



Agenda & minutes

Full Council meeting of
Tuesday, 13 February 2024

Portsmouth City Council

AN ORDINARY MEETING OF THE COUNCIL will be held at the Council Chamber - The Guildhall on **Tuesday, 13 February 2024 at 2.00 pm** and all members of the council are hereby summoned to attend to consider and resolve upon the following business detailed from agenda item 1 onwards:-

Agenda

- 1 Declaration of Members' Interests**
- 2 To approve as a correct record the Minutes of 12 December 2023**
(Pages 5 - 24)
- 3 Apologies for Absence and to receive such communications as the Lord Mayor may desire to lay before the Council**
- 4 Deputations from the Public under Standing Order No 24.**

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 (james.harris@portsmouthcc.gov.uk) by 12 noon of the working day before the meeting (Monday 12 February 2024 for this meeting), and must include the purpose of the deputation (for example, for or against the recommendations). Email requests are accepted.

- 5 Appointments**

Planning Committee Membership

Councillor Darren Sanders to be appointed to the vacant Liberal Democrat seat on the committee.

Planning Committee Vice-Chairman

Following the previous Vice-Chairman stepping down from the committee, nominations are invited for the position of Planning Committee Vice-Chairman. Upon receipt of nominations, Council is further invited to appoint to the position

6 Urgent Business - To receive and consider any urgent and important business from Members of the Cabinet in accordance with Standing Order No 26.

7 Council Tax Premiums on Second Homes and Empty Properties
(Pages 25 - 40)

To receive and consider the attached report from Cabinet held on 6 February 2024 (recommendation to follow)

8 Portsmouth City Council - Budget & Council Tax 2024/25 & Medium Term Budget Forecast 2025/26 to 2027/28

To receive and consider the recommendations of the Cabinet meeting held on 6 February (to follow), the report for which is contained within the separate attached pack.

9 Questions from Members under Standing Order No 17. (Pages 41 - 42)

Natalie Brahma-Pearl
Chief Executive

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 Democratic Services YouTube account at [Portsmouth City Council - Democratic Services - YouTube](#)

If any member of the public wishing to attend the meeting has access requirements, please notify the Senior Local Democracy Officer at james.harris@portsmouthcc.gov.uk.

Civic Offices
Guildhall Square
PORTSMOUTH
5 February 2024

Agenda Item 2

12 December 2023 1

MINUTES OF AN EXTRAORDINARY MEETING OF THE COUNCIL held at the Guildhall Portsmouth on Tuesday, 12 December 2023 at 2.00 pm

Council Members Present

The Right Worshipful The Lord Mayor
Councillor Tom Coles (in the Chair)

Councillors

Yinka Adeniran	Mark Jeffery
Dave Ashmore	Abdul Kadir
Matthew Atkins	Leo Madden
Chris Attwell	Brian Madgwick
Simon Boshier	George Madgwick
Hannah Brent	Hugh Mason
Ryan Brent	Kirsty Mellor
Stuart Brown	Leonie Oliver
Peter Candlish	Steve Pitt
Cal Corkery	Darren Sanders
Raymond Dent	Asghar Shah
Chris Dike	Russell Simpson
Jason Fazackarley	John Smith
George Fielding	Judith Smyth
Lewis Gosling	Emily Strudwick
Graham Heaney	Mary Valley
Ian Holder	Gerald Vernon-Jackson CBE
Suzy Horton	Daniel Wemyss
Lee Hunt	Matthew Winnington

125. Apologies for Absence & Declarations of Interest

Apologies for absence had been received on behalf of Councillor Kimberly Barrett, Councillor Charlotte Gerada and Councillor Benedict Swann.

There were no declarations of interest.

126. Deputations from the Public under Standing Order No 24.

The Lord Mayor advised that no deputation requests had been received.

127. Admission to the Roll of Honorary Aldermen and Alderwomen - Rob New

The Lord Mayor advised that the motion to admit Rob New as an honorary alderman would need to be passed by not less than two thirds of the members voting.

It was

Proposed by Councillor Simon Boshier
Seconded by Councillor Lewis Gosling

That the title of honorary alderman be conferred on Rob New, a former member of Portsmouth City Council.

The proposer of the motion gave a short speech in support of the motion.

Following a vote, it was:

RESOLVED that the title of honorary alderman be conferred on Rob New and that a certificate confirming this decision be presented to him at a future city council meeting.

128. Admission to the Roll of Honorary Aldermen and Alderwomen - Lynne Stagg

The Lord Mayor advised that the motion to admit Lynne Stagg as an honorary alderwoman would need to be passed by not less than two thirds of the members voting.

It was

Proposed by Councillor Darren Sanders
Seconded by Councillor Steve Pitt

That the title of honorary alderwoman be conferred on Lynne Stagg, a former member and Lord Mayor of Portsmouth City Council.

The proposer of the motion gave a short speech in support of the motion.

Following a vote, it was:

RESOLVED that the title of honorary alderwoman be conferred on Lynne Stagg and that a certificate confirming this decision be presented to her at a future city council meeting.

129. Admission to the Roll of Honorary Aldermen and Alderwomen - Luke Stubbs

The Lord Mayor advised that the motion to admit Luke Stubbs as an honorary alderman would need to be passed by not less than two thirds of the members voting.

It was

Proposed by Councillor Simon Boshier
Seconded by Councillor Daniel Wemyss

That the title of honorary alderman be conferred on Luke Stubbs, a former member of Portsmouth City Council.

The proposer of the motion gave a short speech in support of the motion.

Following a vote, it was:

RESOLVED that the title of honorary alderman be conferred on Luke Stubbs and that a certificate confirming this decision be presented to him at a future city council meeting.

130. Admission to the Roll of Honorary Aldermen and Alderwomen - Linda Symes

The Lord Mayor advised that the motion to admit Linda Symes as an honorary alderwoman would need to be passed by not less than two thirds of the members voting.

It was

Proposed by Councillor Simon Boshier
Seconded by Councillor John Smith

That the title of honorary alderwoman be conferred on Linda Symes, a former member of Portsmouth City Council.

The proposer of the motion gave a short speech in support of the motion.

Following a vote, it was:

RESOLVED that the title of honorary alderwoman be conferred on Linda Symes and that a certificate confirming this decision be presented to her at a future city council meeting.

The meeting concluded at 2.17 pm.

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Lord Mayor

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MINUTES OF A MEETING OF THE COUNCIL held at the Guildhall
Portsmouth on Tuesday, 12 December 2023 at 2.10 pm

Council Members Present

The Right Worshipful The Lord Mayor
Councillor Tom Coles (in the Chair)

Councillors

Yinka Adeniran	Mark Jeffery
Dave Ashmore	Abdul Kadir
Matthew Atkins	Leo Madden
Chris Attwell	Brian Madgwick
Kimberly Barrett	George Madgwick
Simon Boshier	Hugh Mason
Hannah Brent	Kirsty Mellor
Ryan Brent	Leonie Oliver
Stuart Brown	Steve Pitt
Peter Candlish	Darren Sanders
Cal Corkery	Asghar Shah
Raymond Dent	Russell Simpson
Chris Dike	John Smith
Jason Fazackarley	Judith Smyth
George Fielding	Emily Strudwick
Lewis Gosling	Mary Vallely
Graham Heaney	Gerald Vernon-Jackson CBE
Ian Holder	Daniel Wemyss
Suzy Horton	Matthew Winnington
Lee Hunt	

131. Declaration of Members' Interests

Councillor	Minute Number	Nature of Interest
Cllr Cal Corkery	141	Personal, Cllr Corkery was a council tenant.
Cllr Graham Heaney	144	Personal, Cllr Heaney was a member of the RSPB.
Cllr Mark Jeffery	148	Personal, Cllr Jeffery was employed by Portsmouth Water.

132. To approve as a correct record the Minutes of 14 November 2023

It was

Proposed by Councillor Steve Pitt
Seconded by Councillor Simon Boshier

That the minutes of the Council meeting held on 14 November 2023 be confirmed as a correct record.

These were agreed by assent.

133. Apologies for absence

Apologies for absence had been received from Councillor Charlotte Gerada and Councillor Benedict Swann

Apologies for lateness had been received from Councillor Kimberly Barret.

134. To receive such communications as the Lord Mayor may desire to lay before the Council

The Lord Mayor announced that in consultation with the Leader, he had cancelled the provisional 16 January 2023 Full Council meeting.

135. Deputations from the Public under Standing Order No 24.

The City Solicitor advised that two verbal deputation requests had been made for this meeting.

The first was from Maria Cole in support of minute 141, Housing Revenue Account Residential Stock Portfolio Acquisition.

The second was from Christine Elemer in support of minute 146, Notice of Motion - Ceasefire in Gaza.

At the invitation of the City Solicitor, Maria Cole and Christine Elemer delivered their deputations to Council.

136. Questions from the Public under Standing Order 25.

The Lord Mayor advised that no public questions had been received under the provisions of this Standing Order.

137. Appointments

RESOLVED that the following appointment be AGREED:

Councillor Graham Heaney to replace Councillor Asghar Shah as the Labour Group Standing Deputy on the Employment Committee.

RESOLVED that the following appointment be NOTED:

Councillor George Madgwick as the Portsmouth Independent Party Group Opposition Spokesperson for the Environmental Services Portfolio.

138. Urgent Business - To receive and consider any urgent and important business from Members of the Cabinet in accordance with Standing Order No 26.

The Lord Mayor advised that he had not been made aware of any urgent business for this meeting.

139. Treasury Management Mid-Year Review 2023/24

Council Agenda Item 9 (Cabinet Minute 100) Treasury Management Mid-Year Review 2023/24

The recommendations contained in minute 100 of the Cabinet meeting held on 28 November 2023 were approved unopposed.

RESOLVED:

- i. That the Council's Treasury Management activities have remained within the Treasury Management Policy 2023/24 in the period up to 30 September 2023; and**
- ii. That the actual Treasury Management indicators as at 30 September 2023 set out in Appendix A be NOTED.**

140. Exclusion of Press & Public

The Lord Mayor advised that proceedings would be kept open until such time that members wished to discuss the exempt appendices to the following report:

- Housing Revenue Account Residential Stock Portfolio Acquisition

At the conclusion of the consideration of the non-exempt report and appendices, the resolution to move into exempt session to consider the

exempt appendices was not passed, as members did not have any questions specific to them.

141. Housing Revenue Account Residential Stock Portfolio Acquisition

Council Agenda item 11 (Cabinet Minute 98)

Housing Revenue Account Residential Stock Portfolio Acquisition

The recommendations contained in minute 98 of the Cabinet meeting held on 28 November 2023 were approved unopposed.

RESOLVED that Full Council:

- (i) Subject to the approval of the recommendations below, delegated authority to the Director for Housing, Neighbourhood and Building Services; Director of Finance & Resources and Section 151 Officer, taking advice from the Council's externally appointed legal advisors, and in consultation with the Leader of the City Council and Cabinet Member for Housing and Tackling Homelessness, to acquire Lot 1a;**
- (ii) APPROVED that the 'Residential Stock Portfolio Acquisition' scheme be added to the Housing Revenue Account (HRA) section of the Council's Capital Programme with a budget set out in Appendix One to cover the purchase of the housing portfolio, associated fees and planned refurbishment works, and financed by borrowing, subject to the satisfactory completion of:**
 - i. The outstanding due diligence; and**
 - ii. A financial appraisal, approved by the Director of Finance & Resources and S.151 Officer that demonstrates (based on the completed due diligence) that the financial impact and risks are affordable and manageable by the Council; and**
- (iii) APPROVED the following amendments to the Treasury Management Limits, to facilitate the additional capital expenditure for this acquisition:**
 - i. To increase the authorised limit for external borrowing to £1,176m; and**
 - ii. To increase the operational boundary to £1,143m; and**
- (iv) That in order that advance treasury management preparations can be made for the transaction should the acquisition proceed:**
 - i. The sector limit for investments in money market funds be temporarily increased to £105m.**

- (v) **NOTED** that in approving the temporary changes to the treasury management limits, no obligation to acquire the housing portfolio Lot 1a had been entered into and no long-term financial liabilities had been incurred. The changes simply enabled the Council to accumulate the necessary funding in a risk managed and cost-efficient manner and have funds available should the transaction be completed; the risks are considered negligible; and
- (vi) **NOTED** that the acquisition was subject to Clarion completing a successful formal stock transfer consultation of Clarion residents and Clarion Housing Group Board approval.

142. Hampshire Minerals and Waste Plan: Partial Update –Proposed Submission Plan

Council Agenda item 12 (Cabinet Minute 94)

Hampshire Minerals and Waste Plan: Partial Update – Proposed Submission Plan.

The recommendations contained in minute 94 of the Cabinet meeting held on 28 November 2023 were approved unopposed.

RESOLVED that Full Council

- (i) **APPROVED** the Hampshire Minerals and Waste Plan: Partial Update – Proposed Submission Plan as set out in the report and will be subject to public consultation; and
- (ii) **delegated authority to the Director of Hampshire 2050 to agree minor amendments to the Proposed Submission Plan prior to consultation.**

143. Unauthorised Encampments

Council Agenda item 13 (Cabinet Minute 96)

Unauthorised Encampments

Councillor Ryan Brent objected under Standing Order 28 in order to allow the minute to be debated.

It was

Proposed by Councillor Steve Pitt
Seconded by Councillor Darren Sanders

6 12 December 2023

That the recommendations in Cabinet minute 96 be approved

Following a vote, the recommendation contained in minute 96 of the Cabinet meeting held on 28 November 2023 was approved.

RESOLVED that Full Council NOTED the update report.

144. Tipner West & Horsea Island East Regeneration

Council Agenda item 14 (Cabinet Minute 106)

Tipner West & Horsea Island East Regeneration

The recommendation contained in minute 106 of the Cabinet meeting held on 4 December 2023 were approved unopposed.

RESOLVED that Full Council NOTED the content of the report and the decisions taken by Cabinet.

145. Notices of Motion

146. Ceasefire in Gaza

It was

Proposed by Councillor Gerald Vernon-Jackson
Seconded by Councillor Abdul Kadir

That notice of motion (a) as set out on the agenda be adopted.

As an amendment it was

Proposed by Councillor Cal Corkery
Seconded by Councillor Kirsty Mellor

To add the below three paragraphs to the end of the motion:

"Full Council expresses its solidarity with the people of Gaza who in recent weeks and months have been subjected to horrific bombardment resulting in widespread death and destruction. As a practical way of displaying that solidarity Full Council asks the Cabinet and the Twinning Advisory Group to explore, and report back on, Twinning Portsmouth with a Palestinian city.

Full Council believes that a permanent ceasefire is the only way to move towards a lasting peace in the region.

Full Council therefore asks the Leader of the Council to write to the Foreign Secretary and our two city MPs outlining this position and requesting their support in lobbying for this necessary resolution to the conflict."

As an amendment it was

Proposed by Councillor Graham Heaney
Seconded by Councillor George Fielding

To add after the sentence ending "with a particular role to be played by Arab neighbours" insert the following:

"Breaches to international law

Allegations of breaches of international humanitarian law should always be treated with utmost seriousness. Assessing specific allegations is the proper task of lawyers and competent international courts.

Council reaffirms its support for the UK's commitment to the rules-based international order, international humanitarian law and the jurisdiction of the ICC to address the conduct of all parties in Gaza and Hama's attacks on Israel.

Wider violence in the West Bank

We totally condemn acts of violence and extremism by Israeli settlers in the West Bank and call on the Israeli authorities to prevent settler violence, ensure accountability for perpetrators and condemn extremist rhetoric.

Council calls on the UK Government to do all it can to work with the international community to avoid further escalation in the West Bank and the wider region.

Towards a two-state nation

We want a return to the truce we saw last week to protect civilians, prevent displacement, ensure humanitarian access and release hostages. The international community can and must use the next cessation to make political progress towards what we all want an end to the conflict and a permanent ceasefire. That means creating the conditions where Israel is secure from another attack like October 7 and Palestinians can see a path to statehood and the reconstruction and renewal of Gaza.

Therefore the Council calls for the immediate release of all hostages and for the Government to do all it can to ensure an enduring cessation of fighting as soon as possible and a credible, diplomatic and political process to deliver the lasting peace of a two-state nation."

Following debate, the proposer of the original motion, Councillor Gerald Vernon-Jackson, agreed to subsume the amendment put by Councillor Cal Corkery into the motion. He did not however wish to subsume the amendment put by Councillor Graham Heaney into the motion.

Following a vote, the amendment in the name of Councillor Graham Heaney was declared LOST.

Council voted on the original motion, with the subsumed amendment in the name of Cllr Cal Corkery.

Following the vote, the motion was declared carried.

RESOLVED that:

As a City Council we support a lasting peace and a two-state solution in Israel and Palestine. In the face of the horrific violence of recent weeks, we are clear that a lasting peace is the only way to guarantee the dignity and security which both Palestinians and Israelis deserve. Hamas' terrorist attacks on October 7th shocked the world. We condemn them and the taking of hostages, unequivocally. Hamas cannot, for the security of Israelis nor the future of Palestinians, be allowed to continue in charge of Gaza.

Right now we have a disaster. Charities and NGOs working on the ground in Gaza have reported how devastating a humanitarian catastrophe we are facing. Thousands of innocent civilians have already been killed, including thousands of children. The humanitarian crisis just seems to get worse. Essential supplies like water, food, medicine and fuel still remain in very short supply or totally cut off from Gaza. And many people are still held hostage, including children. The risk of regional escalation remains a significant threat.

Over two months since Hamas' atrocities, it is increasingly clear that a military solution to eliminate Hamas is not possible. Nor is it tenable for Israel to reoccupy Gaza.

Only a sustained political and diplomatic solution will resolve this conflict and deliver a lasting peace. We urgently need movement towards that solution now. The answer is via an immediate bilateral ceasefire. Whilst the recent truce is to be welcomed, a temporary freezing of the conflict is not acceptable. It leaves Hamas in place in Gaza.

Freezing the conflict doesn't look to the future and will do nothing to bring about that long term security nor guarantee the return of the remaining hostages.

A ceasefire cannot be an end in itself, even though it is very clearly needed now to stop the bloodshed and trauma for Palestinians and Israelis. It is temporary by its very definition; it is a step towards peace. It is contingent upon both parties sticking to it. If one party breaks the ceasefire, a military option remains on the table.

We are not naive about the difficulties involved in getting to this position. It may require a cessation in hostilities, as has already been called for, to create the basis for a ceasefire. We welcome any progress, however small, towards this goal. Nor will it be easy to rid Gaza of Hamas.

Maximum pressure now needs to be applied on all parties, with tough conditions carefully monitored and verified. That will require a huge and sustained effort from the international community and the UN, with a particular role to be played by Arab neighbours.

This City Council calls for an end to this conflict, and to the killing of thousands of innocent civilians, while ensuring that we do not return to how things were before October 7th. Movement towards a political solution, putting us back on the path to two states, is needed more than ever.

This Council also sends its warmest wishes to our sister city of Haifa in Israel and acknowledges the tragic personal losses suffered by her residents. The Council also notes that Haifa is in many ways a beacon of hope for a future of peaceful Jewish and Arab co-existence and we hope its residents are spared any further suffering as a result of the current conflict.

Full Council expresses its solidarity with the people of Gaza who in recent weeks and months have been subjected to horrific bombardment resulting in widespread death and destruction. As a practical way of displaying that solidarity Full Council asks the Cabinet and the Twinning Advisory Group to explore, and report back on, Twinning Portsmouth with a Palestinian city.

Full Council believes that a permanent ceasefire is the only way to move towards a lasting peace in the region.

Full Council therefore asks the Leader of the Council to write to the Foreign Secretary and our two city MPs outlining this position and requesting their support in lobbying for this necessary resolution to the conflict.

147. Avoid an Increase in Council Tax Next Financial Year

It was

Proposed by Councillor Matthew Atkins
Seconded by Councillor Ryan Brent

That notice of motion (b) as set out on the agenda be adopted.

In accordance with Standing Order 48(b), eight Councillors stood to request that a recorded vote be taken.

The following members voted in favour of the motion:

Councillor Matthew Atkins	Councillor Simon Boshier
Councillor Hannah Brent	Councillor Ryan Brent
Councillor Raymond Dent	Councillor Lewis Gosling
Councillor Russell Simpson	Councillor Emily Strudwick
Councillor John Smith	Councillor Daniel Wemyss

The following members voted against the motion:

Councillor Dave Ashmore	Councillor Chris Attwell
Councillor Kimberly Barrett	Councillor Stuart Brown
Councillor Peter Candlish	Councillor Cal Corkery
Councillor Jason Fazackarley	Councillor George Fielding
Councillor Graham Heaney	Councillor Ian Holder
Councillor Suzy Horton	Councillor Lee Hunt
Councillor Mark Jeffery	Councillor Abdul Kadir
Councillor Leo Madden	Councillor Hugh Mason
Councillor Kirsty Mellor	Councillor Leonie Oliver
Councillor Steve Pitt	Councillor Darren Sanders
Councillor Asghar Shah	Councillor Judith Smyth
Councillor Mary Vallely	Councillor Gerald Vernon-Jackson
Councillor Matthew Winnington	

The following members abstained from voting:

Councillor Yinka Adeniran	Councillor Tom Coles
Councillor Chris Dike	Councillor Brian Madgwick
Councillor George Madgwick	

RESOLVED that the motion was declared LOST.

148. Southern Water

It was

Proposed by Councillor Leo Madden
Seconded by Councillor Jason Fazackarley

That notice of motion (c) as set out on the agenda be adopted.

As an amendment it was

Proposed by Councillor Graham Heaney
Seconded by Councillor Mary Vallely

To add a new paragraph four:

"Council notes that Ofwat have stated that 'Customer bills must be fair. Customers will only pay for future investment, not past company mistakes'. (1) We call on Ofwat to ensure that there is rigorous scrutiny of water company plans to ensure this happens during the period of consultation. We also call on the government to give the water regulator Ofwat the power to ban bonuses for water company bosses until they have stopped regular discharge of untreated wastewater into rivers and the sea."

In paragraph five (now paragraph six) after "... Southern Water" add "...and the Chief Executive of Ofwat..."

(1) [Water companies must deliver a step change in performance and investment - Ofwat](#)"

Following debate, the proposer of the original motion, Councillor Leo Madden agreed to subsume the amendment put by Councillor Graham Heaney into the motion.

Council voted on the motion incorporating the subsumed amendment in the name of Councillor Graham Heaney.

Following the vote, the motion was declared carried.

RESOLVED that:

Council notes that Southern Water has advanced plans to increase domestic water bills by at least 55% in order to fund its environmental cleanup programme and shareholder payouts.

Customers in the area covered by Southern Water should not be penalised because of Southern Water's long-term mismanagement and incompetence.

Council asserts that Southern Water should be properly investing in its network to eliminate sewage discharges rather than expecting customers to bear the responsibility of shareholders.

Council notes that Ofwat have stated that 'Customer bills must be fair. Customers will only pay for future investment, not past company mistakes'. (1) We call on Ofwat to ensure that there is rigorous scrutiny of water company plans to ensure this happens during the period of consultation. We also call on the government to give the water regulator Ofwat the power to ban bonuses for water company bosses until they have stopped regular discharge of untreated wastewater into rivers and the sea."

Southern Water has a long history of "misreporting" its performance and being fined not only by Ofwat but by courts for polluting our waters.

Council calls on all group leaders to sign a joint letter to the Secretary of State for the Environment, the Chief Executive of Southern Water and the Chief Executive of Ofwat demanding a freeze on the proposed increase in customers' bills and asks our local MPs to do likewise.

(1) [Water companies must deliver a step change in performance and investment - Ofwat](#)

149. Recycling of Domestic Waste

It was

Proposed by Councillor Graham Heaney
Seconded by Councillor George Fielding

That notice of motion (d) as set out on the agenda be adopted.

As an amendment it was

Proposed by Councillor Dave Ashmore
Seconded by Councillor Steve Pitt

To delete paragraph four and replace with:

"Therefore, Council acknowledges that the Cabinet Member for Environmental Services is already developing a plan that will including specific measures, and an estimated timescale, to increase the rate of recycling of household waste collected in Portsmouth. However, the Council also acknowledges that some of the timescales and plans already considered and developed by the cabinet member may need to be modified once the Government has set clear outlines for its 'Simpler Recycling' plan for local authorities. Any consideration this Council or any other local council in Hampshire makes will also need to be discussed at the Project Integra board where we work in partnership with other local authorities across Hampshire to all manage our waste, increase recycling and invest in large scale financial waste projects together."

Following debate, the proposer of the original motion, Councillor Graham Heaney agreed to subsume the amendment put by Councillor Dave Ashmore into the motion.

Council voted on the original motion with the subsumed amendment in the name of Councillor Dave Ashmore.

Following the vote, the motion was declared carried.

RESOLVED that:

The most recent data published by DEFRA on local authority recycling rates (2021/22) show that Portsmouth is 325th out of 343 local authorities rated for the percentage of household waste that is recycled. The figures show Portsmouth recycles 27.1% of its household waste.

We welcome the introduction and extension of food waste collection but despite this it is estimated that the recycling rate for 2022/23 will be 27.9%.

Council notes that in future household waste recycling plans will need to take account of recent government announcements about how increases in recycling can be achieved.

Residents support the recycling of waste but the level of improvement in the recycling rate in Portsmouth has been limited so far.

Therefore, Council acknowledges that the Cabinet Member for Environmental Services is already developing a plan that will including specific measures, and an estimated timescale, to increase the rate of recycling of household waste collected in Portsmouth. However, the Council also acknowledges that some of the timescales and plans already considered and developed by the cabinet member may need to be modified once the Government has set clear outlines for its 'Simpler Recycling' plan for local authorities. Any consideration this Council or any other local council in Hampshire makes will also need to be discussed at the Project Integra board where we work in partnership with other local authorities across Hampshire to all manage our waste, increase recycling and invest in large scale financial waste projects together.

150. Questions from Members under Standing Order No 17.

Six questions from members had been received under Standing Order No 17.

The first question was from Councillor Daniel Wemyss.

"Can the Cabinet Member explain the communication plans in place when a large event is cancelled at short notice such as the case with the recent firework display in Hilsea?"

This and supplementary questions were answered by the Cabinet Member for Resources, Councillor Lee Hunt.

The second question was from Councillor John Smith.

"Can the Leader of the Council update members and the hundreds of residents who signed a petition against demolition of the former Record Office, in Museum Road, of the council's plans for the building?"

This and supplementary questions were answered by the Leader of the Council, Councillor Steve Pitt.

The third question was from Councillor Matthew Atkins.

" Residents have reported a significant amount of broken glass and rubbish in the landscaping and soil heaps left after the works at KGV. What further clean up and beautification is planned for KGV to rectify the damage done and waste spread across the site by the works and to improve the amenity of the site for local residents?"

This and supplementary questions were answered by the Cabinet Member for Culture, Leisure & Economic Development, Councillor Steve Pitt.

The fourth question was from Councillor Graham Heaney

"The review of the council constitution has suffered from some understandable delays but work on this appears to have stalled as no meetings have been scheduled or updates been provided for over six months. Can the leader of the council give an assurance that the review will not be further delayed?"

This and supplementary questions were answered by the Leader of the Council, Councillor Steve Pitt.

The fifth question was from Councillor Daniel Wemyss.

" Can the Leader of the Council shed light on the decision-making process behind the restriction of written deputations for Councillors at the Planning Committee? Additionally, could the Leader elaborate on the rationale behind not allowing written deputations and how this approach aligns with the Council's commitment to transparency and effective representation?"

This and supplementary questions were answered by the Leader of the Council, Councillor Steve Pitt.

The sixth question was from Councillor Daniel Wemyss.

"Can the Cabinet Member update me on the works promised in the sea defences to commemorate those who lost their lives on the Theofano?"

This question was answered by the Cabinet Member for Planning Policy & City Development Councillor Hugh Mason.

The meeting concluded at 5.59 pm.

Lord Mayor

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Agenda Item 7



Title of meeting: Cabinet

Date of meeting: 06 February 2024 Cabinet
13 February 2024 Full Council

Subject: Council Tax Premiums on Second Homes and Empty Properties

Report by: Director of Finance and Resources

Wards affected: All

Key decision: Yes/No

Full Council decision: Yes/No

1. Purpose of report

- 1.1 At the Full Council meeting of 14 March 2023, it was resolved that Full Council declares its intention to implement the following additional council tax premiums, to be applied from 01 April 2024, or as soon as possible thereafter, subject to legislation being in place:
- i) A 100% premium for second homes.
 - ii) A 100% premium for properties that have been empty and unfurnished for a period between 1 and 5 years - this will change the current policy of charging a 100% premium where a property is empty and unfurnished for a period between 2 and 5 years.
- 1.2 The Levelling Up and Regeneration Bill has now become law. The Bill, which is now the Levelling Up and Regeneration Act received Royal Assent on 26 October 2023.
- 1.3 Now that the Act of Parliament exists, Portsmouth City Council is able to determine the level of premium to be applied for second homes, and the level of premium to be applied where a property is empty and unfurnished and has been so for a period of between 1 year and 5 years.
- 1.4 The purpose of this report is to seek confirmation of the Council's intentions in respect of Council Tax premiums.

2. Recommendations

- 2.1 It is recommended that Full Council resolves to implement a 100% premium for second homes which will be effective from 01 April 2025, the earliest opportunity for the Council to introduce this change.
- 2.2 It is further recommended that Full Council resolves to implement a 100% premium for properties that have been empty and unfurnished for a period between 1 and 5 years. This will change to current policy of charging a 100% premium where a property is empty and unfurnished for period between 2 and 5 years.

3. Background

Premiums on Second Homes

- 3.1 In May 2022 Government published the Levelling Up and Regeneration Bill, which included proposals to further address empty properties via the application of council tax premiums, as well as measures that recognise the impact that high levels of second homes can have in some areas.
- 3.2 Where a dwelling is classified as a second home, the City Council has previously resolved to provide a discount of 0%, in essence meaning that the full council tax charge is levied on second homes. Until the Levelling Up and Regeneration Bill was enacted, the City Council had no powers to apply a premium to second homes.
- 3.3 A Billing Authority's first determination under the act must be made at least one year before the beginning of the financial year to which it relates. The earliest implementation date therefore is 01 April 2025.

Premiums on Empty Properties

- 3.4 Billing Authorities are encouraged to adopt council tax premiums on empty properties to incentivise property owners to bring properties back into use. At present, premiums can be charged where properties are left empty and substantially unfurnished for periods of two years or more.
- 3.5 Where a dwelling remains unoccupied and substantially unfurnished for a period of two years or more, the City Council has previously resolved to charge an empty homes premium of the relevant maximum in addition to the full council tax charge. The relevant maximum is:
 - 100% for dwellings that have remained unoccupied and substantially unfurnished for a period of two years and less than 5 years.
 - 200% for dwellings that have remained unoccupied and substantially unfurnished for a period of at least 5 years.
 - 300% for dwellings that have remained unoccupied and substantially unfurnished for a period of at least 10 years.

4. Reasons for recommendations

- 4.1 The Act allows councils to apply a premium on second homes from 01 April 2025 and brings forward the date from which a premium can apply to empty properties. This allows councils to raise additional revenue and to acknowledge the impact that second homes and empty homes can have on some communities. In particular in the case of empty properties, this may incentivise property owners to bring properties back into use.
- 4.2 If these changes bring empty properties back into use, it would be supporting the demand for housing within the City.
- 4.3 If these changes increase revenue via council tax, it similarly provides opportunities to support the Council's objectives, though ultimately it will be for the Council to establish the best use of any additional income when setting future budgets.
- 4.4 Analysis shows the application of a 100% premium on second homes could increase the level of collectable council tax by approximately £1.68m across all preceptors (see Table 1)

Table 1:

Potential council tax revenue generated from a 100% premium on second homes (Figures as at 02/10/2023 based on 23/24 charges)

Property Band	Number of Properties	Current 2023/24 Band Charge £	Current Value £	Value with 100% premium £*
Band A	389	£1,320.51	£513,678.39	£1,027,356.78
Band B	196	£1,540.59	£301,955.64	£603,911.28
Band C	127	£1,760.67	£223,605.09	£447,210.18
Band D	91	£1,980.76	£180,249.16	£360,498.32
Band E	91	£2,420.93	£220,304.63	£440,609.26
Band F	65	£2,861.10	£185,971.50	£371,943.00
Band G	17	£3,301.27	£561,121.59	£112,243.18
Band H	1	£3,961.52	£3,961.52	£7,923.04
Total	977		£1,685,847.52	£3,371,695.04

* Excludes any amount for non-collection, or for any changes in usage of the dwelling.

- 4.5 Analysis shows that the application of a 100% premium on properties that are empty for more than one year but less than two may increase the level of council tax by approx. £690,000 (see Table 2)

Potential council tax revenue granted from a 100% premium on properties empty for more than one year but less than 2 years (Figures as at 02/10/2023 based on 23/24 charges)

Property Band	Number of Properties	Current 2023/24 Band Charge £	Current Value £	Value with 100% premium £*
Band A	174	£1,320.51	£229,768.74	£459,537.48
Band B	129	£1,540.59	£198,736.11	£397,472.22
Band C	89	£1,760.67	£156,699.63	£313,399.26
Band D	17	£1,980.76	£33,672.92	£67,345.84
Band E	13	£2,420.93	£31,472.09	£62,944.18
Band F	8	£2,861.10	£22,888.80	£45,777.60
Band G	5	£3,301.27	£16,506.35	£33,012.70
Band H	0	£3,961.52	£0.00	£0.00
Total	435		£689,744.64	£1,379,489.28

* Excludes any amount for non-collection, or for any changes in usage of the dwelling.

- 4.6 The premiums recommended, subject to Full Council approval, have a significant positive financial implication. Based on the data in Tables 1 and 2 above, this may equate to approximately £2.375m based upon the current makeup of the tax base. It would be prudent however to assume a downward shift, as property owners change the use of properties, sell, or as a result of other changes in circumstances. It may therefore be prudent to assume this value reduces by 20% to £1.9m. Implementing these changes will increase revenues to all preceptors on the Collection Fund, with the Council's share being approximately 83%, totalling £1.58m.

5. Integrated impact assessment

- 5.1 Attached at Appendix 1.

6. Legal implications

- 6.1 Local Authorities may only exercise statutory powers which have been given to them by Parliament. The resolution made by Full Council on 14 March 2023 provided an intention, however this was before the Levelling Up and Regeneration Act had passed through all of the parliamentary stages and received Royal Assent.

7. Director of Finance's comments

- 7.1 All of the financial implications arising from the recommendations are contained within the body of this report.



.....
Signed by:

Appendices: Appendix 1

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
Levelling Up and Regeneration Act 2023	Levelling-up and Regeneration Act 2023 (legislation.gov.uk)

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

.....
Signed by:

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**Portsmouth City Council
Council Tax**

**Policy for Second Homes, Long Term Empty
Properties and determining discounts for certain
dwellings.**

Version control

<i>Version</i>	<i>Version date</i>	<i>Revised by</i>	<i>Description</i>
1	01/04/2014	Pete Middleton	Updated following Cabinet approval of changes to Council Tax regime.
1.1	09/12/2015	Matt Willis	Draft update on proposed changes to the first phase of empty dwellings Approved at Council Meeting 08/02/2016
1.2	13/02/19	Matt Willis / Steven Ranaghan	Update following full council meeting 12/02/2019 to amend the maximum empty homes premium
1.3	20/02/20	Matt Willis	Update following full council meeting 11/02/2020 to amend the prescribed class D discount %.
1.4	22/11/23	Matt Willis	Draft update following the Levelling Up & Regeneration Act receiving Royal Assent

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Introduction

The Local Government Finance Act 2012 amends the Local Government Finance Act 1992 allowing local discretion over the implementation of certain discounts and charges applied within the Council Tax regime.

The following policy details the approach to be taken by Portsmouth City Council with effect from 01 April 2024.

Second Homes - Policy effective from 01 April 2014 to remain unchanged until 31 March 2025

The City Council under this policy will make a charge for second homes of 100% (a discount of 0%). This is the level charged from 01 April 2014.

In the following cases a charge of 50% will apply (rather than the 100%) as required by legislation;

- Dwellings which are furnished but unoccupied because the owner is liable to a Council Tax elsewhere in job-related accommodation;
- Empty but furnished dwellings of service personnel resident in accommodation provided by the Ministry of Defence;
- If the dwelling is a caravan or houseboat;
- Clergy who are required to live in accommodation provided by their employer to perform the duties of their office.

The legislation outlining the above is the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 as amended by the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012. The regulations require the authority to determine the classes under which a discount will be granted. For the purposes of this policy the classes and discounts to be granted by the City Council from 01 April 2014 are as follows;

Class	Descriptions	Discount
A	A dwelling; a) which is not the sole or main residence of an individual; b) which is furnished; and c) the occupation of which is restricted by the planning condition preventing occupancy for a continuous period of at least 28 days in the relevant year.	0%
B	A dwelling; a) which is not the sole or main residence of an individual; b) which is furnished; and c) the occupation of which is not restricted by the planning condition preventing occupancy for continuous period of at least 28 days in the relevant year	0%

Second Homes - Policy effective from 01 April 2025

The Levelling-Up and Regeneration Act 2023 introduced powers for local authorities to charge a higher amount of council tax in respect of second homes.

The amended regulation, for any financial year, enables a billing authority in England, by determination that where there is no resident of the dwelling and the dwelling is substantially furnished, the discount of 0% does not apply, and the amount of council tax payable in respect of that dwelling and that days is increased by such percentage of not more than 100 as it may specify in the determination.

The Council on 14 March 2023 indicated its intention, subject to The Levelling-Up and Regeneration Act 2023 receiving Royal Assent, to charge the maximum in respect of the premium for second homes. At this meeting it was resolved that:

Full Council declares its intention to implement and approve the following additional council tax premiums, to be applied from 01 April 2024, or as soon as possible thereafter, subject to the legislation being in place:

A 100% premium for second homes.

The Levelling-Up and Regeneration Act 2023 details that a billing authority's first determination under this section must be made at least one year before the beginning of the financial year to which it relates. As a consequence, and following the Act receiving Royal Assent, Full Council has revisited its decision and resolved that it approves the maximum Council Tax premium of 100% for second homes to be applied from 01 April 2025.

Empty Homes - Policy effective from 01 April 2024

For Council Tax purposes, the revised legislation determines that the charge for empty dwellings will follow three phases namely:

First Phase: a period during which a dwelling will attract the discount of between 0% and 100% determined by the local authority (as a result of the measures outlined within the Local Government Finance Act 2012). If the dwelling remains empty and substantially unfurnished, this period will last up to 6¹ months as determined by the authority (12 months if the dwelling in addition to being unoccupied and substantially unfurnished is undergoing major repairs²);

Second Phase: a period during which the discount attracted will be between 0% and 50%. The rules for this phase are based on the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 as amended by the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012. During this phase the authority can determine (in accordance with Class C of the regulations) the level of discount between 0% and 50%. The second phase will last indefinitely unless the local authority has made a determination implementing the empty homes premium.

Third Phase: an indefinite period starting when the dwelling has been empty for one year. In this phase, the liability may be increased by an additional premium³.

The City Council has resolved that the following will apply from 01 April 2024:

Where a dwelling is unoccupied and substantially unfurnished

If a dwelling becomes unoccupied and substantially unfurnished the City Council will apply a discount of 0%, requiring the full council tax charge to be payable.

Where a dwelling is unoccupied and substantially unfurnished, requiring or undergoing structural alterations or major repair works to make it habitable

- (a) If a dwelling is unoccupied and substantially unfurnished, requiring or undergoing structural alterations or major repair works to make it habitable, a discount of 0% will be granted for any period up to one year.

Where a dwelling remains unoccupied and substantially unfurnished for a period of one year or more

- (a) Where a dwelling remains unoccupied and substantially unfurnished for a period of one years or more, the City Council has resolved to charge an empty homes premium of the relevant maximum in addition to the full Council Tax charge, as allowed within Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018.

¹ This replaces Class C of the Council Tax (Exempt Dwellings) Order 1992

² This replaces Class A of the Council Tax (Exempt Dwellings) Order 1992

³ Section 11B of the Local Government Finance Act 1992 (higher amount for long-term empty dwellings: England)

For the financial year beginning 1 April 2024

The relevant maximum is 100% for dwellings that have remained unoccupied and substantially unfurnished for a period of at least 1 year but less than 5 years.

The relevant maximum is 200% for dwellings that have remained unoccupied and substantially unfurnished for a period of at least 5 years but less than 10 years.

The relevant maximum is 300% for dwellings that have remained unoccupied and substantially unfurnished for a period of at least 10 years.

Publication of the changes

The City Council, in accordance with the legislation, will publish the changes to the Council Tax regime within 21 days of making such a resolution.

Form name	Integrated Impact Assessment
Reference	IA564594428
Date	24/11/2023



Policy details

Request date	24/11/2023 14:41
Directorate	PCC Finance and Resources
Service	Revenues & Benefits
Title of policy, service, function	Changes to the council's policy for empty properties and second homes.
Type of policy, service, function	Changed
What is the aim of your policy, service, function, project or strategy?	The Levelling Up and Regeneration Act provides Local Authorities with the powers to levy a council tax premium of up to 100% for second homes, and further enable the 100% premium on empty properties to apply after 1 year, as opposed to the current provisions that allows the premium to commence after 2 years, The policy is intended to incentivise property owners to bring properties back into use, and to maximise revenue from council tax.
Has any consultation been undertaken for this proposal?	no

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

This section is not applicable to my policy	<input checked="" type="checkbox"/>
--	-------------------------------------

Crime - Will it make our city safer?

This section is not applicable to my policy	<input checked="" type="checkbox"/>
--	-------------------------------------

Housing - will it provide good quality homes?

This section is not applicable to my policy	<input checked="" type="checkbox"/>
--	-------------------------------------

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

This section is not applicable to my policy	<input checked="" type="checkbox"/>
--	-------------------------------------

Income deprivation and poverty - will it consider income deprivation and reduce poverty?

This section is not applicable to my policy	<input checked="" type="checkbox"/>
--	-------------------------------------

Carbon emissions - will it reduce carbon emissions?

This section is not applicable to my policy	<input checked="" type="checkbox"/>
--	-------------------------------------

Energy use - will it reduce energy use?

This section is not applicable to my policy	<input checked="" type="checkbox"/>
--	-------------------------------------

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

This section is not applicable to my policy	<input checked="" type="checkbox"/>
---	-------------------------------------

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

This section is not applicable to my policy	<input checked="" type="checkbox"/>
---	-------------------------------------

Air quality - will it improve air quality?

This section is not applicable to my policy	<input checked="" type="checkbox"/>
---	-------------------------------------

Transport - will it make transport more sustainable and safer for the whole community?

This section is not applicable to my policy	<input checked="" type="checkbox"/>
---	-------------------------------------

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

This section is not applicable to my policy	<input checked="" type="checkbox"/>
---	-------------------------------------

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

This section is not applicable to my policy	<input checked="" type="checkbox"/>
---	-------------------------------------

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

This section is not applicable to my policy	<input checked="" type="checkbox"/>
---	-------------------------------------

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

This section is not applicable to my policy	<input checked="" type="checkbox"/>
---	-------------------------------------

Social value

This section is not applicable to my policy	<input checked="" type="checkbox"/>
---	-------------------------------------

Involvement

Who was involved in the Integrated impact assessment?	Matthew Willis- Revenues & Benefits Manager
Name of the person completing this form	Matthew Willis
Date of completion	2023-11-24

Agenda Item 9



Portsmouth CITY COUNCIL

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

ORDINARY CITY COUNCIL MEETING – 13 February 2024

QUESTION NO 1

FROM: COUNCILLOR RUSSELL SIMPSON

TO REPLY: CABINET MEMBER FOR PLANNING POLICY AND CITY
DEVELOPMENT
COUNCILLOR HUGH MASON

Given the fact last November the HMO policy was discussed, in the local plan, can the Cabinet Member explain why Portsmouth has not been considered for the "5% HMO within a 50m radius policy" like Thanet District Council?

QUESTION NO 2

FROM: COUNCILLOR GEORGE MADGWICK

TO REPLY: CABINET MEMBER FOR HOUSING AND TACKLING
HOMELESSNESS
COUNCILLOR DARREN SANDERS

The Healthy Living Centre on Allaway Avenue has now been closed for a considerable time. Since 2021 members have been informed it would be used and occupied "shortly" on four separate occasions. In August 2023 members were informed an announcement would be made "within weeks". Offers for assistance to help occupy the large commercial site have been rejected. With this in mind, can the Cabinet Member please provide an update on what is happening with the Healthy Living Centre and when it will once again be occupied with a valuable community commodity?

QUESTION NO 3

FROM: COUNCILLOR BRIAN MADGWICK

**TO REPLY: CABINET MEMBER FOR TRANSPORT
COUNCILLOR GERALD VERNON-JACKSON**

In the November 2022 Full Council meeting the Traffic and Transport department were asked to work on a plan on how they intend to start improving the roads/infrastructure in the north of the city. This was supported by a majority of members including all PIP, Conservative, Labour and Independent Councillors. It was asked all relevant ward councillors be consulted, with a report to be published before March 2023. Almost a year after the report was due, can we be updated on when to expect the report and what consultation requests for feedback have been requested from members representing northern wards?

QUESTION NO 4

FROM: COUNCILLOR GEORGE MADGWICK

**TO REPLY: CHAIRMAN OF THE LICENSING COMMITTEE
COUNCILLOR JASON FAZACKARLEY**

To bring more clarity and understanding to the general public and members, can the Licensing Chair bring a report forward to members on the differences between Wolverhampton Licensed PHVs and Portsmouth Licensed PHVs?