



NOTICE OF MEETING

CABINET MEMBER - THE LEADER

TUESDAY, 12 JANUARY 2021 AT 12.15 PM

VIRTUAL REMOTE MEETING

Telephone enquiries to Vicki Plytas 023 9283 4058
Email: democratic@portsmouthcc.gov.uk

CABINET MEMBER - THE LEADER

Councillor Gerald Vernon-Jackson CBE (Liberal Democrat)

Group Spokespersons

Councillor Donna Jones, Conservative
Councillor Stephen Morgan, Labour
Councillor Claire Udy, Progressive Portsmouth People Group

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

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

Deputations

A written deputation stating to which item it refers must be received by the officer named at the top of the agenda **by 12 noon two working days preceding the meeting**. Any written deputation received by email will be sent to the Members on the relevant decision making body and be referred to and read out at the meeting within permitted time limits. On this occasion the agenda has been published outside the usual notice period so any deputation received after the deadline would be heard at the discretion of the Leader.

AGENDA

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

The decision relating to the report entitled Acquisition of Land at Mile End, Kettering Terrace, Portsmouth is a Key Decision for the purposes of the Forward Plan as defined in Article 13 of the Constitution but was not included

in the Forward Plan for the period from 4 January 2021 until 16 March 2021 and is therefore an omission from the Forward Plan and also an omission of explanation of exempt information contained in the exempt appendix.

Article 13 defines a Key decision as an Executive decision which is likely to:

result in the Council incurring expenditure or the making of savings which are significant having regard to the local authority's budget for the service or function to which the decision relates, or

be significant in terms of its effects on communities living or working in an area comprising 2 or more wards in the city's administrative area.

The Chair of the City Council's Scrutiny Management Panel has been notified of and agreed to the decision being made, in accordance with the City Council's Constitution (General Exceptions, Section 15) and (Special Urgency, Section 16). As the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next Forward Plan, this decision will not be subject to call-in. Neither has it been possible in view of the urgency to meet the usual notice period provisions.

The "Acquisition of Land at Mile End, Kettering Terrace, Portsmouth" report by the Director of Regeneration requires the decision to be taken by a particular date which is why urgent action is necessary.

4 Exclusion of Press and Public

In view of the contents of the following item on the agenda the Portfolio Holder is RECOMMENDED to adopt the following motion:

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

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

(NB The exempt/confidential committee papers on the agenda will contain information which is commercially, legally or personally sensitive and should not be divulged to third parties. Members are reminded of standing order restrictions on the disclosure of exempt information and should dispose of their exempt documentation as confidential waste.

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

Item

Exemption Para No.*

**5. Acquisition of Land at Mile End,
Kettering Terrace, Portsmouth
(appendix A only)**

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

5 Acquisition of Land at Mile End, Kettering Terrace, Portsmouth (Pages 5 - 8)

Purpose of report

The purpose of this report is to seek authorisation to complete a land acquisition supporting the new requirements for construction of a Border Control Post at Portsmouth International Port.

Recommendations

The Leader approves and authorises that;

- 2.1 The Freehold acquisition of the land identified in Exempt Appendix A by Portsmouth City Council.**
- 2.2 The City Solicitor be authorised to complete the necessary documentation to complete 2.1 above.**

The open part of this meeting is webcast (videoed), viewable via the Council's livestream account at <https://livestream.com/accounts/14063785>

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Agenda Item 5



Portsmouth
CITY COUNCIL

Title of meeting:	Leader Decision
Date of meeting:	Tuesday 12th January 2021
Subject:	Acquisition of Land at Mile End, Kettering Terrace, Portsmouth
Report by:	Tom Southall - Assistant Director Property & Investment
Wards affected:	Nelson
Key decision:	Yes
Full Council decision:	No

1. Purpose of report

- 1.1 The purpose of this report is to seek authorisation to complete a land acquisition supporting the new requirements for construction of a Border Control Post at Portsmouth International Port.

2. Recommendations

The Leader approves and authorises that;

- 2.1 The Freehold acquisition of the land identified in Appendix A by Portsmouth City Council.
- 2.2 The City Solicitor be authorised to complete the necessary documentation to complete 2.1 above.

3. Background

- 3.1 Port Director, Mike Sellers, provided an information paper "Portsmouth International Port – preparations for the new Border Operating Model post EU Transition" on 3rd November 2020 outlining Portsmouth International Port's (PIP) preparations for Brexit.
- 3.2 This land acquisition supports the preparations PIP are required to make to continue to operate post-Brexit, and is required in order to complete the construction of a Border Control Post (BCP). The BCP is a new inspection facility required by UK government to allow goods to be inspected and trade to continue to flow through PIP.



- 3.3 Portsmouth City Council have made a bid to the Government's Port Infrastructure Fund (PIF), to enable construction of the necessary new buildings within the Port Estate and the allocated funding enables this acquisition.
- 3.4 It is anticipated that this land acquisition will be fully funded (including costs and fees) from the PIF.
- 3.5 Appendix A details the proposed acquisition land and the relevant financial information.

4. Reasons for recommendations

- 4.1 Acquisition is required to enable construction of the Government's Border Control Post.

5. Integrated impact assessment

- 5.1 The contents of this report do not have any relevant equalities and environmental impact and therefore an Integrated Impact assessment is not required.

6. Legal implications

- 6.1 Under Section 120 (1) of the Local Government Act 1972 local authorities can acquire land for the benefit, improvement or development of their area. The land does not need to be immediately required for that purpose.

7. Director of Finance's comments

- 7.1 Without the land purchase, the Port will be unable to provide a BCP. This would mean the Port could not accept a large range of RoRo freight. This would have a major financial impact on the Port, with likely lost income of c£2m per annum.
- 7.2 The land purchase will be funded from the PIF.

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Signed by:

Appendices:

Exempt Appendix A

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
Portsmouth International Port – preparations for the new Border Operating Model post EU Transition	Information Paper to Cabinet Meeting on 3/11/20

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

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Signed by:

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