



NOTICE OF MEETING

SCRUTINY MANAGEMENT PANEL

FRIDAY, 4 FEBRUARY 2022 AT 2.30 PM

COUNCIL CHAMBER - THE GUILDHALL

Telephone enquiries to James Harris on 023 9260 6065

Email: james.harris@portsmouthcc.gov.uk

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

Information with regard to public access due to Covid precautions

- Attendees will be requested to undertake an asymptomatic/ lateral flow test within 48 hours of the meeting. Around one in three people who are infected with COVID-19 have no symptoms so could be spreading the virus without knowing it. Asymptomatic testing – getting tested when you don't have symptoms - helps protect people most at risk by helping to drive down transmission rates. We strongly encourage you to take up the habit of regular asymptomatic testing to help prevent the spread of coronavirus to your colleagues and residents you work with.
- We strongly recommend that attendees should be double vaccinated, and if eligible, have received a booster.
- If symptomatic you must not attend and self-isolate following the stay-at-home guidance issued by UK Health Security Agency.
- All attendees are required to wear a face covering while moving around within the Guildhall and are recommended to continue wearing a face covering in the Council Chamber except when speaking.
- Although not a requirement, attendees are strongly encouraged to keep a social distance and take opportunities to prevent the spread of infection.
- Hand sanitiser is provided at the entrance and throughout the Guildhall. All attendees are encouraged to make use of hand sanitiser on entry to the Guildhall and are requested to follow the one-way system in place.
- Attendees are encouraged book in to the venue (QR code). An NHS test and trace log will be retained and maintained for 21 days for those that cannot or have not downloaded the app.

- Those not participating in the meeting and wish to view proceedings are encouraged to do so remotely via the livestream link.
-

Membership

Councillor Simon Boshier (Chair)
Councillor Stuart Brown
Councillor George Fielding
Councillor Graham Heaney
Councillor Leo Madden

Councillor Scott Payter-Harris
Councillor Linda Symes
Councillor Benedict Swann
Councillor Rob Wood

Standing Deputies

Councillor Matthew Atkins
Councillor Cal Corkery
Councillor Ian Holder

Councillor Lee Hunt
Councillor Judith Smyth
Councillor Daniel Wemyss

(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

AGENDA

- 1 Apologies for Absence**
- 2 Declarations of Members' Interests**
- 3 Minutes of the meeting held on 29 January 2021 and the special meeting held on 15 September 2021 (Pages 5 - 12)**

RECOMMENDED that the minutes of the meeting held on 29 January 2021 and the special meeting held on 15 September 2021 be confirmed and signed by the Chair as correct records.

- 4 Presentation on Portsmouth City Council Budget and Council Tax 2022/23 and Medium Term Budget Forecast 2023/24 to 2025/26**

(Information only Item)

A presentation on the budget will be provided by Mr Chris Ward, s151 Officer.

An opportunity will be given to the Panel to ask questions.

The Panel may also put forward for consideration at Cabinet any collective comments.

Members are advised that the budget papers will be included in the agenda for the 8 February 2022 Cabinet meeting and are expected to be published on 31 January 2022 when they will be available to view on the Council's website via the following link:

[Agenda for Cabinet on Tuesday, 8th February, 2022, 1.00 pm Portsmouth City Council](#)

Members of the public are permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting nor records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

Whilst every effort will be made to webcast this meeting, should technical or other difficulties occur, the meeting will continue without being webcast via the Council's website.

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

This page is intentionally left blank

Coronavirus Risk Assessment for the Council Chamber, Guildhall

Date: 21 October 2021 (based on Government Autumn and Winter Plan and associated Guidance published September 2021)

Review date: Next time Government guidance is updated

Author: Lynda Martin, Corporate Health and Safety Manager, Portsmouth City Council
Coronavirus Risk Assessment for the Council Chamber, Guildhall

Manager's Name and Job Title completing Risk Assessment:	Lynda Martin Corporate Health and Safety Manager	Risk Assessment Dept:	Corporate Services	Date:	21 October 2021	Signature:	<i>Lynda Martin</i>
		Location:	Council Chamber, Guildhall				

Hazard	Who could be harmed and how	All controls required	How controls will be checked	Confirmed all in place or further action required
Risk of exposure to Covid-19 virus - Ventilation	Staff, contractors and attendees	<ul style="list-style-type: none"> • The capacity for the Guildhall Council Chamber for all attendees (including members of the public) has been calculated to be maximum of 30 people to accommodate 2 m social distancing. • Improvements in ventilation permits up to an additional 30 attendees. Members of the public will be advised to follow Covid safety recommendations. If 2m social distancing cannot be maintained then face coverings should continue to be worn and should only be removed when addressing the meeting. • The actions taken to maximise ventilation in the Guildhall Council Chamber includes: <ul style="list-style-type: none"> ○ The removal of internal casement secondary glazing windows. ○ Large casement windows will be opened. ○ Pedestal fans - positioned in each of the wing areas and along the back wall behind the pillars, maximum speed and modulation setting. ○ High level doors and window - the double doors to the high level galleries and the gallery corridor window will be opened. 	Security staff will be available to ensure numbers are not exceeded. Staff will ensure windows are open and fans switched on.	In place
Risk of transmission of virus - Risk mitigation	Staff, contractors and attendees	<ul style="list-style-type: none"> • The Guildhall takes its responsibility to help limit the risk of infection seriously and has the following measures and requirements in place, attendees should: <ul style="list-style-type: none"> • Be double vaccinated. • Have a negative Asymptomatic / lateral flow device within 48 hours of a meeting. • Wear face coverings at all times, unless exempt. • Follow Track & Trace requirements - track and trace QR posters will be displayed to allow check in. • Not attend if their result is positive attendees must and follow government guidance regarding isolation: https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance/stay-at-home-guidance-for-households-with-possible-coronavirus-covid-19-infection. 	The Guildhall Trust and PCC Facilities Team to implement and monitor.	In place
Risk of transmission of virus - Hygiene and prevention		<ul style="list-style-type: none"> • Wash hands for 20 seconds using soap and water or hand sanitiser. • Maintain good hygiene particularly when entering or leaving. • Hand sanitiser will be located at the entrance of the building. • Hand sanitiser and wipes will be located in the meeting room. • Additional cleaning measures are in place, door handles, surfaces, etc. • No refreshments will be provided. Attendees should bring their own water bottles/drinks. • All attendees should bring and use their own pens/stationery. • Doorways marked, where possible, with entry and exit channels. 	The Guildhall Trust and PCC Facilities Team to implement and monitor.	In place

Hazard	Who could be harmed and how	All controls required	How controls will be checked	Confirmed all in place or further action required
		<ul style="list-style-type: none"> Only one person should use the lift at a time. Attendees should follow entry/exit signage to and around the building. Each speaker to have their own microphone. No sharing of microphones. 		
PPE	Staff, contractors and attendees	<ul style="list-style-type: none"> All attendees must wear a face covering and are encouraged to bring their own. Face coverings to be available at the entrance to the Guildhall if required. Gloves, anti-bacterial wipes and bin bags to be provide to all events staff. Sanitiser available at the entrance and exit of the building and in reception areas. <p>The following guidance on using face coverings should be followed:</p> <ul style="list-style-type: none"> Wash/sanitise hands prior to fitting the face covering Avoid touching face or mask, to not contaminate the covering Change face covering if it becomes damp or contaminated Continue to wash hands regularly 	Posters displayed Guidance provided in advance of meeting to all attendees.	In place
Financial Risk	Staff, contractors and attendees	<ul style="list-style-type: none"> The council meeting may need to be cancelled at short notice if the Covid-19 situation changes due to local outbreaks, local sustained community transmission, or a serious and imminent threat to public health. Contact details of all attendees held by the event manager to enable easy efficient cancellation. Technology in place to move to virtual council meeting if required and permitted by legislation. 	Financial commitments minimised wherever possible. PCC Insurance department aware of council meeting.	In place

Page 7

Updates	<ul style="list-style-type: none"> This risk assessment is a live document and will be updated as new information becomes available. All managers should feel free to adapt the measures contained within this risk assessment when assessing the risks for their own department's work activities/ premises.
Further information	<ul style="list-style-type: none"> Further government information on support during the coronavirus pandemic can be found here HSE guidance, on working safely during the coronavirus pandemic can be found here Staff wellbeing advice during the coronavirus pandemic can be found here

This page is intentionally left blank

SCRUTINY MANAGEMENT PANEL

Minutes of the meeting of the Scrutiny Management Panel held on Friday, 29 January 2021 at 12.30 pm at the Civic Offices, Portsmouth

Present

Councillor Jason Fazackarley (in the Chair)

Councillors Leo Madden
Simon Boshier
Jo Hooper
Scott Payter-Harris
Will Purvis
Tom Wood

Officers

Mr Chris Ward, Director of Finance and s151 Officer

1. Apologies for Absence (AI 1)

The Chair welcomed everyone to the meeting and explained that the Panel are meeting virtually in response to the limitations placed on governance by the COVID-19 pandemic. The City Solicitor has advised that in accordance with 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.

He advised everyone that the meeting was being livestreamed.

Apologies for absence were received on behalf of Councillor Ben Dowling. Councillor Tom Wood deputised for him.

2. Declarations of Members' Interests (AI 2)

There were no declarations of members' interests.

3. Minutes of the meeting held on 9 November 2020 (AI 3)

RESOLVED that the minutes of the meeting held on 9 November 2020 be confirmed and signed by the Chair as a correct record.

4. Presentation on Portsmouth City Council Budget and Council Tax 2021/22 and Medium Term Forecast 2022/23 to 2024/25 (AI 4)

(TAKE IN EXECUTIVE SUMMARY IN THE BUDGET PAPERS published online as part of the Cabinet publication for 2 February meeting)

Mr Chris Ward introduced the item saying this was an opportunity for members of the Panel to ask questions on the proposals in the budget prior to it going to Cabinet and Council.

He apologised that it had not been possible to produce a dedicated presentation for this Panel owing to time pressures but intended to show the Executive Summary from the budget papers on a shared screen which he hoped would compensate for this.

He advised that the budget had proved to be quite complex this year for a number of reasons; because of the way that items had been treated and because of the Covid 19 pandemic. In many cases, PCC had received money from government this year (which could be spread over a 3 year period) but the costs would not be incurred until next year.

Mr Ward first set the context of the budget stating that since 2011/12, the Council will have made £103m in savings (48% of controllable spend). Adult and Children's Social Care represented in excess of 50% of controllable spend and experience the greatest cost pressures and have historically received significant protection from savings. The Council's Medium Term Financial Strategy seeks to maximise savings through income generation, economic regeneration and efficiency measures.

Mr Ward then outlined the results of the budget consultation saying that there had been 1500 responses and 79% of those supported an increase in Council Tax as opposed to cuts in services. He also listed the 3 most selected priority investment opportunities.

Revised Budget 2020/21

Mr Ward gave details of the balanced budget for 2020/21 accommodating the expected full Covid-19 impact. He said costs and income losses directly related to Covid-19 amounted to £33.1m excluding Council Tax and Business rates. £12.4m had been set aside to fund Covid-19 costs for the following 2 years. The overall forecast underspend of £2.9m is being used to support the Budget for 2021/22.

Mr Ward said that there had been a substantial loss of income to PCC including lost revenue from the international port, parking charges, museum entry fees etc. Government funding had been made in separate tranches to provide recompense for the effects of Covid-19 but there had been no advance detail of when or how much would be received making it difficult to plan. There is still much uncertainty as the effects of the pandemic are ongoing.

Budget 2021/22

Mr Ward then outlined the main budget proposals which included £1.3m savings - of which £0.3m had been identified to provide mainstream funding for Food Waste Recycling.

He provided details of the Local Government Finance Settlement and included the areas where this had provided substantial relief.

The proposals also included

- Provision of additional funding to Adult Social Care of £2.8m
- Replenishment of the Medium Term Resource Strategy (MTRS) Reserve of £3m.
- An increase in Council Tax of 4.99% (in accordance with the budget consultation) 3% of which it was proposed would be pass-ported directly to Adult Social Care.

Mr Ward advised that it was likely that there would be a reduction in the Council Tax Base (income) due mainly to additional Council Tax Support payments being made by PCC and losses on collection, but the government had made a grant of £1.7m to compensate for this.

Further proposals included

- A revenue contribution to Capital of £4.2m to supplement the Capital Resources available to the 2021/22 Capital Programme.
- A withdrawal from General Reserves of £2m (noting the underspend of £2.9m in the previous year.)

Future Forecast - 2022/23 to 2024/25

Mr Ward advised that all the assumptions previously made had had to be revised and that there had been unprecedented uncertainty to contend with. The forecast was therefore subject to variation by + / - £3m.

He explained that it is proposed that savings are phased evenly at £1m over the 3 years beyond 2021/22 and that General Reserves of around £19m - assuming the £1m savings are achieved - are maintained. This is crucial and ensures a balanced approach to savings.

Capital Programme 2020/21 to 2025/26

Mr Ward advised the new proposed Capital Investment figure and said this includes external funding which will need council participation in order to lever in the money. He then listed the key investments proposed.

In conclusion, Mr Ward said that the Council's financial position was sound, with a relatively modest forecast deficit of £3m and a reasonable amount of money in General Reserves - assuming the proposals were approved.

In response to a request for further details about the proposed redevelopment at Cosham listed in the proposed Capital Programme, Mr Ward said he believed work was in the early stages. He had limited knowledge of what was being planned but believed consideration was being given to include additional affordable housing, some community facilities and shared health facilities. He believed that there was a possibility that the Fire Service would move to the old PCMI site and that there would also be some police presence (not a police station) on the site.

The Chair of the Panel, Councillor Fazackarley thanked Mr Ward for his summary of the budget and said there was no formal decision for the Panel to take. Having sought the views of the Panel, the Chair advised that the Panel did not wish to forward any comment to Cabinet.

The Chair thanked everyone for their attendance.

The meeting concluded at 1.20 pm.

Councillor Jason Fazackarley
Chair

Public Document Pack

SCRUTINY MANAGEMENT PANEL

Minutes of the special meeting of the Scrutiny Management Panel held on Wednesday, 15 September 2021 at 10.00 am at the Guildhall, Portsmouth

Present

Councillor Simon Boshier (in the Chair)

Councillors Stuart Brown
George Fielding
Jo Hooper
Scott Payter-Harris
Linda Symes

On behalf of the Call-in Councillors: Councillor Daniel Wemyss

Lead Cabinet Member: Councillor Gerald Vernon-Jackson

5. Apologies for Absence (AI 1)

Apologies were received from Cllr Graham Heaney, Cllr Leo Madden and Cllr Rob Wood.

Cllr Ian Holder was present as standing deputy for Cllr Rob Wood.

6. Declarations of Members' Interests (AI 2)

There were no declarations of interest.

7. Call in of decision taken by Cabinet on 22 June 2021 in respect of item 10 on that agenda : Appointments to Outside Organisations (AI 3)

The Chair explained that five members of the Council, Matthew Atkins, Ryan Brent, Hannah Hockaday, Lee Mason and Daniel Wemyss had asked for the decision taken by Cabinet on 22 June 2021 in respect of Appointments to Outside Bodies be called in for scrutiny on the basis that they believe that the decision may have been taken based may have been taken without adequate information (of which the nature had been identified).

The Call-in process had been ruled valid by the City Solicitor.

The Chair advised that if the panel was satisfied that the decision had not been taken without adequate information being supplied to enable the Cabinet to reach its decision, then no further action was required.

If the panel was not satisfied on these grounds, it could refer the matter back to the Cabinet for reconsideration, setting out in writing the nature of its concerns that are to be addressed in conjunction with the original matter.

The Chair further explained that the procedure to be followed at the meeting had been included Appendix 3 to the agenda.

The Chair advised that no written deputations had been received.

Councillor Wemyss, a signatory to the Call-in, outlined the reasons for the Call-in (set out in full on the Call-in form at Appendix 4).

The Call-in Councillors believed that the decisions made by Cabinet in respect of certain appointments to outside bodies were defective in two regards:

1. They were in breach of the Appointments to Outside Bodies and organisations, Charities etc - Political Proportionality Protocol which is Part 4E of the Constitution of Portsmouth City Council; and
2. The Cabinet failed to consider the Appointments to Outside Bodies and organisations, Charities etc - Political Proportionality Protocol which is Part 4E of the Constitution of Portsmouth City Council when making the decision.

In respect of Point 1, the decisions to appoint Steve Pitt and Terry Hall to the Portsmouth Naval Base Property Trust and the decision to appoint Councillors Hugh Mason and Rob Wood to the King's Theatre Trust Ltd were in breach of rules 6 and 7 of the Protocol. The appointments were in breach of point 7 in that the appointments should be in accordance with proportionality rules where two or more appointments are to be made. They were also in breach of the implication of rule 6 that appointments should be Portsmouth City Councillors.

The appointments of former Councillors David Fuller to the Fratton Community Association and Matthew Winnington to the Eastney Area Community Association were in breach of rule 4 of the Protocol that appointments to local associations should be ward Councillors.

In respect of Point 2, the decision of the Cabinet was made without adequate information because the Cabinet failed to consider the Appointments to Outside Bodies and organisations, Charities etc - Political Proportionality Protocol when making their decisions. This remained a core policy of the Council and should have been considered when making the decisions which it governs.

He believed that the appointments were wrong and awarded those who had served the current administration with positions of influence. In respect of the Portsmouth Naval Base Property Trust these appointments were remunerated. Where money was involved, he believed that the public had a right to know why a democratically elected councillor had not been appointed.

No members of the panel had questions for Cllr Wemyss.

The Leader of the Council, Councillor Gerald Vernon-Jackson gave his response and confirmed that whilst he was happy for the matter to be reconsidered by Cabinet, he did not accept the reasons for the Call-in.

He stated that the process in making the appointments had mirrored the precedent followed in previous years by the previous administration. He confirmed that a Milton councillor would be appointed to the Eastney Community Centre, as this was within the Milton Ward.

He closed by explaining that the individuals selected had been appointed because they were believed to be the best able to fulfil the roles.

In response to questions from the panel Cllr Vernon-Jackson confirmed that:

- He didn't believe that Part 4E of the Council's Constitution had ever been attached to the Outside Bodies report;
- He believed that the inclusion of this document would be beneficial for future Outside Body appointment reports; and
- He would welcome feedback from those appointed to Outside Bodies, but he couldn't recall this having been undertaken under the previous administration; and
- Confirmed that two former councillors had been appointed to the Eastney Area Community Association and Fratton Community Association rather than one of the six ward councillors had been in part due to a lack of nominations from ward members. Traditionally an Eastney & Craneswater councillor had been appointed to the Eastney Area Community Association, but he was happy for a Milton Councillor to be appointed.

In response to the replies from the Leader the Chairman confirmed that he had previously produced reports when he had sat on an Outside Body.

There being no further questions, Cllr Wemyss summed up the case on behalf of the Call-in councillors. In doing so he reiterated the view that the reasons for call-in should be upheld and that the matter referred back to Cabinet for re consideration.

The Lead Cabinet Member summed up his response to the call-in stating that he was happy for Cabinet to reconsider the matter and that the protocol appended to future reports would be useful.

During debate the panel recognised that the Leader was happy for the matter to be reconsidered by Cabinet and believed that this would be the appropriate resolution.

it was
proposed by Councillor Payter-Harris
and seconded by Councillor Symes

that the reasons for the Call-in are upheld by the Scrutiny Management Panel and it therefore refers the matter back to Cabinet for reconsideration.

On being put to the vote this was CARRIED.

RESOLVED that the Panel having considered the evidence decided that the reasons for the Call-in are upheld by the Scrutiny Management Panel and it therefore refers the matter back to Cabinet for reconsideration.

The meeting concluded at 10.21 am.

Councillor Simon Boshier
Chair