



NOTICE OF MEETING

CABINET

TUESDAY, 22 NOVEMBER 2022 AT 12.00 PM

COUNCIL CHAMBER - THE GUILDHALL, PORTSMOUTH

Telephone enquiries to Anna Martyn - Tel 023 9283 4870

Email: Democratic@portsmouthcc.gov.uk

Public health guidance for staff and the public due to Winter coughs, colds and viruses, including Covid-19

- Following the government announcement 'Living with Covid-19' made on 21 February and the end of universal free testing from 1 April, attendees are no longer required to undertake any asymptomatic/ lateral flow test within 48 hours of the meeting; however, we still encourage attendees to follow the public health precautions we have followed over the last two years to protect themselves and others including vaccination and taking a lateral flow test should they wish.
- We strongly recommend that attendees should be double vaccinated and have received any boosters they are eligible for.
- If unwell we encourage you not to attend the meeting but to stay at home. Updated government guidance from 1 April advises people with a respiratory infection, a high temperature and who feel unwell, to stay at home and avoid contact with other people, until they feel well enough to resume normal activities and they no longer have a high temperature. From 1 April, anyone with a positive Covid-19 test result is still being advised to follow this guidance for five days, which is the period when you are most infectious.
- 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 protects us from coughs, colds and winter viruses, including Covid-19.
- 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 Kimberly Barrett

Councillor Darren Sanders

Councillor Jason Fazackarley

Councillor Lee Hunt

Councillor Steve Pitt

(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

Apologies for Absence

Declarations of Interests

UK Shared Prosperity Fund Spend (Pages 9 - 38)

Purpose

To consider the spend of the UK Shared Prosperity Fund.

Appendix 3 to follow.

Crowdfunder Portsmouth Platform Funding (Pages 39 - 80)

Purpose

1. To review the impact of the crowdfunding platform 'Crowdfund Portsmouth' on the city since its inception on 30 November 2019, and the funding requirements for the scheme to continue beyond 30 November 2022.
2. To consider the proposal to continue using Crowdfunder UK as the crowdfunding platform for Portsmouth City Council, thereby extending the existing their contract for a further year from end of November 2022. The paper also highlights that a continuation of using Crowdfunder UK would provide a seamless support to contribute to economic growth and inclusive community amenities in the city and provide value for money.
3. To identify and allocate an additional spend to support the ongoing development of the Crowdfunder platform to support Portsmouth businesses for a period of 10 months in year 4 of:

Crowdfunder platform and support	£28,200
Grant funding for businesses	£40,000
Total investment	<u>£68,200</u>

Please note the platform can also continue to use CIL (community infrastructure levy) funds and allocate that using the same profile and increasing reach for this funding. CIL is a separate project and unrelated to this central work.

RECOMMENDED that the Cabinet

- 1. Supports an extension of the contract with Crowdfunder UK at a cost of £28,200 for 1 year (10 months of delivery) and looks to seek a self-service model for any further delivery (removing Crowdfunder support) if this finds approval to reduce costs in subsequent years.**
- 2. Supports a further top-up of £40,000 to the Small Business Fund to enable further business creation and growth, which will support a minimum of 8 match funded projects.**
- 3. Approves that recommendations 1) and 2) are funded by the Council's 2022/23 share of the UK Shared Prosperity Fund.**

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
Potential Disposal of Middle Street Units (Appendix B)	

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

Potential Disposal of Middle Street Units (Pages 81 - 96)

Purpose

To seek the approval of the Leader of the Council as Portfolio holder to dispose of the above properties shown on the plan at Appendix A, subject to the existing long leaseholds listed in Appendix B (Exempt).

RECOMMENDED that the Cabinet Delegate to the Director of Regeneration and the City Solicitor authorisation to negotiate and finalise terms for the disposal of the site known as 32,34,42,56,58 & 60 Middle Street, Portsmouth to PV1 Developments, subject to the long leases currently in place in accordance with the schedule of interests as attached in Appendix B.

Ocean Recovery Declaration - Update of Progress (Pages 97 - 108)

Purpose

To provide an update on progress since the Ocean Recovery Declaration.

Review of Clean Air Zone Mitigation Measures (Pages 109 - 130)

Purpose

To approve recommendations on how the Clean Air Zone (CAZ) mitigation packages should look moving forwards, almost a year after CAZ delivery.

RECOMMENDED that the Cabinet

- 1. Approves delegated authority to the Director of Regeneration to withdraw unspent Clean Air Fund (CAF) grants with a view to redistributing unspent funds, and ultimately close the CAF;**
- 2. Approves a six-week period for remaining CAF applicants to provide clear proof of intent to upgrade their vehicles;**
- 3. Approves that non-compliant vehicles purchased after 5th April 2023 not be granted an exemption from the Portsmouth Clean Air Zone - specifically with regards to:**
 - i. Specialist Heavy Vehicles, and**
 - ii. The Stop-Gap Exemption.**

Annual Adoption Agency Activity report April 2021 to March 2022 (Pages 131 - 142)

Purpose

1. To update the Cabinet on the activity of the Portsmouth Adoption Service for the period from 1 April 2021 to 31 March 2022, as required by the Adoption regulations
2. The Portsmouth Adoption Service is provided directly by the Adoption Team within the Council. The team is responsible for the work with children who have a plan of adoption and works with the Regional Adoption Agency (RAA) who find, assess, and support adopters.
3. To describe the work of the in-house adoption team and the RAA and provide data of the outcomes achieved in the last 12 months

4. To provide an update on changes in the service due to a recent legal case known as the 'Somerset Judgement'
5. To provide an outline of the priorities for the coming year.

Social Value progress report

Report to follow

Additional Licensing of Houses in Multiple Occupation (Pages 143 - 430)

Purpose

1. To summarise the findings of the recent consultation on the proposal to introduce Additional Licensing for Houses in Multiple Occupation (HMOs) across the city.
2. To outline the proposed additional licensing scheme in Portsmouth, having taken into account the consultation feedback, for Cabinet to decide if they wish to proceed with the formal introduction of such a scheme.
3. To present the updated Private Sector Housing Enforcement Policy, and Private Sector Housing Space and Amenity standards for HMOs, for Cabinet to decide on their adoption.

RECOMMENDED that the Cabinet

1.1 That the Cabinet have regard to all the responses to the statutory consultation and the evidence base previously presented to Cabinet on 22nd March 2022 together with the matters set out in this report and consider whether an additional licensing scheme for HMOs in the City should be introduced. If the Cabinet does not decide to proceed with the scheme, they should not approve recommendation 1.2 below but should still review recommendations 1.3 and 1.4 below.

1.2. Subject to recommendation 1.1, That Cabinet approves:

1.2.1 To designate the whole of the city as subject to additional licensing under section 56(1)(a) of the Housing Act 2004 in relation to every class of HMO, but only including those section 257 HMOs that are mainly or wholly tenanted, including those with resident landlords.

1.2.1.1. That the designation set out in recommendation (2.2.1) above, shall come into force on 1st September 2023 for a period of 5 years.

1.2.1.2. That delegated authority be given to the Director for Housing, Neighbourhoods and Building Services to sign the 'Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2022' (as attached at Appendix 10) in accordance with the provisions set out in the Scheme of Delegations in the Council's Constitution.

1.2.2. The Licence Conditions contained in Appendix 7.

1.2.3. That Cabinet consider the options outlined in Appendix 5 for Licensing Model and Appendix 6 for Fee Structure and agree to proceed with either;

1.2.3.1. Option A: Standard 5-year licence term issued to all licence applicants, with the exception of those where planning permission is required but not yet granted; where a 1 year licence would be issued to allow time for the planning process to be fulfilled. If Model A is preferred; cabinet approve the adoption of the proposed fees and charges structure (as attached at Appendix 6) outlined for Model A and instruct officers to bring a further report to Cabinet reviewing the fees before the commencement of the scheme, and annually throughout the scheme to ensure they remain reasonable and proportionate and address any issues relating to surpluses or deficits in accordance with case law and the EU Services Directive.

Or;

1.2.3.2. Option B: a tiered structure for Licence terms based on the compliance and competence of the licence holder. This model would also include issuing 1-year licences where planning permission is required, as with Model A above. If Model B is preferred; cabinet approve the adoption of the proposed fees and charges structure (as attached at Appendix 6) outlined for Model B and instruct officers to bring a further report to Cabinet reviewing the fees before the commencement of the scheme, and annually throughout the scheme to ensure they remain reasonable and proportionate and address any issues relating to surpluses or deficits in accordance with case law and the EU Services Directive.

1.2.3.2.1. That if Option B is preferred, Cabinet approves the Policy for Landlord Accreditation contained in Appendix 8, and agrees to cease operating an in-house landlord accreditation scheme in favour of working with local and national landlord and agent accreditation schemes.

1.2.3.2.2. That if Option B is preferred; to instructs officers to present a further report to Cabinet before September 2023 with proposals to alter the Mandatory HMO Licensing model, fee structure and Licence conditions to create consistency between Mandatory and Additional Licensing of HMOs.

1.3. That Cabinet approve the updated Private Sector Housing Enforcement Policy contained in Appendix 3, and agree its implementation from 1st December 2022.

1.4. That Cabinet approve the updated Private Sector Housing HMO Space and Amenity standards document contained in Appendix 4, and agree its implementation from 1st December 2022.

Treasury Management Mid-Year Review 2022/2023 (Pages 431 - 440)

Purpose

To inform members and the wider community of the Council's Treasury Management position, i.e. its borrowing and cash investments at 30 September 2022 and of the risks attached to that position.

RECOMMENDED that the Cabinet note

- 1. That the Council's Treasury Management activities have remained within the Treasury Management Policy 2022/23 in the period up to 30 September 2022.**
- 2. That the actual Treasury Management indicators as at 30 September 2022 set out in Appendix A be noted.**

Revenue Budget Monitoring 2022/2023 (Second Quarter)

Report to follow

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