommendations

6.1 This *Modern Slavery and Human Trafficking Statement* sets out the Council's current position and future plans to understand all potential modern slavery risks related to its business and to put in place steps that are aimed at ensuring there is no slavery or human trafficking in its own business and/or in its supply chains.

6.2 The statement relates to activities during the financial year April 2019 to March 2020 and sets out a programme of work to be completed by the end of March 2021. For the avoidance of doubt, the statement also applies to Portsmouth International Port. Portico (previously known as MMD) are likely to prepare a separate statement.

7. Equality impact assessment (EIA)

A preliminary EIA has been completed and is attached.

8. Legal implications

The report confirms the basis upon which an organisation is required to prepare and publish its statement relevant to the Modern Slavery Act.

9. Director of Finance's comments

There are no financial implications arising from the recommendations. If there are actions arising from the programme of work that require additional resource, a further report will be brought to members.

.....
Signed by:

Appendices:

Appendix 1 Portsmouth City Council Draft Modern Slavery Transparency Statement 2019/20

Appendix 2 Adult victim referral pathway - June 2020

Appendix 3 Data Infographic - Modern Slavery and Exploitation Helpline 2017-19

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
Local Government Association - Tackling Modern Slavery - A council guide	LGA website https://www.local.gov.uk/modern-slavery-council-guide
Councillor Guide to Tackling Modern Slavery	LGA website https://www.local.gov.uk/councillor-guide-tackling-modern-slavery

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

.....
Signed by:

Contents:

Modern Slavery and Human Trafficking Statement

ID	
Last Review Date	March 2020
Next Review Date	January 2021
Approval	Cabinet
Policy Owner	Executive
Policy Author	Lisa Wills
Advice & Guidance	Strategy Unit
Location	Policyhub
Related Documents	Hampshire and Isle of Wight Modern Slavery Partnership https://www.modernslaverypartnership.org.uk/files/2115/9169/7447/Hamp_MSP_Strategy.p
Applicability	This policy applies to all employees in the City Council, except those in schools

1. Introduction

1.1 The Council acknowledges the provisions set out in the Modern Slavery Act (2015) and this statement is made pursuant to section 54(1) and the recommendations arising from an independent review published in May 2019.

1.2 Portsmouth City Council is committed to preventing slavery and human trafficking in its corporate activities and to ensuring that the services it commissions (and where applicable, supply chains) are free from slavery and human trafficking.

1.3 This *Modern Slavery and Human Trafficking Statement* sets out the Council's current position and future plans to understand all potential modern slavery risks related to its business and to put in place steps that are aimed at ensuring that there is no slavery or human trafficking in its own business and/or in its supply chains. For the avoidance of doubt, this statement also applies to Portsmouth International Port. The statement relates to activities during the financial year April 2019 to March 2020.

1.4 A statement will be issued annually, setting out relevant information in respect of the previous financial year and published on the council's website here: <https://www.portsmouth.gov.uk/ext/your-council/policies-and-strategies/modern-slavery-and-human-trafficking-statement>.

2. Context

2.1 The council's role in relation to modern slavery is broader than that of other commercial organisations required to publish a transparency statement, and can be set out in four areas:

- identification and referral of victims
- supporting victims – this can be through safeguarding children and adults with care and support needs and through housing/homelessness services
- community safety services, enforcement and disruption activities both independently and with partners
- making sure procurement processes and supply chains are free from modern slavery

2.2 The Council acknowledges its role in working across the city to raise awareness of the signs of modern slavery, identifying those vulnerable to it and responding with partners to reports and incidents. This work involves a variety of council services and partners including the Port, UK Border Force, Police, Civil Contingencies, Environmental Health and Trading Standards, Licensing, Children's Social Care and Adults Social Care.

2.3 There are quarterly meetings between port colleagues and the Border Force to share intelligence, and the police have a sophisticated database to combat modern day slavery, which could be used to seek prosecution.

2.4 The Modern Slavery Steering Group has been established to monitor the program of continuous improvement set out in item X.

2.5 Work to protect children and vulnerable adults who are trafficked and/or exploited is overseen by our local safeguarding boards including referral processes to the national Independent Child Trafficking Advocacy Service (<https://www.portsmouthscb.org.uk/professionals/trafficking/>) and multi-agency specialist groups (Missing Exploited and Trafficked Group - MET). See links below for further information:

2.5.1 Portsmouth Safeguarding Children Partnership
(<https://www.portsmouthscb.org.uk/professionals/trafficking/>) and

2.5.2 Portsmouth Safeguarding Adults Board
(<http://www.portsmouthsab.uk/abuse/missing-exploited-trafficked/>)

2.6 Reporting suspected modern slavery - please follow the links to the Portsmouth Safeguarding Children Partnership and Portsmouth Adult Safeguarding Board above.

3. Legislative framework

3.1 The Government's approach to tackling modern slavery has been shaped by a number of international laws, conventions and protocols which the UK has opted in to, ratified or is already bound by, including the: 1950 European Convention on Human Rights (ECHR) the Modern Slavery Act 2015, Children Act 1989, Care Act 2014, Immigration Act 2016

4. Organisational structure

Portsmouth City Council (PCC) is a unitary authority situated in Portsmouth within the geographical county of Hampshire. PCC provides a wide range of statutory and discretionary services, delivered both directly by the Council and through external contractors.

4.1 The Council's senior management structure can be found here:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-senior-managment-structure-2019.pdf>

4.2 The Council's constitution can be found here:

<https://www.portsmouth.gov.uk/ext/the-council/policies-and-strategies/constitution>

5. Procurement and supply chains and due diligence

5.1 PCC requires all suppliers of goods or services to have their own policy relating to working practices for modern slavery, or for evidence to be available to ensure their standards are in accordance with the City Council's expectations. We request that our suppliers ensure the same of their own supply chains. Our Supplier Selection Questionnaire includes a requirement to comply with the Modern Slavery Act 2015

5.2 Further, we would expect and request assurance that the practices of companies and organisations operating within the EU adhere to Article 4 of the European Convention on Human Rights concerning the prohibition of slavery and forced labour.

5.3 The majority of contracts let and managed by the council are low risk for labour exploitation. The programme of continuous improvement includes a plan to identify the highest risk existing contracts and map the associated supply chains.

6. Hampshire and Isle of Wight Modern Slavery Partnership

6.1 PCC is an active member of the Hampshire and Isle of Wight Modern Slavery Partnership (<http://www.modernslaverypartnership.org.uk/>) and supports the delivery of the overarching strategy 2020-2023.

https://www.modernslaverypartnership.org.uk/files/2115/9169/7447/Hamp_MSP_Strategy.pdf

7. Relevant organisational policies, procedures and strategies

7.1 PCC has the following policies that describe its current approach to the identification of modern slavery risks and the steps it takes to prevent slavery and human trafficking in its operations. All policies are available to staff on Policyhub and are also available by contacting the Council direct (please email Lisa.Wills@portsmouthcc.gov.uk)

7.3 Whistle blowing policy

7.3.1 Though our whistle blowing policy the council encourages all its employees, councilors, contractors, their agents and/or subcontractors, consultants, suppliers and service providers to report concerns about any aspect of service provision, conduct of officers and others acting on behalf of the Council, or the supply chain. The policy is designed to make it easy to make disclosures without fear of discrimination and victimisation.

7.4 Employee Code of Conduct

7.4.1 The council's employee code of conduct makes clear to employees the actions and behaviour expected of them when representing the council. The council strives to maintain the highest standards of employee conduct and ethical behaviour when managing the supply chain.

<https://www.portsmouth.gov.uk/ext/documents-external/cou-part4c-employee-code-of-conduct.pdf>

7.5 Recruitment policy

7.5.1 The council adheres to robust continuing employment checks/standards, this includes ensuring identities and qualifications, UK

address, right to work in the UK, (i.e. people bought into the country illegally will not have a National Insurance number), suitable references and payroll information.

7.5.2 The organisation uses only specified, reputable employment agencies to source labour and always verifies the practices of any new agency it is using before accepting workers from that agency.

8. Safeguarding policies and procedures - children and adults

8.1 As previously mentioned, the council is fully involved in a multi-agency approach to raising awareness of modern slavery and human trafficking coordinated by local safeguarding boards. The boards currently provide city wide governance in relation to identification, referral and support of vulnerable children and adults who may be subject to exploitation. Please refer to the links previously provided for details.

9. Training

9.1 Modern slavery and human trafficking is included within the council's safeguarding training for children and adults. This training is mandatory for the social care workforce and is consistent across the county through the 4LSCB¹ and 4LSAB executive groups. In addition to this an e-learning package is being developed in partnership across Hampshire, and will be delivered as part of the mandatory training programme for all council employees.

9.2 Council Directors have agreed to extend training to a wider group of staff following an internal audit (see below) in order to increase opportunities for identifying and responding to incidents and reports.

9.3 Training is also included in an annual programme designed to support elected members of the council.

10. Auditing and evidence

10.1 The Council is committed to a programme of scrutiny and continuous improvement and has completed a detailed compliance audit during 2019. Findings from the audit were considered by council directors in May 2020² and a follow up audit circulated in June. Work arising from the risks identified, to be undertaken during this 12 month period include:

- Finalising corporate performance indicators as part of a new corporate health monitoring process.
- Working in active partnership with the Hampshire and Isle of Wight Modern Slavery Partnership to support a consistent approach and response to modern slavery and trafficking

¹ 4LSAB and 4LSCB refer to representatives from the four separate local authorities that make up Hampshire and the Isle of Wight (Portsmouth, Southampton, IOW and Hampshire County) who meet regularly to agree consistent policies and procedures across the area.

² Timeline delayed due to Covid 19 pandemic

- Raising awareness of modern slavery by developing improved internal and external communications
- Extending the current and developing training to a wider staff group and developing universal multi-agency safeguarding training as mandatory for all council staff.
- Focus on ensuring that all supply chains are free from modern slavery, including undertaking local risk assessments and audits
- Establish risk assessment processes in non-social care related directorates).
- Deliver community safety responses and disruption activities, working alongside partner agencies such as the police, fire and health services.

Portsmouth City Council

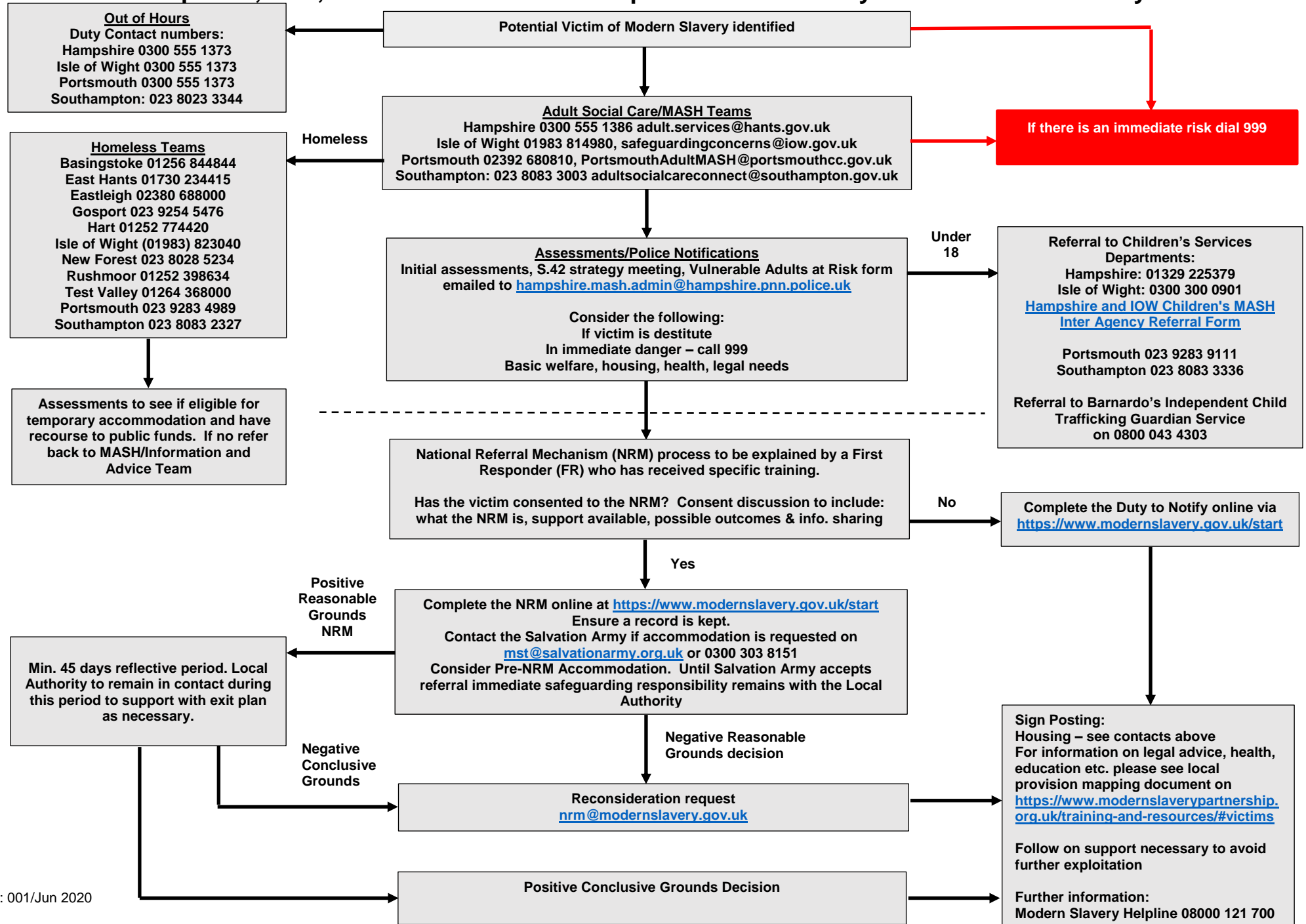
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Signature:

Gerald Vernon-Jackson, Leader

Date

Hampshire, IOW, Portsmouth and Southampton Modern Slavery Adult Referral Pathway



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3-year Executive Summary

Modern Slavery & Exploitation Helpline Summary 2017 - 2019

**modern slavery
& exploitation
helpline**
08000 121700

3-year Helpline Totals



16,746
potential
victims



16,795
Helpline
calls



4,266
webforms
and app
subs



4,932
Modern
slavery
cases

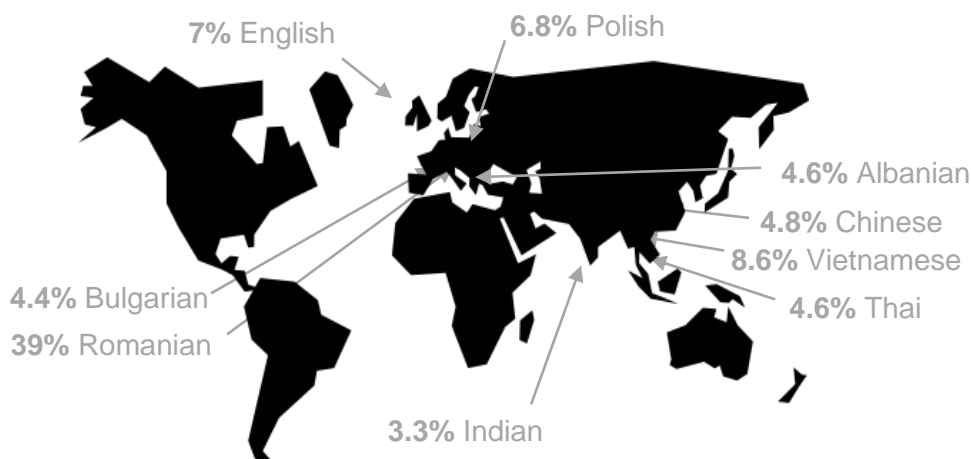
High level numbers

	2017	2018	2019	
Potential victims	4886	7121	4739	↓
Helpline calls	3710	6012	7073	↑
Webforms	710	1323	2042	↑
App Submissions	-	70	121	↑
Nationalities	94	94	85	↓
Referrals	1441	2281	2338	↑
MS Cases	1271	1849	1812	↓

Non-MS types

	2017	2018	2019	
Labour abuse	202	831	1112	↑
Domestic abuse	39	84	163	↑
Forced marriage	4	14	8	↓
Runaway/homeless	40	58	96	↑
Child abuse/neglect	22	40	58	↑

3-year average % of known nationalities



Top PV nationalities indicated in UK 2017-2019 (amalgamated)

Nationality	No of PVs
1 Romania	2,622
2 Vietnam	576
3 England	466
4 Poland	458
5 China	320
6 Albania	311
7 Thailand	311
8 Bulgaria	292
9 India	224
10 Nigeria	139

Gender Breakdown

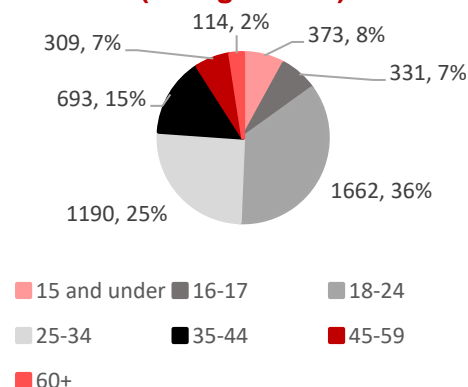
26.3% **47%** **0.1%** **26.6%**

 Female Male Trans Unknown

	2017	2018	2019
Female	1,547	1,476	1,292
Male	2,288	3,280	2,290
Trans	0	3	2
Unknown	1,051	2,362	1,054

Totals 4,416 7,858 5 4,467

% age brackets where age known (amalgamated)



Average % of adult/minor breakdown

Adult 66%
Minor 6%
Unknown ? 28%



4,462
referrals



5,342
signposts

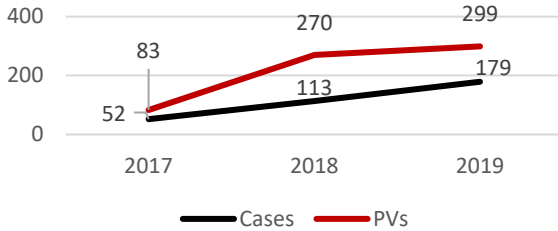


to over **160** different
organisations

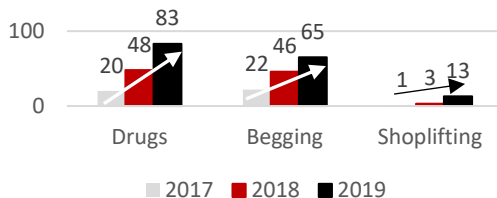
3-year Executive Summary

Modern Slavery & Exploitation Helpline Annual Assessment 2019

Criminal exploitation cases and PVs



Types of criminal exploitation cases



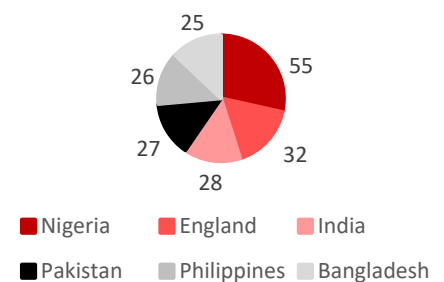
Domestic servitude cases and PVs

	2017	2018	2019	Totals
Cases	128	178	104	410
PVs	196	217	144	557

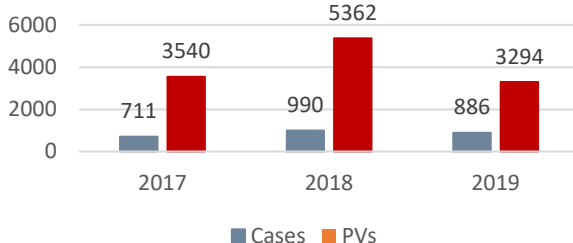
8.3%

of total modern slavery cases

Top 6 nationalities indicated



Labour exploitation cases and PVs



Top nationality of # of PVs indicated in labour exploitation

Nationality	No of PVs	Nationality	No of PVs
Romania	2,163	China	195
Vietnam	387	Albania	167
Poland	363	England	157
Bulgaria	259	India	143

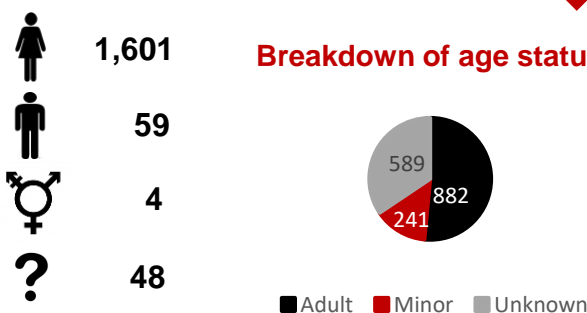
Breakdown of labour exploitation cases by top 6 sectors

	2017	2018	2019	Totals
Construction	194	362	365	921
Domestic work	60	136	131	327
Manufacturing	82	132	106	320
Healthcare	82	95	80	257
Transport	33	38	24	95
Retail	0	31	18	49

Sexual exploitation cases and PVs

	2017	2018	2019	Total
Cases	134	262	219	615
PVs	774	517	421	1,712

Breakdown of age status



Facts

447 international cases recorded indicating situations in at least **60** other countries.
2,145 instances of labour abuse reported.
1,183 general information cases recorded by the Helpline.

Labour abuse

	2017	2018	2019	Totals
Car wash	28	210	267	505
Hospitality	31	73	184	288
Construction	24	51	104	179
Warehouse	10	37	50	97
Retail	14	23	47	84
Farm	5	9	40	54
Cleaning	7	18	27	52



Integrated Impact Assessment (IIA)

Integrated impact assessment (IIA) form December 2019

www.portsmouth.gov.uk

The integrated impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies that could impact positively or negatively on the following areas:
 - Communities and safety
 - Regeneration and culture
 - Environment and public space
 - Equality & - Diversity This can be found in Section A5

Directorate:

Executive

Service, function:

Strategy

Title of policy, service, function, project or strategy (new or old) :

Modern Slavery and Trafficking Statement

Type of policy, service, function, project or strategy:

- ☒ Existing
- ☐ New / proposed
- ☐ Changed

What is the aim of your policy, service, function, project or strategy?

Page 49

The Modern Slavery Act 2015 (MSA 2015) applies to England and Wales and includes the offences of human trafficking and slavery, servitude and forced or compulsory labour. The Act establishes a legal duty under Section 52 for specified public authorities to notify the Home Office where there is

2015 requires commercial organisations carrying out business in the UK, with a turnover of at least £36 million, to prepare and publish a slavery and human trafficking statement for each and every financial year. The Act is however, subject to an independent review in 2019 and the interim report has recommended that all public sector organisations with a surplus turnover of £36m should be included in the Act.

Has any consultation been undertaken for this proposal? What were the outcomes of the consultations? Has anything changed because of the consultation? Did this inform your proposal?

No consultation has been carried out

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A1-Crime - Will it make our city safer?



In thinking about this question:

- How will it reduce crime, disorder, ASB and the fear of crime?
- How will it prevent the misuse of drugs, alcohol and other substances?
- How will it protect and support young people at risk of harm?
- How will it discourage re-offending?

If you want more information contact Lisa.Wills@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-spp-plan-2018-20.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The aim of this statement is to demonstrate the council's commitment to identifying, and eliminating modern slavery, human trafficking and forced labour in all its operations and supply chains and to set out a programme of improvement.

How will you measure/check the impact of your proposal?

A standing steering group has been established to monitor implementation locally. Portsmouth is an active member of the Hampshire and IOW Modern Slavery Partnership and is supporting the development of measures to monitor the extent of modern slavery in the city and the council's response.

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A2-Housing - Will it provide good quality homes?



In thinking about this question:

- How will it increase good quality affordable housing, including social housing?
- How will it reduce the number of poor quality homes and accommodation?
- How will it produce well-insulated and sustainable buildings?
- How will it provide a mix of housing for different groups and needs?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/psh-providing-affordable-housing-in-portsmouth-april-19.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

N/A

How are you going to measure/check the impact of your proposal?

N/A

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A3-Health - Will this help promote healthy, safe and independent living?



In thinking about this question:

- How will it improve physical and mental health?
- How will it improve quality of life?
- How will it encourage healthy lifestyle choices?
- How will it create healthy places? (Including workplaces)

If you want more information contact Dominique.Letouze@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cons-114.86-health-and-wellbeing-strategy-proof-2.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

It is hoped that identifying victims of modern slavery and providing appropriate support will improve their mental and physical health, and their quality of life.

How are you going to measure/check the impact of your proposal?

As in A1 above - and via Portsmouth Adult and Children's safeguarding boards

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A4-Income deprivation and poverty-Will it consider income deprivation and reduce poverty?



In thinking about this question:

- How will it support those vulnerable to falling into poverty; e.g., single working age adults and lone parent households?
- How will it consider low-income communities, households and individuals?
- How will it support those unable to work?
- How will it support those with no educational qualifications?

If you want more information contact Mark.Sage@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-homelessness-strategy-2018-to-2023.pdf>

<https://www.portsmouth.gov.uk/ext/health-and-care/health/joint-strategic-needs-assessment>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Most victims of modern slavery and trafficking are likely to be vulnerable for example, young people used to run drugs, immigrant workers, people with complex needs (often mental health and substance misuse) or rough sleepers.

How are you going to measure/check the impact of your proposal?

As above in A1 and via safeguarding boards

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A5-Equality & diversity - Will it have any positive/negative impacts on the protected characteristics?

☐☐

In thinking about this question:

- How will it impact on the protected characteristics-Positive or negative impact (Protected characteristics under the Equality Act 2010, Age, disability, race/ethnicity, Sexual orientation, gender reassignment, sex, religion or belief, pregnancy and maternity, marriage and civil partnership,socio-economic)
- What mitigation has been put in place to lessen any impacts or barriers removed?
- How will it help promote equality for a specific protected characteristic?

If you want more information contact gina.perryman@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-equality-strategy-2019-22-final.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Often victims of modern slavery and trafficking are from minority ethnic backgrounds. The Modern Slavery and Exploitation helpline's Annual Assessment for 2019 identifies the top 10 nationalities of potential victims - in order - from 1-10 - Romania, China, England, Albania, Thailand, Poland, Hungary, Ukraine, Brazil and Vietnam.

How are you going to measure/check the impact of your proposal?

Work with police and council colleagues to improve information about local prevalence and victims

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B1-Carbon emissions - Will it reduce carbon emissions?☐☒

In thinking about this question:

- How will it reduce greenhouse gas emissions?
- How will it provide renewable sources of energy?
- How will it reduce the need for motorised vehicle travel?
- How will it encourage and support residents to reduce carbon emissions?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-sustainability-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B2-Energy use - Will it reduce energy use?☐☒

In thinking about this question:

- How will it reduce water consumption?
- How will it reduce electricity consumption?
- How will it reduce gas consumption?
- How will it reduce the production of waste?

If you want more information contact Triston.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

<https://democracy.portsmouth.gov.uk/documents/s24685/Home%20Energy%20Appendix%201%20-%20Energy%20and%20water%20at%20home%20-%20Strategy%202019-25.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B3 - Climate change mitigation and flooding-Will it proactively mitigate against a changing climate and flooding?

☐☒

In thinking about this question:

- How will it minimise flood risk from both coastal and surface flooding in the future?
- How will it protect properties and buildings from flooding?
- How will it make local people aware of the risk from flooding?
- How will it mitigate for future changes in temperature and extreme weather events?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-surface-water-management-plan-2019.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/cou-flood-risk-management-plan.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B4-Natural environment-Will it ensure public spaces are greener, more sustainable and well-maintained?

☐☒

In thinking about this question:

- How will it encourage biodiversity and protect habitats?
- How will it preserve natural sites?
- How will it conserve and enhance natural species?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-solent-recreation-mitigation-strategy-dec-17.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change**Yes****No**

Is your policy/proposal relevant to the following questions?

B5-Air quality - Will it improve air quality?☐☒

In thinking about this question:

- How will it reduce motor vehicle traffic congestion?
- How will it reduce emissions of key pollutants?
- How will it discourage the idling of motor vehicles?
- How will it reduce reliance on private car use?

If you want more information contact Hayley.Trower@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-aq-air-quality-plan-outline-business-case.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change**Yes****No**

Is your policy/proposal relevant to the following questions?

B6-Transport - Will it improve road safety and transport for the whole community?☐☒

In thinking about this question:

- How will it prioritise pedestrians, cyclists and public transport users over users of private vehicles?
- How will it allocate street space to ensure children and older people can walk and cycle safely in the area?
- How will it increase the proportion of journeys made using sustainable and active transport?
- How will it reduce the risk of traffic collisions, and near misses, with pedestrians and cyclists?

If you want more information contact Pam.Turton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/travel/local-transport-plan-3>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

Is your policy/proposal relevant to the following questions?

B7-Waste management - Will it increase recycling and reduce the production of waste?



In thinking about this question:

- How will it reduce household waste and consumption?
- How will it increase recycling?
- How will it reduce industrial and construction waste?

If you want more information contact Steven.Russell@portsmouthcc.gov.uk or go to:

<https://documents.hants.gov.uk/mineralsandwaste/HampshireMineralsWastePlanADOPTED.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C1-Culture and heritage - Will it promote, protect and enhance our culture and heritage?



In thinking about this question:

- How will it protect areas of cultural value?
- How will it protect listed buildings?
- How will it encourage events and attractions?
- How will it make Portsmouth a city people want to live in?

If you want more information contact Claire.Looney@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

it is important for residents to know that Portsmouth City Council and it's multi-agency safeguarding boards are fully engaged in tackling modern slavery and trafficking wherever it is identified in the city. This will improve the reputation of the city and make it a place people want to move to and live in.

How are you going to measure/check the impact of your proposal?

Biennial Community Safety Survey - results for the 2020 survey will be published soon on the Safer Portsmouth Partnership website.

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C2-Employment and opportunities - Will it promote the development of a skilled workforce?



In thinking about this question:

- How will it improve qualifications and skills for local people?
- How will it reduce unemployment?
- How will it create high quality jobs?
- How will it improve earnings?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Although the prevalence of this hidden crime is not known, there is an economic benefit to each individual supported out of slavery. Moving victims into legitimate employment will advance their personal development. This could also provide an overall economic benefit to the city and help to prevent others from being removed from the labour market and into slavery.

How are you going to measure/check the impact of your proposal?

TBC

Is your policy/proposal relevant to the following questions?

C3 - Economy - Will it encourage businesses to invest in the city, support sustainable growth and regeneration?



In thinking about this question:

- How will it encourage the development of key industries?
- How will it improve the local economy?
- How will it create valuable employment opportunities for local people?
- How will it promote employment and growth in the city?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Portsmouth City Council will work with businesses to tackling modern slavery and trafficking wherever it is identified in the city. This will improve the reputation of the city and make it a place business want to invest.

How are you going to measure/check the impact of your proposal?

TBC

Q8 - Who was involved in the Integrated impact assessment?

Lisa Wills, Paddy May, Tristan Thorn

This IIA has been approved by:

Contact number:

Date:

Agenda Item 11

UK Municipal Bonds Agency Framework Agreement



Title of meeting:	Cabinet City Council
Date of meeting:	14 July 2020 (Cabinet) 21 July 2020 (City Council)
Subject:	UK Municipal Bonds Agency Framework Agreement
Report by:	Chris Ward, Director of Finance and Resources (Section 151 Officer)
Wards affected:	All
Key decision:	Yes
Full Council decision:	Yes

1. Purpose of report

The purpose of the report is to obtain the Council's approval to enter into a framework agreement with the UK Municipal Bonds Agency (MBA). Entering in to the framework agreement is a pre-requisite for borrowing from the UK MBA. The framework agreement includes a guarantee under which the Council would be guaranteeing the borrowing of other local authorities. The guarantee is necessary to enable the UK MBA to lend to local authorities at rates below those offered by the Public Works Loans Board (PWLB). The Council's liability under the guarantee is limited to its proportion of the UK MBA's non-defaulting loans up to a sum equal to the Council's total borrowing from the UK MBA. In addition, the UK MBA will assess the credit worthiness of each local authority at the time of accession to the framework agreement, at the time of entry into a loan, and at least annually thereafter.



2. Recommendation

- (a) That the Council enter into a framework agreement with the UK Municipal Bonds Agency;**
- (b) That the City Solicitor (Monitoring Officer) and the Director of Finance and Resources (Section 151 Officer) be given delegated authority to sign the Framework Agreement and the Certificate of Approval confirming that:**
 - (1) the Council has the power to enter into the Framework Agreement and to perform its obligations under it;**
 - (2) the Council has approved the entering into of the Framework Agreement and the proportional guarantee;**
 - (3) all the necessary authorisations have been obtained and decision making procedures followed and completed to enable the Council to enter into the Framework Agreement and the proportional guarantee.**

3. Background

Most local authority borrowing is undertaken with the Public Works Loans Board (PWLB). The PWLB accounts of 84% of the City Council's borrowing. PWLB rates are driven by gilt rates, ie. government borrowing, but include a margin. PWLB rates were raised to 1% above gilts in 2010 (from 0.2% above gilts previously), subsequently reduced to 0.8% above gilts in 2012. PWLB rates were raised again to 1.8% above gilts in October 2019, subsequently rates for Housing Revenue Account (HRA) borrowing were reduced back to 0.8% in March 2020. This is an effective increase of 1.6% for borrowing by the General Fund. The PWLB has a long history of changing the amount, and the rate at which it lends to local authorities.

The Government is currently consulting on new PWLB lending terms which could include a reduction in PWLB rates for borrowing by the General Fund, but could also exclude authorities undertaking commercial activities. The Government's definition of commercial activities is currently unclear, but the Government has indicated that it could include acquiring income generating assets, other than housing, with the intention of holding them indefinitely. This could include some of the Council's long established activities including the commercial port.



The Local Government Association (LGA) has set up a municipal bonds agency. The municipal bonds agency will sell bonds in the capital markets. These are tradable debt instruments where by pension funds, financial institutions and other lenders will lend to the municipal bonds agency. The municipal bonds agency will then lend the funds raised to local authorities. This should increase competition in the market and reduce the cost of local authority borrowing.

The Council has previously purchased £150,000 of ordinary shares in the UK MBA. The UK MBA is now close to issuing its first bonds to facilitate borrowing by groups of local authorities. In order to grow the UK MBA, and to ensure its survival, it is now necessary for local authorities to enter into the framework agreement and to borrow from the UK MBA.

4. Reasons for recommendations

The reasons for the recommendation is to reduce the Council's dependence on the PWLB and to continue to help facilitate the development of the UK MBA which would offer a number of long term benefits including:

- Cheaper access to borrowing for local authorities than that offered by the PWLB;
- Loans from the municipal bonds agency should be cheaper to reschedule (ie. redeem and replace);
- Increased opportunities for local authorities to lend to each other;
- Insulate local authorities from future policy changes by the PWLB regarding access and interest rates.

The Council has previously purchased £150,000 of ordinary shares in the UK MBA. If local authorities do not borrow from the UK MBA, this investment will be lost.

5. Integrated impact assessment

The contents of this report does not significantly impact Portsmouth's communities (other than through the finances of the City Council), or equality and diversity.

6. Legal Implications

- 6.1 The UK Municipal Bonds Agency (UKMBA) is a lending body owned by local authorities and the Local Government Association. Its purpose is to provide loan finance to local authorities at favourable interest rates.
- 6.2 The Framework Agreement is the form of overarching loan document through which the UKMBA's pooled credit arrangement operates.



- 6.3 The contributions mechanism and proportional guarantee embodied in the Framework Agreement are central elements in the credit structure which effectively provide the level of assurance to the loan finance market required to secure the favourable loan rates for local authorities.
- 6.4 The contributions mechanism and proportional guarantee do entail a degree of financial risk exposure to the Council in that they could operate to make the Council liable for the default of other Local Authorities in respect of payments under loans taken from the UKMBA.
- 6.5 There are, however, factors which help to mitigate this risk and, in particular:
- UKMBA undertakes to assess rigorously the credit status of any local authority before advancing any loan finance and to keep that assessment under regular review.
 - The Council's liability under the contributions mechanism and the proportional guarantee will be subject to a cash limit equal to the total amount borrowed by the Council from the Agency and outstanding at any given time.
 - The Council's liability under the guarantee is proportional to the Council's share of the UKMBA's loan book at the time when a demand is made under the guarantee. Other local authorities taking loan finance under the scheme will also be required to give the requisite guarantee proportional to their own outstanding borrowing from the UKMBA.
 - Significant liability for the Council under contributions mechanism and the proportional guarantee is only likely to arise in the event of multiple local authority financial failures.
- 6.6 It is noted that in addition to executing the Framework Agreement the Council will be required to provide to UKMBA a Certificate of Approval signed by the Council's Monitoring Officer and s151 Officer confirming that (1) the Council has power to enter into the Framework Agreement and to perform its obligations under it (2) the Council has approved the entering into of the Framework Agreement and the proportional guarantee and (3) all necessary authorisations have been obtained and decision making procedures followed and completed to enable the Council to enter into the Framework Agreement and the proportional guarantee.



7. Director of Finance and Resources (Section 151 Officer)'s comments

All financial considerations are contained within the body of the report and the attached appendices

.....
Signed by Director of Finance and Resources (Section 151 Officer)

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
1	UKMBA Final Framework Agreement	Financial Services

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Title of meeting:	Governance and Audit and Standards Committee Full Council
Date of meeting:	3 March 2020 17 March 2020
Subject:	Proposed revision to Standing Order 32 - Referral of Motions to other bodies of the Council
Report by:	City Solicitor
Wards affected:	N/A
Key decision:	No
Full Council decision:	Yes

1. Purpose of report

To ask Governance & Audit & Standards Committee to consider recommending to Council that the option to refer Notices of Motion to other bodies of the Council and subsequently report back to Council, be removed.

2. Recommendations

2.1. That the Committee recommends to Council that all the wording after the first sentence in section d of Standing Order 32 be deleted leaving "Motions included in the agenda must be formally moved and seconded."

3. Background

3.1. Proposers of Notices of Motion which are published on Full Council agendas are given 3 minutes to convince Council whether to debate the matter. After this time, Council may decide to either debate the matter or refer it to another body of the Council, such as a scrutiny panel or Cabinet/Portfolio. That body is then required to report back to Full Council within the next 3 ordinary scheduled meetings.

4. Reasons for recommendations

4.1. Removing Council's decision to refer matters to other bodies of the Council would mean that all Notices of Motion will be debated. This would also negate the requirement for proposers to have 3 minutes to determine whether the motion needs to be debated. All matters would therefore be debated and put to the vote and either be carried or fail (irrespective of amendments).

4.2. This would not affect Notices of Motion being brought back to Council after 6 months or being resubmitted if previously abandoned.

5. Integrated impact assessment

This report does not require an Integrated Impact Assessment as it does not propose any new or changed services, policies or strategies.

6. Legal implications

The legal implications are embodied within this report.

7. Director of Finance's comments

There are no financial implications arising from the recommendations set out in this report.

.....
Signed by:

Appendices: Nil

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

From GOVERNANCE & AUDIT & STANDARDS COMMITTEE held on 3 March 2020

Council Agenda Item 12 (Minute No 15)

Proposed Revision to Standing Order 32 - Referral of Motions to other bodies of the Council

RECOMMENDED that Governance & Audit & Standards Committee recommends to full Council to that all the wording after the first sentence in section d of Standing Order 32 be deleted leaving "Motions included in the agenda must be formally moved and seconded."

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Title of meeting:	City Council
Date of meeting:	21 July 2020
Subject:	Review of Political Proportionality on Committees and Panels
Report by:	Chief Executive
Wards affected:	N/A
Key decision:	No

1. Purpose of report

As previously advised, following Councillor Symes becoming an Independent Councillor, there is a need, under the Local Government and Housing Act 1989, to review the allocation of seats upon Committees and Panels.

2. Recommendations

2.1 That Council

- (a) Determine the allocation of seats on committees and panels based on the information set out overleaf in the proportionality chart, having regard to the options highlighted and any agreement between the affected Group and the Independent Member**
- (b) Ratify consequent named membership changes proposed at the meeting.**

3. Background Information and implications

As a result of a change in Group strengths, consequent seats on committees are as shown in Table 1 overleaf to be considered in conjunction with the options highlighted (the figures in brackets indicate the position prior to the change).

The proportionality chart takes into account current appointments and previous decisions by Council and highlights arithmetical allocations by groupings. The Council may depart from strict adherence to these numbers within the committee groupings as long as the rules in the relevant legislation are adhered to and they remain within overall allocations. For example, no group may hold more than 50% of the seats on any body as no political group has a majority on the Council.

Since the last review, as previously advised there has been a change in Group strengths on the Council with Councillor L Symes becoming a non-aligned Independent Member.

The Conservative Group consequently lose two seats, with Councillor Symes being entitled to two seats. Councillor Symes previously had one seat and that was on the Licensing Committee and arithmetically the Conservatives are entitled to retain 5 seats on that Committee and fill the seat vacated by Councillor Symes. However Councillor Symes could remain on that Committee and leave the Conservative Group undersubscribed on it.

The Conservative Group currently has the subscribed number of seats (14) overall in Group 5 (the various Scrutiny Panels etc) although it has only one seat on Traffic, Environment and Community Safety Scrutiny Panel.

Arithmetically, the Conservative Group are now slightly oversubscribed on both the Planning Committee and the Scrutiny Management Panel, but the oversubscription is marginally greater on the latter.

The outcome of discussions regarding seat allocation between those affected will be circulated and published before the meeting.

Proposed allocation of Seats for 2020/21 (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 are set out below - The options are highlighted with an *



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)
Liberal Democrat	17	31 (but 1 gifted to PPPG)	6 but gifted 1 seat to PPPG	4	17	4
Conservative	14 (was 15)	25 (was 27)	*5/4	*4/3	*14/13	*4/3
Labour	6	11	2	1	7	1
PPP	2	3 (4 th seat gifted by LD)	1 gifted 1 seat by LD	1	2	
Non-Aligned Independent JF	1	2	1		1	
Non-Aligned Independent LM	1	2	1		1	
Non-Aligned Independent LS	1	2 (1)	*1/0	*1/0	*1/0	*1/0
	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

Options

The Conservative Group lose 2 seats from 2 of the 4 bodies below and Councillor Symes gains the 2 seats lost from the Conservative Group.

Licensing Committee

Scrutiny Management Panel

Planning Committee

Traffic, Environment and Community Safety Scrutiny Panel.

The option proposals for the allocation of committee/panel seats from Conservatives to Cllr L Symes are to limit overall impact on seat allocations whilst keeping in line with proportionality - any variation from these will likely affect seats of other groups.

4. Legal Implications - legal comments are embodied in the report

5. Finance Comments - none in relation to this report

6. Integrated impact assessment (IIA)

This report does not require an Equality Impact Assessment as the proposals contained within this report do not have any impact upon a particular equalities group.

.....
Signed by:

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:

None.

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

Agenda Item 14

Council Agenda Item 14

Urgent decision by the Chief Executive - Use of Standing Order 58 to temporarily extend licensing delegations

The Chief Executive exercised his decision making powers under Standing Order 58 and after the necessary consultation made the following decision:

The Chief Executive considered it necessary and proportionate to approve the temporary extension (until 31 August 2020) of current delegations to officers so as to enable the suspension or revocation of licences for non-payment of fees or failure to provide documentation and that where it appears the interests of public safety require, in relation to the provision of documentation or payment of fees, officers be able to revoke or suspend driver's licences with immediate effect.

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Notes of SO58 urgent decision teleconference with Chief Executive - Licensing Delegations - Thursday 4th June 2020

Purpose: David Williams, Chief Executive, held a virtual meeting (via MST) to consult on the urgent decision required on the temporary change in licensing delegations: powers to suspend and revoke Private Hire and Hackney Carriage Licences.

Reason for urgency

Due to the next Council meeting not being due until 21 July 2020 and having regard to the current Government restrictions due to the coronavirus outbreak, this decision was needed, with the necessary consultation taking place, in order to ensure that the statutory functions relating to hackney carriage and private hire licensing be administered efficiently and in accordance with the legislation.

The Licensing Manager had asked that current delegations to officers be temporarily extended so as to enable the suspension or revocation of licences for non-payment of fees or failure to provide documentation and that where it appears the interests of public safety require, in relation to the provision of documentation or payment of fees, officers be able to revoke or suspend driver's licences with immediate effect.

Teleconference Attendees:

Consultees - Cllrs Gerald Vernon-Jackson CBE (Leader of the Council), Donna Jones (Leader of the Opposition) and Cllr Leo Madden (Chair of Governance & Audit & Standards Committee)

Also present - Cllr Claire Udy (Chair of Licensing Committee) and Cllr Scott Payter-Harris (Vice-Chair of Licensing Committee)

Officers - David Williams Chief Executive, Nickii Humphreys Licensing Manager and Ben Attrill (Legal Adviser to the Licensing Committee)

The Standing Order 58 (SO58) referral for an urgent decision and a briefing paper produced by the Licensing Manager had been circulated to all the required consultees (and sent with their meeting invitation).

The Chief Executive asked the Licensing Manager to present her report; she explained the background to the request with the Covid-19 situation of needing to close the Licensing Office in March and the interim measures needed to deal with the administration of driver documentation and consideration of suspension and revocation of licences in the appropriate circumstances. Ben Attrill gave legal clarification on powers and reference case law (*Singh v Cardiff City Council*), with suspension being a final not pending measure. Ms Humphreys reported that if the documentation (including insurance details) is not provided (which is currently done so electronically) consideration needs to be given to revocation to ensure that an unsuitable vehicle is not on the road. It was not anticipated that these powers would be used widely and the trade representatives were aware of the requirement to provide documentation.

The Licensing Manager requested that these delegations be extended until 31 August 2020 to give drivers enough time to catch up on the renewals that were dating back to March and for the officers to collect the associated revenue effectively.

The Chief Executive noted that this would be reported to Council on 21 July 2020, which would give the opportunity for the powers to be further amended, if necessary.

Members' Comments

Councillor Udy hoped that assistance could be offered to drivers who may need help with using the technology. The Licensing Manager reported that there would be clear and concise instructions provided with the templates, and they would be contacted by phone.

Councillor Jones asked how the paperwork was normally dealt with; it was reported that this is an administrative process that was being dealt with remotely due to Covid-19 restrictions with drivers having to notify the Licensing Office if there changes in their circumstances. It was also confirmed that the request was to formalise emergency powers and not seeking to circumvent member decisions.

Councillor Vernon-Jackson was supportive of this approach with the safeguard of reporting to 21 July Council on the situation.

Councillor Madden was also supportive of the request.

Councillor Payter-Harris asked if consideration was being given to opening up the Licensing Office to the public with protective screens - it was reported that this safety measure was not in place but that emergency only appointments could be made to see a licensing officer there, which would be by exception. He also asked how serious cases would be dealt with and Ms Humphreys would be liaising with Hampshire Constabulary colleagues on these.

Chief Executive's Decision

David Williams took on board the comments raised at the virtual meeting, and took the decision outlined below.

DECISION: The Chief Executive considered it necessary and proportionate to approve the temporary extension (until 31 August 2020) of current delegations to officers so as to enable the suspension or revocation of licences for non-payment of fees or failure to provide documentation and that where it appears the interests of public safety require, in relation to the provision of documentation or payment of fees, officers be able to revoke or suspend driver's licences with immediate effect.

Requested Action: that this be reported to Council on 21 July 2020 (and if necessary an update be provided to consider a period of further extension)

This decision would be reported to all members via the Members' Information Service on 5 June 2020.

Meeting duration: 9.30 - 9.52 am

Standing Order 58 - Urgent Decisions by Chief Executive

Powers to suspend and revoke Private Hire and Hackney Carriage Licences

Supporting Papers

- Current scheme of delegation
- Template letter (driver's licences)
- Template Notice (interim measures - private hire driver's licence)

Current Delegation

The current provision for delegation of powers to officers to make decisions in relation to private hire and hackney carriage licensing is attached to this document.

There are currently no delegations in place for officers to revoke licences for non-payment of fees or failure to provide documentation in respect of driver, vehicle and private hire operator licences.

Whilst there is current provision to suspend driver licences, there is no delegation for revocation of driver licences except in the exceptional circumstances where it is in the "interests of public safety" to do so.

Draft Delegation Proposal

Having regard to the current Government restrictions due to the coronavirus outbreak, and in order to ensure that the statutory functions relating to hackney carriage and private hire licensing are administered efficiently and in accordance with the legislation, it is considered necessary and proportionate to temporarily extend current delegations to officers so as to enable the suspension or revocation of licences for non-payment of fees or failure to provide documentation under the following provisions of the Local Government (Miscellaneous Provisions) Act 1976 (namely for "any other reasonable cause"):

- Section 60(1)(c) in respect of hackney and private hire vehicles
- Section 61(1)(b) in respect of hackney and private hire drivers
- Section 62(1)(d) in respect of private hire operators

and that where it appears the interests of public safety require, in relation to the provision of documentation or payment of fees, officers be able to revoke or suspend driver's licences with immediate effect in accordance with s.61 (2B) of the Local Government (Miscellaneous Provisions) Act 1976 when exercising these powers.

This delegation will automatically expire on 31 August 2020.

Justification

The licensing service, in consultation with legal services, have implemented a flexible approach to enable rolling renewal of licences, despite a current inability to process fully, or the applicant's inability to provide certain documentation that would normally be a pre-requisite. These interim arrangements have been put in place so as not to disadvantage the trade and allowing them to continue to work with

insurance etc. (being properly licensed). However, this approach creates some difficulty in so far as renewal would normally require proof of various matters and payment of a fee *before* grant of the renewed licence.

Due to the current Government advice and restrictions, "automatic" renewal of licences has been undertaken subject to express requirement for later provision of the relevant proofs and fee, when demanded. This obviously needs an effective means of enforcement as and when the time comes for compliance.

Officers are not currently able to revoke a licence - this power is reserved as a function of the Licensing Committee sitting as a Sub-Committee in order for them to consider all the facts.

Whilst there is existing power to suspend a driver's licence under delegated powers, legal services do not advocate use of that power for an unreasonable failure to promptly comply with a request for information or fee. This is because the use of suspension is controversial following in particular the case of *R (on the application of Singh) v Cardiff City Council* as applied in the case of *Reigate and Banstead Borough Council v Pawlowski*.

In this case it was held that a suspension is a sanction, the same as revocation, and should be an "ultimate" sanction and NOT an interim measure - as it used to be used to suspend pending e.g. the outcome of a criminal investigation or prosecution. There is academic debate about this position and the validity of the case law.

As a result the advice of legal services is that the full suite of revocation powers as referred to above be temporarily delegated to officers to allow for the timely revocation of licences as and when there are failures to comply, without the need for hearings on every occasion.

This clearly fits the definition of use of emergency powers, given all the circumstances, and when granted, can be limited to use in these circumstances specifically so that the position reverts to usual as and when the crisis eases back to normality. Officers shall exercise reasonable discretion to ensure that deadlines for relevant demands are proportionate in the circumstances of each case - e.g. where there are real barriers to prompt reply that are related to the current disruption.

It is also relevant to note that there has been some recent criticism of relatively trivial hearings by members recently - e.g. where drivers are referred to Committee simply because of points build up, so it is anticipated that due to the current circumstances, members will be understanding of the reasons for requesting the temporary delegation in the interests of efficiency and in order to facilitate the continued operation of the trade.

Whilst revocation might appear harsh at first blush it is important to stress that the licence renewal would not have been granted in the first instance under normal circumstances if the fee or relevant documentation proofs are not provided. So the reality is this process has been implemented to assist the trade, as far as possible, to keep functioning at this time - without providing considerable subsidy, which would be difficult for the general fund.

The renewal notice (PH attached but the HC is ostensibly the same at relevant parts and cover letter - *vice versa* applies) does make it expressly clear that the fee and documentation will be needed and that revocation will ensue if not provided. These notices have been distributed to those licence holders whose licence was/is due for renewal, private hire/hackney trade representatives and all private hire operators/lease garages and there has been no objection to this process.

Whilst the Licensing Team is doing all it can to assist the trade at these times the current economic impact is likely to be severe and it is anticipated that non-compliance may be commonplace for a variety of reasons. There is a very real possibility that if the emergency delegation is not granted that a large number of hearings would be required in a very short space of time and to determine a very straightforward matter. This, it I suggested, would be a wholly disproportionate use of resources - particularly given the physical limitations and difficulties that committee hearings can entail.

There is a statutory right of appeal to the Magistrates' Court where a licence is suspended or revoked. This right is unaffected by the delegation and licence-holders may still exercise that right. Use of delegated powers is not considered likely to increase risk in relation to defending decisions on appeal.

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**TO ALL HACKNEY CARRIAGE
AND PRIVATE HIRE DRIVERS
WITH LICENCES EXPIRING ON
OR BY 30 JUNE 2020**

**Culture, Leisure and
Regulatory Services**

Licensing Service
Civic Offices
Guildhall Square
Portsmouth
PO1 2AL

Phone: 023 9283 4604

Our Ref:
Date: 7 April 2020

Dear Licence Holder

**Re: COVID-19 RENEWAL OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER
LICENCES EXPIRING ON OR BY 30 JUNE 2020.**

Due to the current Government guidelines and restrictions in relation to the control and spread of the Coronavirus, the Licensing Service is not open to the public and licence holders for the foreseeable future. However, we are still available to contact by email at licensing@portsmouthcc.gov.uk or by telephone on 023 9283 4073.

Given the current restrictions, I have reviewed what mechanism the Council can put in place to ensure that your licences are renewed. For the interim time, it has been decided that your licence will automatically be renewed for a period of 12 months from the expiry of your licence based upon the current information we hold.

IF YOUR CIRCUMSTANCES HAVE CHANGED IN TERMS OF MEDICAL FITNESS, OR IF YOU HAVE BEEN ARRESTED, CONVICTED OR CAUTIONED FOR ANY OFFENCES (INCLUDING MOTORING OFFENCES) SINCE THE LAST RENEWAL OF YOUR LICENCE, HAVE ANY PENDING PROSECUTIONS, OR OTHER CIRCUMSTANCES WHICH MAY AFFECT YOUR SUITABILITY TO CONTINUE TO HOLD A LICENCE THEN YOU MUST CONTACT THE LICENSING OFFICE TO NOTIFY US OF THESE MATTERS AS PROVIDING FALSE OR MISLEADING INFORMATION IS A SERIOUS OFFENCE.

In the forthcoming weeks, licensing staff will contact you directly to provide electronic copies of relevant documents associated with your renewal to us by email (ie, driving licence photo ID card, DVLA check code etc) and to take payment for the renewal fee remotely by way of debit/credit card. Please ensure that you respond to any correspondence you receive from us otherwise we will have no option but to revoke your licence if we are unable to see documentation we have requested or receive payment.

Continued/.....

A copy of your interim authorisation will be sent to you electronically along with this letter together with **important notes that you must read and follow the instructions accordingly.**

Whilst taxis and private hire vehicles can continue to work it is very important to reiterate that the clear advice by the Government is that people should stay at home if possible.

This is the way to save lives and to protect the NHS. The public have been advised to avoid travel unless absolutely essential. The only reasons we should be leaving our houses are set out in the government guidance which is available here:

<https://www.gov.uk/government/publications/full-guidance-on-staying-at-home-and-away-from-others>

The Department for Transport have advised that taxi and private hire drivers should not generally be considered Critical Workers. Those undertaking Home to School transport of "extremely vulnerable" people may be considered Critical Workers on a case-by-case basis.

Please have regard to the latest announcements and updates about the Coronavirus (COVID-19) which can be found on the Government's website at:

<https://www.gov.uk/coronavirus>, the NHS website at

<https://www.nhs.uk/coronavirus> and the Council's website at:

www.Portsmouth.gov.uk

Yours sincerely



Nickii Humphreys
Licensing Manager

Email: Licensing@portsmouthcc.gov.uk



Portsmouth
CITY COUNCIL

PRIVATE HIRE DRIVER'S LICENCE

Section 51 Local Government (Miscellaneous Provisions) Act 1976

COVID-19 INTERIM ARRANGEMENTS FOR RENEWAL OF LICENCE

Name of licence holder:

INSERT DRIVER NAME

Licence number:

INSERT LICENCE NUMBER

Having regard to the current Government advice and restrictions to prevent and reduce further transmission of the COVID-19 virus, Portsmouth City Council has made interim arrangements for the renewal of private hire driver licences which are due to expire before 30 June 2020.

This notice hereby confirms that your private hire driver's licence has been renewed for **a further 12 months** from the date of expiry in accordance with legal requirements.

At this moment in time we have been unable to issue a new driver identification badge as part of the renewal process. However, you must retain your expired badge and this notice to verify and identify that you are duly authorised to continue to act as the driver of any private hire vehicle licensed by the council. You may either download and print a hard copy of this notice for retention or save an electronic copy to have available on demand.

YOU MUST PRODUCE EVIDENCE OF THIS NOTICE AND YOUR EXPIRED DRIVER IDENTIFICATION BADGE ON DEMAND BY ANY AUTHORISED OFFICER, POLICE OFFICER OR A MEMBER OF THE PUBLIC.

If any person has any concerns or wishes to check the validity of this notice then please contact the Licensing Service at licensing@portsmouthcc.gov.uk. (Please obtain the name and badge number of the driver so we can verify details for you).

Licence holders must ensure that they read the important notes on the following pages.

Date of notice: **Insert Date**

Nickii Humphreys
Licensing Manager
(Authorised Officer)

NOTES - IMPORTANT - PLEASE READ

- An authorised officer may request the production of this notice and your expired ID badge at any time.
- This licence will cease if the licence holder becomes disqualified by reason of their immigration status.
- The Council will be contacting you by email in the next few weeks to undertake further checks of documentation associated with the renewal of your licence and payment of the relevant fee. Please ensure that we have up to date records of your contact details (telephone/email) as if we are unable to contact you then we will have no option but to revoke your licence until such times as the information/fee is provided.
- **You must immediately notify the Council if there have been any changes to your medical suitability, if you have been arrested, convicted or cautioned for any offences since the last renewal of your licence, have any pending prosecutions or any other circumstances which may affect your suitability to continue to hold a licence.**
- Please have regard to the latest announcements and updates about the Coronavirus (COVID-19) which can be found on the Government's website at : <https://www.gov.uk/coronavirus>, the NHS website at <https://www.nhs.uk/coronavirus> and the Council's website at: www.Portsmouth.gov.uk

Portsmouth City Council will process your personal information in accordance with data protection law. The personal details provided by you will be used for licensing service purposes. Your details will be held on a database and where the law allows, may be shared with other departments within the council to update details they hold about you. The council may also be required to disclose personal information to third parties (such as Police, Department for Work and Pensions or for the National Fraud Initiative) for the purposes of preventing or detecting crime or apprehending or prosecuting offenders.

For further information about how the Council collects and uses personal information please visit our website: <https://www.portsmouth.gov.uk/ext/the-council/data-protection-privacy-notice>



CONDITIONS OF LICENCE

1. **A)** The driver shall notify the council within 24 hours of any changes to:

- Their name, address, telephone or email contact details
- Any medical condition that might affect an ability to drive professionally to the group 2 vocational standard
- Their driving licence so far as this relates to the imposition of penalty points, any other endorsements, fines or disqualifications
- Their Disclosure & Barring Service enhanced check certificate so far as this relates to the imposition of any convictions, cautions, reprimands or warnings
- Their right to work or reside in the UK.

B) The driver shall notify the council within 24 hours of any arrest, detention or charges being preferred against them.

2. The driver shall be clean and tidy in appearance and shall at all times be dressed in a manner so as not to cause offence to members of the public. If the operator has provided for drivers to abide by a corporate "company" clothing policy when working - the driver shall wear such branded clothing.

The driver shall wear appropriate foot wear and no flip flops shall be permitted.

3. The driver shall behave in a civil and orderly manner at all times.

4. The driver shall take all reasonable precautions to ensure the safety and comfort of persons travelling in the vehicle and shall give assistance in helping persons in and out of the vehicle when requested. Further, the driver shall give reasonable assistance with loading and unloading of any luggage to and from the entrance of any house or other place where he collects or sets down any passengers.

5. **A)** The driver shall keep the interior and exterior of the licensed vehicle clean and comfortable at all times. The driver shall report immediately to the vehicle proprietor any apparent defect materially affecting the safety, comfort or roadworthiness of the vehicle.

B) The driver shall, unless previously claimed by the owner, hand any property left in the vehicle within 24 hours to the operator who provided the booking for the vehicle.

6. The driver shall not interfere with any installed CCTV media recording device and shall report immediately to the vehicle proprietor any apparent defect to the recording media. The driver shall ensure that the recording media (visual) is switched on at all times when the vehicle is working.

7. The driver shall ensure that the rear licence plate and interior front windscreen licence disc are on public view at all times and shall report immediately any loss to the vehicle proprietor.

8. The driver shall not carry more passengers than the **"licensed to carry"** number prescribed both in the vehicle licence and on the plate.

9. No driver shall refuse to carry a passenger in a licensed vehicle by reason of the fact that that passenger is disabled or requires to have with them a wheelchair or other facility of reasonable size.

TO BE READ IN CONJUNCTION WITH THE ADOPTED POLICY GUIDELINES

Portsmouth City Council will process your personal information in accordance with data protection law. The personal details provided by you will be used for licensing service purposes. Your details will be held on a database and where the law allows, may be shared with other departments within the council to update details they hold about you. The council may also be required to disclose personal information to third parties (such as Police, Department for Work and Pensions or for the National Fraud Initiative) for the purposes of preventing or detecting crime or apprehending or prosecuting offenders.

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ADDITIONAL INFORMATION

Please note that this information does not form part of your licence conditions but is provided for information purposes.

SMOKING

Since 2007 provisions contained in the Health Act 2006 prohibits the smoking of tobacco or any other substance by **any person** in a licensed vehicle. The legislation applies at all times whilst the vehicle remains licensed, thus smoking remains prohibited when the vehicle is not hired or not for hire.

Every licensed vehicle is required to carry at least one legible no-smoking sign under the Smoke free (Signs) Regulations 2012.



ASSISTANCE DOGS*

The Equality Act 2010 imposes a duty on licensed drivers and operators to convey any guide, hearing or other assistance dog in a licensed vehicle. Corresponding licence conditions require a driver to convey a passenger with disabilities and/or requiring the use of a wheelchair.

Drivers must:

- carry assistance dogs accompanying disabled people;
- allow the dog to remain with the passenger

Operators must:

- accept bookings made by or on behalf of a disabled person who is accompanied by a guide, hearing or other assistance dog;
- accept bookings made by a person who will be accompanied in a PHV by such a disabled person; and
- not make an additional charge for carrying the assistance dog

**Future provisions regulating the carriage of passengers with wheelchairs and the fares charged are under consideration.*

Exemptions

If a driver has a medical condition, such as severe asthma, which is aggravated by contact with dogs, or is allergic or has an acute phobia to dogs, or on evidenced medical grounds has a physical condition that makes it unreasonably difficult to assist a wheelchair user; it may be possible for them to qualify for an exemption. Please discuss this with the Licensing Service in the first instance, to whom application for exemption must be made. The driver will be required to produce conclusive medical evidence in support of any exemption application.

There is a right of appeal to the Magistrates' Court against the refusal to issue an exemption certificate.

Please note that the law does not allow for an exemption to be granted on religious grounds.

An operator cannot claim an exemption from the above requirements.



Hackney Carriage/Private Hire Scheme of Delegation

Matter to be dealt with		Full Licensing Committee	Sub-Committee	Officers
1	<p>Determination of all policy matters relating to the hackney carriage and private hire undertaking</p> <p>To include determining the number of hackney carriages licensed to ply for hire within the city AND</p> <p>If mindful of retaining a fixed number of hackney carriages to appoint appropriate consultants' to carry out any future "unmet demand" surveys</p>	In all cases ¹³		
2	<p>Determination and approval of all standard conditions for operators, vehicles and drivers to include any variations and amendments.</p> <p>Determination of "numeric thresholds" against vehicle proprietors, operators and drivers for the purposes of a sub-committee appearance resulting from the penalty points scheme and to vary, substitute or modify the penalty points scheme</p>	In all cases		
3	Determination and approval of hackney carriage byelaws to include any proposed variations and amendments for consideration by the Secretary of State	In all cases		
4	<p>Determination of all fees* and charges in respect of the private hire and hackney carriage undertaking</p> <p>*but for the head of service to authorise such refunds or amendments to respective operator, vehicle or driver fees as appropriate.</p>	In all cases		
5	Grant or renewal of hackney carriage vehicle licence to include a temporary use licence			In all cases
6	<p>Refusal to grant, renew, suspend* or revoke a hackney carriage vehicle licence including a temporary vehicle licence</p> <p>*under section 60 of the 1976 act</p>		In all cases	
7	Grant or renewal of hackney carriage driver licence			In all cases
8	<p>Refusal to grant, renew or to revoke* a hackney carriage driver licence</p> <p>*but see 24 post</p>		In all cases	
9	Grant or renewal of private hire operator licence			In all cases
10	Refusal to grant, renew, suspend or revoke a private hire operator licence		In all cases	

11	Grant or renewal of private hire vehicle licence to include a temporary use licence			In all cases
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Matter to be dealt with		Full Licensing Committee	Sub-Committee	Officers
12	Refusal to grant, renew, suspend* or revoke a private hire vehicle licence including a temporary vehicle licence *under section 60 of the 1976 act		In all cases	
13	Grant or renewal of private hire driver licence			In all cases
14	Refusal to grant, renew or to revoke* a private hire driver licence *but see 24 below		In all cases	
15	Grant or refusal/revocation of a notice of exemption for hackney carriage or private hire driver from carrying guide, hearing or assistance dogs on medical grounds – Disability Discrimination Act 1995 as amended			In all cases and subject to satisfactory medical enquiry and reports being received
16	Determination of whether a vehicle is deemed “silver” or not and to refuse to grant or renew or to suspend a respective hackney carriage or private hire vehicle licence on these grounds accordingly			In all cases
17	Determination of passenger seating capacity for a hackney carriage or private hire vehicle			In all cases
18	Design of private hire operator paper licences			In all cases
19	Design of hackney carriage and private hire vehicle paper licences, windscreen licence discs, licence plates and all internal notices			In all cases
20	Design of hackney carriage and private hire driver paper licences and their respective badges			In all cases
21	Design of approved internal and external corporate livery for both hackney carriage and private hire vehicles and to grant or refuse permission for any other external or internal sign(s)			In all cases but in consultation with corporate communications
22	Design and content of all hackney carriage and private hire application forms to include any other required form(s) or notices commensurate with the provisions of the 1847 and 1976 acts. ‘Content’ includes the receipt of any further information that the Licensing Manager considers appropriate in order to determine whether a person is “fit and proper”.			In all cases

23	Suspension* of hackney carriage or private hire vehicle licences pursuant to section 68 of the 1976 act *with the sub-committee considering vehicle suspensions pursuant to section 60 of the 1976 act			In all cases
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Matter to be dealt with		Full Licensing Committee	Sub-Committee	Officers
24	Suspension of hackney carriage or private hire driver licences pursuant to section 61 of the 1976 act and/or to revoke, with immediate effect, an existing hackney carriage or private hire driver licence having regard to the “interests of public safety” ¹⁴			In all cases
25	Determination of application for exemption from the requirements to have CCTV in a private hire vehicle – NO EXEMPTION FOR HACKNEY CARRIAGES			In all cases
26	Determination of application for plate and/or livery exemption for private hire vehicles – NO EXEMPTION FOR HACKNEY CARRIAGES			In all cases
27	The grant or renewal, after consideration on individual merit, of a hackney carriage or private hire driver licence for a limited duration		If necessary	In all cases
28	The imposition of special conditions for private hire operator, private hire vehicle, hackney carriage vehicle or private hire driver licences as appropriate			In all cases but not to amend the standard conditions for the time being in force

29	The refusal to grant or renew a hackney carriage or private hire driver licence in certain EXCEPTIONAL circumstances			<p>In all cases BUT only by reason of:</p> <ol style="list-style-type: none"> 1. Evidenced repeated knowledge test failure 2. Evidenced poor communication skills 3. Evidenced medical concerns¹ 5 4. Failure of prescribed driving and or other competency tests as prescribed
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Matter to be dealt with		Full Licensing Committee	Sub-Committee Officers	
30	Fixing of hackney carriage fares ¹⁶	To receive trade proposals and to make such recommendations to the cabinet as appropriate		
31	Appointment of hackney stands (to include proposed variations and revocations to such stands) ¹⁷	To receive trade proposals and to make such recommendations to the cabinet member for Traffic & Transportation as appropriate		
32	To determine and appoint hackney carriage and private hire trade representatives and to rescind any appointment if appropriate ¹⁸			In all cases
33	Any changes to the committee's prescribed vehicle mechanical and cosmetic inspection testing report for hackney carriage and private hire vehicles ¹⁹			In all cases and after discussion with the council's appointed vehicle testing contractor

34	Penalty points scheme – power to issue points		If necessary	In all cases
35	Consideration of any disciplinary action against licence holders for reaching the appropriate penalty points “thresholds”		In all cases	
36	To instruct the City Solicitor to commence proceedings for any offences and/or to offer a simple caution or attendance by an applicant or licence holder at any training course(s)			In all cases

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Agenda Item 15

Council Agenda Item 15

Urgent Decision by the Chief Executive Use of Standing Order 58 - Adoption of Model Standing Orders

The Chief Executive exercised his decision-making powers under Standing Order 58 and after the necessary consultation made the following decision:

DECISION

The Chief Executive:

- Formally adopted the model Standing Orders created by The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panels Meetings (England and Wales) Regulations 2020 NO 392 ("The Regulations"). Whilst recognising that 5A and 5B Remote Attendance by Members of the Public, cannot be implemented at this time, as 5.3 in the Regulations currently applies (to be read in conjunction with revised Standing Orders, 1, 24 and 25). See attached link <https://www.adso.co.uk/app/uploads/2020/04/LLG-ADSO-Remote-Meetings-Protocol-and-Procedure-Rules-2020-04-17.pdf>
- Suspended Portsmouth City Council July 2016 Standing Orders 1 (Suspension of Standing Orders), 24 (Deputations) and 25 (Questions by the Public at Council Meetings), to be replaced with amending Standing Orders until 7 May 2021, (now incorporated within the Constitution next to the Council's existing Standing Orders (see attached link). Supplementary Standing Orders adopted on 27 May 2020 (enforce during COVID 19 associated Regulations)

Revised Standing Orders

1. Suspension of Standing Orders- the below text substitutes the existing Portsmouth City Council Standing Order which is suspended.

Any Standing Order except No 8, (Changes to the Schedule of Meetings), 10 (Order of Business- Annual Meetings), 46 (Next Business, Closure and Adjournment) and 60 (Respect for Chair and Chairs Decision) may be suspended at the absolute discretion of the Chair and should the Chair not be present by a majority of the Councillors being present and able to vote.

24. Deputations- the below text substitutes the existing Portsmouth City Council Standing Order which is suspended.

The Council may receive written deputations on a matter, where notice has been given, which is before that meeting of the Council for decision. The following rules will apply:

For the purpose of a Planning Committee the below provisions will apply (a- e)

- a) Upon the publication of the Officers Report (in the agenda) the Applicant and those that have registered to make a deputation (see below at paragraph (e)) will be invited to submit a written further representation should they so choose. Any further representations should not exceed 800 words. Any further representation

should be received by the Council no later than two days prior to the date of the relevant Committee. Further representations (if any) will be sent electronically to the Applicant to enable the applicant to have a 'right of reply' as part of their own further written representation, which must subsequently be received by the Council no later than 10.00 on the day of the relevant Committee meeting.

- b) The further written representation(s) will be circulated to the Members of the Committee, and will be read out as part of the presentation by an officer prior to the Committee discussion of the relevant item.
- c) Those wishing to make a deputation must register prior to the publication of the Agenda. All applicants and those wishing to make representations to the Committee in respect of applications that are to be considered by the Committee will be contacted by officers by email or telephone as appropriate to advise them of this change and the requirement to register.
- d) When a deputation is given it must relate to the agenda item in respect of which it is made.
- e) For the purposes of this standing order those who have registered to make a deputation includes any member of the public who supports or objects to the application or proposal being considered.

Deputations received by the Council that are not addressed to the Planning Committee:

- f) A written deputation stating which agenda item it refers to must be received by the Local Democracy officer named on the agenda by 12 noon two working days preceding the meeting.
- g) Any written deputation received will be sent to the Members on the relevant decision making body and be referred to and be read out at the meeting.

25. Questions by the Public at Council Meetings- the below text substitutes the existing Portsmouth City Council Standing Order which is suspended.

Written questions from members of the public on matters relating to the functions of the City Council (Generic term "City Council" covers "Cabinet") (except no questions will be allowed at meetings to approve the Budget and the Annual Meeting).

- a) Notice of questions in an acceptable written form must be given to the Local Democracy Manager by 12 noon eleven days before the day of the meeting.
- b) If the Local Democracy Manager believes that the question does not relate to the functions of the City Council or is vexatious or frivolous, or relates solely or mainly to the interests of the individual, it may be disallowed after consultation with the Monitoring Officer.
- c) A relevant written question that is accepted will be read out by the Chair of the meeting and answered orally or if unable to attend in person by the relevant Cabinet Member or Committee Chair by way of written response.
- d) The Local Democracy Manager will circulate to Councillors at the meeting the questions to be asked (read out) under this Standing Order. Questions will be answered in the chronological order they are received, except that any member of the public who submits more than one question will not have their second or subsequent questions answered until all the other members' of the public "first round" questions have been put, the same procedure to be followed until all questions have been put.
- e) No supplementary will be allowed. No discussion or debate will take place on the written question or upon any written response (see paragraph c above), but any

Councillor may move that the matter raised by the question be referred to the Cabinet, Committee or Scrutiny Panel. Once seconded, such a motion will be voted upon without discussion.

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Agenda Item 17



Portsmouth
CITY COUNCIL

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

CITY COUNCIL MEETING – 21 JULY 2020

QUESTION NO 1

FROM: COUNCILLOR TOM COLES

**TO REPLY: LEADER OF THE COUNCIL
COUNCILLOR GERALD VERNON-JACKSON CBE**

Since May 2018 how many committee meetings of the Local Enterprise Partnership (LEP) has the Leader of the Council, as the city council's representative, attended? And how many for the full duration of the meeting?

QUESTION NO 2

FROM: COUNCILLOR TERRY NORTON

**TO REPLY: LEADER OF THE COUNCIL
COUNCILLOR GERALD VERNON-JACKSON CBE**

Is the leader of the council committed to improving democratic engagement at PCC?

QUESTION NO 3

FROM: COUNCILLOR LUKE STUBBS

TO REPLY: CULTURE, LEISURE & ECONOMIC DEVELOPMENT
COUNCILLOR STEVE PITT

Residents are concerned about cycling and anti-social behaviour in the Rose Gardens. Will the Cabinet Member consider providing additional signage?

QUESTION NO 4

FROM: COUNCILLOR LUKE STUBBS

TO REPLY: TRAFFIC & TRANSPORTATION
COUNCILLOR LYNNE STAGG

Parking levels in Driftwood Gardens have risen considerably recently. Will the Cabinet Member consider adding double yellow lines to mitigate this?

QUESTION NO 5

FROM: COUNCILLOR LUKE STUBBS

TO REPLY: PLANNING POLICY & CITY DEVELOPMENT
COUNCILLOR HUGH MASON

The leaseholders of Sunrise Stained Glass in Middle Street have expressed an interest in acquiring the freehold. Will the Cabinet Member agree to meet them to discuss this matter?

QUESTION NO 6

FROM: COUNCILLOR LUKE STUBBS

TO REPLY: PLANNING POLICY & CITY DEVELOPMENT
COUNCILLOR HUGH MASON

Why does the Transforming Cities bid show Fort Cumberland as a strategic development site?

QUESTION NO 7

FROM: COUNCILLOR LUKE STUBBS

TO REPLY: TRAFFIC & TRANSPORTATION
COUNCILLOR LYNNE STAGG

What steps will the Cabinet Member take to mitigate the impact of the new resident's parking schemes on Leopold Street and Beatrice Road?

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