

NOTICE OF MEETING

CABINET

TUESDAY, 22 MARCH 2022 AT 1.30 PM

COUNCIL CHAMBER - THE GUILDHALL, PORTSMOUTH

Telephone enquiries to Anna Martyn Tel 023 9283 4870

Email: Democratic@portsmouthcc.gov.uk

Information with regard to public access due to Covid precautions

- Following the government announcement 'Living with COVID-19' made on 21 February attendees will still be requested to undertake an asymptomatic/ lateral flow test within 48 hours of the meeting until the end of March (This guidance will be updated at that point). 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 recommend that attendees should be double vaccinated and have received a booster.
- If symptomatic we encourage you not to attend the meeting but to stay at home, avoid contact with other people and to take a PCR test in line with current UKHSA advice.
- We encourage all attendees to wear a face covering while moving around crowded areas of the Guildhall.
- Although not a legal requirement attendees are strongly encouraged to keep a social distance and take opportunities to prevent the spread of infection by following the 'hands, face, space' and 'catch it, kill it, bin it' advice that also protects us from other winter viruses.
- 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.
- Those not participating in the meeting and wish to view proceedings are encouraged to do so remotely via the livestream link.

Membership

Councillor Gerald Vernon-Jackson CBE (Chair)

Councillor Suzy Horton (Vice-Chair)

Councillor Chris Attwell

Councillor Dave Ashmore

Councillor Kimberly Barrett

Councillor Ben Dowling

Councillor Jason Fazackarley

Councillor Hugh Mason

Councillor Darren Sanders

Councillor Lynne Stagg

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

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

Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendations). Email requests are accepted.

A G E N D A

Meeting information: Risk assessment for Council Chamber

- 1 Apologies for Absence**
- 2 Declarations of Interests**
- 3 Record of Previous Decision Meetings held on 14 February 2022 (Pages 11 - 16)**

A copy of the record of the previous decisions taken at the Cabinet meetings on 14 February 2022 are attached.

- 4 Additional Licensing of Houses of Multiple Occupation (Pages 17 - 244)**

Purpose

1. To examine the need for additional licensing controls of Houses in Multiple Occupation (HMOs) in the city.
2. If a need is determined, to outline the process for undertaking a consultation on the formal introduction of such a scheme.

RECOMMENDED that Cabinet approves

- 1. That Cabinet decide if the evidence presented is strong enough for the city council to undertake a consultation on the introduction of additional licencing scheme for HMOs.**
- 2. Subject to recommendation 2.1, a proposed designation for additional licensing must be agreed and consulted upon. It is recommended that the basis for introduction of additional licensing would be in relation to the impacts to tenants of poor living conditions and poor management practices, as indicated by the evidence from the current Mandatory Licensing scheme. The designation should therefore seek to scale up the licensing of HMOs to provide inclusion for all tenants living in HMOs with a City wide designation.**
- 3. Subject to recommendation 1, that the consultation starts on 23rd May 2022, as outlined within section 10 of this report.**
- 4. Subject to recommendation 1, that the consultation includes the information outlined within sections 5, 6, 7 & 8 of this report.**
- 5. Subject to recommendation 1, that following the completion of the consultation, officers return with a report which summarises the responses to enable a final decision on the implementation of a**

new additional licencing scheme.

6. In the event that Cabinet do not proceed with a consultation on the introduction of an additional licencing scheme for HMOs, a consultation should be held to introduce the proposed updated Space Standards document (Appendix 5) and the proposed updated enforcement policy (Appendix 6). This consultation should commence on 23rd May 2022.

5 Update on the Street Homelessness & Rough Sleeping Partnership Strategy (Pages 245 - 274)

Purpose

1. To provide an update on rough sleeping services in the city.
2. To provide an update of the Street Homelessness & Rough Sleeping Partnership strategy 2018 - 2020.
3. To provide an update on bids for Rough Sleeping Initiative funding for services for the period 2022-2025.

6 Horatia and Leamington Development - Delivery Next Steps (Pages 275 - 300)

Purpose

1. To provide Cabinet with a progress update including:
 - Deconstruction
 - Community Engagement
 - Homes England Funding
 - Development
2. Inform the decisions required to progress the development delivery of the site currently occupied by the moribund Horatia and Leamington House towers.
3. Set out the delivery model to take forward the development
4. To seek permission from Cabinet to tender and appoint a design & build contractor to build out the HRA Affordable Housing scheme element of the master plan so that works can start subject to planning approval.

RECOMMENDED that the Cabinet

1. Approve that the development scheme is now considered as two separate schemes and that the Affordable Housing Scheme is taken forward with a scheme budget of £98.1m and note that this remains within the overall funding approved by cabinet and full council at Cabinet dated 15th September 2020 and Full Council 13th October 2020 for the whole development scheme
2. Approve in principle the disposal of land, from the HRA & General Funds as indicated by block B in 4.14 below for the development by a third party which would include PCC own housing development company. Disposal of land (HRA& General fund) uses the existing delegations for the Director of Housing, Neighbourhood and Building Services and Director of Regeneration, in consultation with the Cabinet Member for Housing and Preventing Homelessness and Leader. The land disposal would be defined by a red book valuation

and the capital receipt used to support the development.

3. Note that should the development of the land indicated by block B in 4.14 require funding from the Council, for example, through Portsmouth City Councils own housing development company, Ravelin, and the funding requirement exceeds the £145m overall funding approved by cabinet and full council at Cabinet dated 15th September 2020 and Full Council 13th October 2020, additional spending would be subject to a cabinet and full council report.
4. Note the scope of the development scheme to include the Horatia and Leamington footprint, Melbourne Place car park, Gibson Centre and the delivery of wider public realm improvements identified in 4.12.
5. Delegate authority to the Director of Housing, Neighbourhood and Building Services and the Section 151 Officer to tender and enter into contract with the preferred bidder for the design and build work following full evaluation of the tender.
6. Delegate authority to the Director of Housing, Neighbourhood and Building Services in consultation with the Director of Finance and Resources to amend the composition, design standard and spending profile of the proposed scheme in order to meet planning and design requirements whilst ensuring that the scheme remains financially viable following any necessary changes.
7. Delegate the Director of Housing, Neighbourhood and Building Services in consultation with the Director of Finance and Resources to apply for any grant funding to support the scheme.
8. Place on record a note of thanks to the local community and stakeholders who have engaged in the project and particularly those involved directly in the work of the community panel. The contributions and input have been invaluable in directing the project and supporting the design team to create an exciting new beginning for this part of Somerstown.

7 National Bus Strategy: Portsmouth Enhanced Partnership (Pages 301 - 370)

Purpose

To seek approval for Portsmouth City Council to submit a Draft Enhanced Partnership Plan and Scheme in accordance with the requirements set out in the Government's National Bus Strategy - Bus Back Better.

RECOMMENDED that the Cabinet

1. Approves the Draft Portsmouth Enhanced Partnership Plan and Scheme, for submission to the Department for Transport by 29 April 2022;
2. Delegates authority to the Cabinet Member for Traffic and Transportation in consultation with the Director of Regeneration and the Section 151 Officer to agree any minor amendments to the Enhanced Partnership Plan and Scheme that may be required to take account of future funding changes and policy announcements;
3. Notes that the Enhanced Partnership Plan and Scheme will be monitored through the Enhanced Partnership Board.

8 Use of Pesticides on City Council Land (Pages 371 - 386)

Purpose

To update Cabinet on the city council's current use of pesticides, approach to reducing and minimising use and the trialling and practical implications of alternative methods.

9 Southsea Coastal Scheme - Memorial Benches (Pages 387 - 396)

Purpose

To inform Cabinet of the Southsea Coastal Scheme (the Scheme) plans for memorial benches affected by the project along the Southsea seafront and to update on communication with bench owners to date in relation to sub-frontage 4 around Southsea Castle.

10 Member Champions Annual update (Pages 397 - 402)

Purpose

To update Cabinet on the work of Member Champions during the 2021/22 municipal year.

11 LED Street Lighting - Adaptive Lighting Review (Pages 403 - 406)

Purpose

To provide an update on the review of Adaptive Lighting profile.

12 Covid-19, Brexit and other factors impacting construction costs (Pages 407 - 412)

Purpose

To update the Cabinet on the impact of COVID-19, Brexit and other factors impacting construction costs relating to Capital Schemes contained with the report Portsmouth City Council Budget & Council Tax & Medium Term Budget Forecast 2023/24 to 2025/26 approved by City Council 15th February 2022.

13 Quarter 3 Budget Monitoring (Pages 413 - 426)

Purpose

To update members on the current Revenue Budget position of the Council as at the end of the third quarter for 2021/22 in accordance with the proposals set out in the "Portsmouth City Council - Budget & Council Tax 2022/23 & Medium Term Budget Forecast 2023/24 to 2025/26" report approved by the City Council on 15 February 2022.

RECOMMENDED that the Cabinet

- 1. The General Fund Forecast Outturn for 2021/22 (as at 30 December 2021) of an overall net overspend of £802,700 be noted; this is analysed as follows:**

FORECAST OUTTURN 2021/22	£000
Forecast Net Overspend (before transfers to/from) Reserves	13,774.0

Less Expenditure funded from Corporate Contingency:		
	Covid-19 Costs	(10,280.0)
	Windfall Costs	(2,002.8)
Less Transfers From Portfolio / Cabinet Reserve:		
	Overspendings (in accordance with approved Council resolutions)	(2,116.1)
Add Transfers to Portfolio and Other Reserves:		
	Underspendings (in accordance with approved Council resolutions)	1,427.6
Overall Forecast Net Overspend 2021/22		802.7

2. The forecast additional spending and forgone income as consequence of the Covid-19 Pandemic totalling £10.28m be noted
3. Members note that the financial consequences arising during 2021/22 from the Covid-19 pandemic will be met from the provision held within the Council's Corporate Contingency which was set aside specifically for this purpose as approved by City Council on 15 February 2022.
4. Members note that in accordance with approved policy as described in Section 8, any actual non Covid-19 overspend at year end will in the first instance be deducted from any Portfolio Reserve balance and once depleted then be deducted from the 2022/23 Cash Limit.
5. In accordance with (iv) above and the requirement that in the first instance any Portfolio overspending must be met from the Portfolio Reserve, that £1,354,400 has been withdrawn from the Cabinet Portfolio Reserve to fund current forecast overspendings, leaving a nil balance.
6. Directors, in consultation with the appropriate Cabinet Member, consider options that seek to minimise any forecast non Covid-19 overspending presently being reported and prepare strategies outlining how any consequent reduction to the 2022/23 Portfolio cash limit will be managed to avoid further overspending during 2022/23.

14 Falklands 40th Anniversary and Armed Forces Day events

Report to follow

15 Lateral Flow Testing

Report to follow

16 Portsmouth City Council climate change strategy and carbon budget

Report to follow

17 Exclusion of Press and Public

“That, under the provisions of Section 100A of the Local Government Act, 1972 as amended by the Local Government (Access to Information)

Act, 1985, the press and public be excluded for the consideration of the following item on the grounds that the report(s) contain information defined as exempt in Part 1 of Schedule 12A to the Local Government Act, 1972”.

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

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

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

(NB The exempt/confidential committee papers on the agenda will contain information which is commercially, legally or personally sensitive and should not be divulged to third parties. Members are reminded of standing order restrictions on the disclosure of exempt information and are invited to return their exempt documentation to the Local Democracy Officer at the conclusion of the meeting for shredding.)

Item	Paragraph
Renegotiated sports and leisure facilities management contract	Appendix A

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

18 Forward Plan Omission Notice - Renegotiated sports and leisure facilities management contract (Pages 427 - 428)

The Renegotiated sports and leisure facilities management contract by the Director of Culture, Leisure & Regulatory Services was omitted from the Forward Plan covering 15 February to 15 May 2022. The Chair of the City Council's Scrutiny Management Panel has been notified and a public notice published.

19 Renegotiated sports and leisure facilities management contract (Pages 429 - 446)

Purpose

To provide the Cabinet with a summary of the contractual negotiations with BH Live, which have now concluded; and to seek Cabinet's approval to vary the existing sports and leisure facilities management contract with BH Live, on the basis that this is a key decision.

RECOMMENDED that the Cabinet That the Cabinet authorises the

Director for Culture Leisure and Regulatory Services to agree a contract variation to the existing sports and leisure facilities management contract, and for the Council's legal services to execute the variation as a deed.

20 Exclusion of Press and Public

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Item	Paragraph
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Provision of Waste Collection Service - fully exempt - (Information relating to the financial or business affairs of any particular person (including the authority holding that information).	
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21 Provision of Waste Collection Services (Pages 447 - 456)

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