

MINUTES OF A MEETING OF THE COUNCIL held at the Guildhall
Portsmouth on Tuesday, 16 July 2024 at 2.00 pm

Council Members Present

The Right Worshipful The Lord Mayor
Councillor Jason Fazackarley (in the Chair)

Councillors

Richard Adair	Suzy Horton
Yinka Adeniran	Lee Hunt
Dave Ashmore	Lee Tindall
Chris Attwell	Mark Jeffery
Kimberly Barrett	Abdul Kadir
Simon Boshier	Brian Madgwick
Hannah Brent	George Madgwick
Stuart Brown	Hugh Mason
Peter Candlish	Leonie Oliver
Tom Coles	Steve Pitt
Matthew Cordy	Darren Sanders
Cal Corkery	Asghar Shah
Raymond Dent	Russell Simpson
Chris Dike	Judith Smyth
Nicholas Dorrington	Emily Strudwick
George Fielding	Benedict Swann
Charlotte Gerada	Mary Vallely
Rajah Ghosh	Gerald Vernon-Jackson CBE
Graham Heaney	Matthew Winnington
Ian Holder	

70. Declaration of Members' Interests

Councillor	Minute Number	Nature of Interest
Cllr Gerald Vernon-Jackson CBE	84 & 85	Personal, Deputy Chair of the LGA Children & Young People Board

71. To approve as a correct record the Minutes of the Annual Council Meeting held on 14 May 2024 and the Extraordinary Council Meeting held on 28 May 2024

It was

Proposed by Councillor Steve Pitt
Seconded by Councillor Russell Simpson

That the minutes of the Annual Council meeting held on 14 May 2024 be confirmed as a correct record.

The minutes were agreed by assent.

It was

Proposed by Councillor Steve Pitt
Seconded by Councillor Russell Simpson

That the minutes of the Extraordinary Council meeting held on 28 May 2024 be confirmed as a correct record.

The minutes were agreed by assent.

72. Apologies for Absence

Apologies for absence were received from Councillor Spencer Gardner and Councillor Derek North.

At the invitation of the Lord Mayor, Councillor Simon Boshier took the opportunity to inform Council that Councillor Gardner had welcomed his son, James, into the world the previous day, which was the reason for his apologies for the meeting.

On behalf of Council, the Lord Mayor offered his congratulations and best wishes to Councillor Gardner and his family.

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

The Lord Mayor took the opportunity to detail his attendance at the D-DAY 80 Commemorations held in June. In particular, he paid tribute to the event held on Southsea Common, which he believed had been an event that the city should be justly proud of.

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

The City Solicitor advised that three oral deputation requests had been made for this meeting.

The first was from Nikki Coles in respect of Minute 84

The second was from Nikki Coles in respect of Minute 85

The third was from Darin McCloud in respect of Minute 82

At the invitation of the City Solicitor, Nikki Coles and Darin McCloud delivered their deputations to Council.

75. Questions from the Public under Standing Order 25.

The Lord Mayor advised that one public question had been received under the provisions of this Standing Order.

At the invitation of the Lord Mayor, David Simpson asked his question to Council:

'Local authorities around the country are facing a volatile financial situation, which Portsmouth is not immune to.

This economic and social policy has resulted in £15bn worth of assets sold off, and a sharp rise in levels of child poverty.

Portsmouth City Council has opted in their annual budget an increase in council tax to raise funds for social care. However, the Centre for Local Economic Strategies have criticised this approach which fails to address the budget shortfalls as a result of austerity measures.

Isn't it time the City Council seriously considers introducing a participatory budgeting approach with 1% of central government funding to help protect public services and the Council from potentially falling into bankruptcy as proposed in the Institute of Public Policy Research report, and as recognised by the Local Government Association?'

In reply, Councillor Steve Pitt, Leader of the council, explained that local government continued to be seriously underfunded, with the LGA currently forecasting a £6.5bn shortfall. Portsmouth City Council was not selling off assets to address this, as had happened in other areas.

Portsmouth City Council had a strong record in taking tough decisions in order to produce a balanced budget and when budget savings were put forward, they were implemented. Other local authorities had set budgets that appeared to be balanced, but had proven undeliverable as they had been based on unrealistic proposals.

Child poverty was also increasing and Portsmouth was not immune to this. He thought it deeply regrettable that neither of the two major political parties had agreed to support the Liberal Democrats call to end the two child cap during the recent election campaign, which would have lifted thousands of children out of poverty in Portsmouth.

It was true that Portsmouth City Council had, along with most other upper-tier local authorities, utilised the Social Care Precept to help replace funding that should be provided by central government. This was a specific area which the LGA was, across all political groupings, trying to secure government funding for.

He did not accept that participatory budgeting would in itself help the council to avoid bankruptcy

The principle of participatory budgeting was something which Portsmouth City Council already did, although not at a granular level. It was instead done through the annual budget consultation, where residents had the opportunity to have their say on which areas of spend they would increase or reduce. This feedback influenced the administration in making the decisions around the annual budget process.

To implement participatory budgeting in the way the questioner was calling for, millions of pounds already allocated to vital services would need to be put up for debate. Portsmouth City Council did not have that kind of flexibility, as each year the areas where savings could be made, away from the statutory areas that the council was required to deliver, get narrower and narrower.

Introducing the level of uncertainty in the remaining areas where there were genuine choices to be made, such as early help and intervention, libraries, and museums would risk destabilising a very delicate situation and potentially have serious unintended consequences in actually increasing demand for statutory services, as well as creating uncertainty for dedicated staff members.

Portsmouth City Council already consulted on a range of decisions, such as the redevelopment of Hilsea Lido, the planned development of Somers Orchard and conversations around the future of community provision in Paulsgrove. This was more than decisions about where money should be spent, it was about co-design with communities and built trust and confidence with global people - something which was seen as a key outcome for participatory budgeting.

In addition, housing tenants had a representative panel and were consulted on repairs and renewals budgets, alongside rent setting. This ensured that they didn't just participate in budget setting but were at the heart of it.

The voluntary and community sector had access to the councils Community Inclusion Grants, enabling those delivering directly into communities to be able to design projects to promote equality, diversity and inclusion, another aim of participatory budgeting. The council had conducted previous similar exercises with Greening Grants and even provided crowdfunder funding during the pandemic to help local people match council support for businesses the community wanted to help save, when the government support allowed many to fall through the cracks.

In conclusion, whilst the administration did not feel that participatory budgeting, as proposed, was the right thing for Portsmouth, it was committed to co-design, consultation and engagement. This wasn't just on how money was prioritised and spent, but on the details of projects.

76. Appointments

It was RESOLVED that the following appointments be AGREED:

Twinning Advisory Group

Councillor Charlotte Gerada and Councillor Russell Simpson be appointed to the group.

Traffic, Environment & Community Safety Scrutiny Panel

Councillor Richard Adair to become a full member of the panel, replacing Councillor Leonie Oliver.

Councillor Leonie Oliver to replace Councillor Richard Adair as a Standing Deputy on the panel.

Councillor Richard Adair be appointed as Vice-Chair.

77. 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.

78. Modern Slavery and Human Trafficking Statement

Council Agenda item 9 (Cabinet Minute 53)

Modern Slavery and Human Trafficking Statement.

The recommendations contained in minute 53 of the Cabinet meeting held on 25 June 2024 were approved unopposed.

RESOLVED that Full Council notes for information only the Cabinet decisions to approve and publish the statement.

79. Pavement Licences - Business and Planning Act 2020 and Levelling-up and Regeneration Act 2023

Council Agenda item 10 (Licensing Committee Minute 4)

Pavement Licences - Business and Planning Act 2020 and Levelling-up and Regeneration Act 2023

The recommendations contained in minute 4 of the Licensing Committee held on 8 July 2024 were approved unopposed.

RESOLVED that:

(1) The delegation of this function to the Licensing Committee together with:

- (i) Delegation to the Head of Service to undertake the administration of all pavement licensing matters pursuant to the Business and Planning Act 2020 as amended by the Levelling up and Regeneration Act 2023. To include the power to grant, renew, refuse, or revoke pavement licences, including confiscation of unauthorised furniture on the highway, and subject to such standard and special conditions as considered appropriate;**
- (ii) Delegation to the Head of Service to recommend to the Licensing Committee, from time to time, such fees and/or other reasonable expenses/charges to recover the costs of administration and compliance with pavement licensing requirements. (Subject to the maximum cap applied by the Secretary of State for fees that may be charged);**
- (iii) In respect of the fees payable for 24/25, Council confirms the fees recommended by the Licensing Committee at its meeting of 8 July 2024 as follows:**

New applications (Grant)

- £150 for new applications with rateable value less than £14,999**
- £300 for rateable values between £15,000 - £24,999**
- £500 for rateable values over £25,000**

Renewal applications

- £100 for businesses with rateable value less than £14,999**
 - £225 for rateable values between £15,000 - £24,999**
 - £350 for rateable values over £25,000**
- (iv) Delegation to the Head of Service to refund such fee(s) for unsuccessful applications as considered appropriate on individual merit; and**
 - (v) Delegation to the Head of Service to establish, amend, vary and/or substitute any necessary application forms, guidance notes, processes and other necessary documentation commensurate with these proposals.**

80. Re-appointment of Independent Persons

Council Agenda item 11 (Governance & Audit & Standards Committee Minute 11)

Re-appointment of Independent Persons

The recommendations contained in minute 11 of the Governance & Audit & Standards Committee held on 10 July 2024 were approved unopposed.

RESOLVED that Council appoint Chris Rider; Diana Turner and Carole Damper as Independent Persons for three years from 17 July 2024 through to 31 July 2027.

81. Appointment of Statutory Scrutiny Officer

Council considered the previously circulated report of the City Solicitor.

It was

Proposed by Councillor Steve Pitt

Seconded by Councillor George Madgwick

- (i) That the designation of the Council's Statutory Scrutiny Officer to be included within the functions of the Senior Local Democracy Officer; and
- (ii) The necessary amendments to the Constitution be made to reflect the designation of the Senior Local Democracy Officer as the Council's Statutory Scrutiny Officer

After being put to the vote the Lord Mayor declared the proposal **CARRIED**.

82. Submission to the Boundary Commission

Council considered the previously circulated report of the Chief Executive.

It was

Proposed by Councillor Steve Pitt

Seconded by Councillor George Madgwick

That Council:

- a. approve the submission to the LGBCE attached as Appendix 1
- b. agree that delegated authority be given to the Chief Executive to make minor changes (as detailed in section 3.3) to the submission in consultation with the Leader of the Council or for more extensive changes to be agreed by the Chief Executive in consultation with all the Group Leaders

- c. agree that the submission to the LGBCE (in Appendix 1) should state that Portsmouth wish to retain 14 wards with three Councillors for each ward (see paragraph 3.11); and
- d. vote on the following resolutions to enable the submission to state whether the Council's preference, following the post LGBCE review election, is to move to all-out elections every 4 years or retain the existing electoral arrangements with ward councillors elected in 1/3rds for 4 year terms (see paragraph 3.12).
 - i. The Council resolves that it wishes to pursue the move to all-out elections every 4 years subject to consultation and appropriate future resolutions;
 - ii. The Council resolves that it wishes to retain the existing electorate arrangements with the Councillors elected in 1/3^{rds} and serving 4 year terms.

Following a vote, the Lord Mayor declared the above recommendations **CARRIED.**

Council then voted on the two alternative recommendations contained within resolution d. above, in respect of the Council's preference on electoral arrangements.

In accordance with Standing Order 48b, eight councillors stood to request a recorded vote.

In respect of recommendation (i):

'The Council resolves that it wishes to pursue the move to all-out elections every 4 years subject to consultation and appropriate future resolutions.'

The following members voted in favour:

Councillor Yinka Adeniran	Councillor Tom Coles
Councillor Cal Corkery	Councillor George Fielding
Councillor Charlotte Gerada	Councillor Raj Ghosh
Councillor Graham Heaney	Councillor Asghar Shah
Councillor Judith Smyth	Councillor Benedict Swann
Councillor Mary Vallely	

In respect of recommendation (ii):

'The Council resolves that it wishes to retain the existing electorate arrangements with the Councillors elected in 1/3^{rds} and serving 4 year terms.'

The following members voted in favour:

Councillor Richard Adair	Councillor Dave Ashmore
Councillor Chris Attwell	Councillor Kimberly Barrett
Councillor Hannah Brent	Councillor Stuart Brown
Councillor Peter Candlish	Councillor Matthew Cordy
Councillor Raymond Dent	Councillor Chris Dike

Councillor Nick Dorrington	Councillor Ian Holder
Councillor Suzy Horton	Councillor Lee Hunt
Councillor Mark Jeffery	Councillor Abdul Kadir
Councillor Brian Madgwick	Councillor George Madgwick
Councillor Hugh Mason	Councillor Leonie Oliver
Councillor Steve Pitt	Councillor Darren Sanders
Councillor Russell Simpson	Councillor Emily Strudwick
Councillor Lee Tindal	Councillor Matthew Winnington
Councillor Gerald Vernon-Jackson	

The following members abstained from voting:

Councillor Simon Boshier	Councillor Jason Fazackarley
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It was therefore RESOLVED that the Council wishes to retain the existing electorate arrangements with the Councillors elected in 1/3^{rds} and serving 4 year terms.

83. Notices of Motion

84. SEN Provision in Portsmouth

It was

Proposed by Councillor Mary Vallely
Seconded by Councillor Tom Coles

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

As an amendment it was

Proposed by Councillor Suzy Horton
Seconded by Councillor Leonie Oliver

To:

Replace 'SEN' with 'SEND' throughout.

Replace Paragraph 4 with:

'This Council welcomes the establishment of the Portsmouth Education Partnership in 2018 to strengthen the relationships between schools and the Local Authority in the face of the fragmented educational landscape due to the introduction of the Academy system and reduction in education budgets.'

Replace paragraph 5 with:

'This council notes the financial impact of academisation and the distancing of the day-to-day management of schools over successive governments. Council welcomes the establishment of the Portsmouth Education Partnership in 2018 to strengthen the relationships between schools and the Local

Authority in the face of the fragmented educational landscape due to the introduction of the Academy system and reduction in education budgets.'

Replace paragraph 6 with:

'The Council notes the work of the Portsmouth SEND and Alternative Provision Board (previously the SEND Board), bringing together Members, educators, parent representatives, MAT representatives, officers, SEN charities, health colleagues, finance, mainstream school representatives and Chair of Schools Forum.'

Replace paragraph 7 with:

Council requests that an annual update paper on SEND is taken to the Cabinet decision meeting for Children, Families and Education as well as the cross-party Health and Wellbeing Board.

Add new paragraph 8:

'Council notes the number of young people with special educational needs and disabilities (SEND) receiving support from councils has reached a record high, and the Local Government Association (LGA) said this highlights the urgency of SEND reform. As of January 2024, there are almost 576,000 children and young people with an EHCP. Requests for an assessment have also increased by around 20 per cent since the previous year. The increase in EHCPs is also driving escalating costs of home-to-school transport for children with SEND, with budgets up by 23 per cent in 2023 to 24 compared to the previous year. Budgeted net spend in 2023 to 24 is £1.4 billion – a 137 per cent cash terms increase since 2016 to 17. In Portsmouth the number of EHCPs has increased by 51% since 2017 to 2145 leading to a budget pressure of £2.5m on the High Needs Block from the Designated School Grant (the money given by government to fund SEND).'

Add this to end of the last paragraph (originally paragraph 7 and now paragraph 9)

'...and to make the review, provision and funding of SEND a 'first order issue' for the new government.'

Following debate, the proposer of the original motion, Councillor Mary Vallely agreed to subsume the amendment put by Councillor Suzy Horton into the motion.

Following a vote, the motion was declared CARRIED.

It was therefore RESOLVED that:

- 1. Portsmouth schools are struggling with an increase in the need for Special Educational Need and Disability (SEND) provision.**
- 2. More children are being failed due to increasing diagnosis and acceptance of conditions, but schools cannot keep up with this**

increase and funding is hard to allocate due to years of Local Authority cuts from central government.

- 3. This Council notes the hard work of officers with regard to increasing and improving SEND provision in Portsmouth.**
- 4. This Council welcomes the establishment of the Portsmouth Education Partnership in 2018 to strengthen the relationships between schools and the Local Authority in the face of the fragmented educational landscape due to the introduction of the Academy system and reduction in education budgets.**
- 5. This council notes the financial impact of academisation and the distancing of the day-to-day management of schools over successive governments. Council welcomes the establishment of the Portsmouth Education Partnership in 2018 to strengthen the relationships between schools and the Local Authority in the face of the fragmented educational landscape due to the introduction of the Academy system and reduction in education budgets.**
- 6. The Council notes the work of the SEND and Alternative Provision Board (previously the SEND Board), bringing together Members, educators, parent representatives, MAT representatives, officers, SEN charities, health colleagues, finance, mainstream school representatives, Chair of Schools Forum.**
- 7. Council requests that an annual update paper on SEND is taken to the Cabinet decision meeting for Children, Families and Education as well as the Health and Wellbeing Board.**
- 8. Council notes the number of young people with special educational needs and disabilities (SEND) receiving support from councils has reached a record high, and the Local Government Association (LGA) said this highlights urgency of SEND reform. As of January 2024, there are almost 576,000 children and young people with an EHCP. Requests for an assessment have also increased by around 20 per cent since the previous year. The increase in EHCPs is also driving escalating costs of home-to-school transport for children with SEND, with budgets up by 23 per cent in 2023 to 24 compared to the previous year. Budgeted net spend in 2023 to 24 is £1.4 billion – a 137 per cent cash terms increase since 2016 to 17. In Portsmouth the number of EHCPs has increased by 51% since 2017 to 2145 leading to a budget pressure of £2.5m on the High Needs Block from the Designated School Grant (the money given by government to fund SEND).'**
- 9. This Council calls upon the Cabinet Member for Children, Family and Education to write to the Secretary of State for Education to request the government investigate the adequacy of SEND provision nationally and to make the review, provision and funding of SEND a 'first order issue' for the new government.**

85. Shortage of ADHD Medication

It was

Proposed by Councillor Tom Coles
Seconded by Councillor Graham Heaney

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

Council debated the motion.

Following a vote, the motion was declared CARRIED.

It was therefore RESOLVED that:

Due to increasing numbers of children and adults diagnosed with Attention Deficit Hyperactivity Disorder (ADHD), the medication required to improve symptoms has suffered supply issues for several years.

As most of the medication used in the UK for ADHD is manufactured within the European Union, the supply issues have been exacerbated by the UK leaving the EU.

Many of the Portsmouth residents who have ADHD are suffering in silence due to a lack of supply and a lack of urgency in improving supply.

Those with ADHD are having to spend time and energy contacting different pharmacies to ascertain their stock availability. This is having a severe impact on mental health and increasing feelings of the condition not being taken seriously.

This Council notes the negative impact medication supply shortages have on those with ADHD in Portsmouth.

This Council calls upon the Leader of the Council and Group Leaders to write to the Government to ask what they are going to do to improve supply.

This Council calls upon the Cabinet Member for Health and Wellbeing to write to the local Integrated Care Board (ICB) to request a meeting to discuss this issue and possible improvements that may be made.

This Council requests that the Cabinet Member for Health and Wellbeing contact local GP surgeries and pharmacies to ascertain the feasibility of sharing best practice in this matter and the sharing of stock availabilities to reduce the negative impact on the mental health of Portsmouth residents with ADHD.

86. Questions from Members under Standing Order No 17.

One question from a member had been received under Standing Order No 17.

This question was from Councillor Yinka Adeniran to the Leader of the Council.

"Considering the recent unfortunate news regarding the potential closure of Connor's Toy Library in the city due to financial difficulties, could the Leader share if the council is considering or able to offer additional support to the charity?"

In reply, the Leader explained that the situation with Connor's Toy Library was sadly not unique and other voluntary sector organisations were facing similar pressures. He understood that Connor's Toy Library had been extremely successful in achieving funding from the National Lottery for consecutive three year periods, however this only lasted for a 12 year period and organisations could not then apply for further funding for a further three years.

The council already supported Connor's Toy Library with a Housing Revenue Account subsidy for the rent of their premises of circa £10k per annum and the council was willing to discuss with them how else it could assist. The Leader did not understand that the charity would close, but instead understood that a large amount of their current activity which was funded by National Lottery funding would cease.

The Leader was willing to meet to discuss with Connor's Toy Library their current situation, the level of reserves that they held, which was believed to be significant, and then ascertain whether the council could offer any further assistance. He welcomed Cllr Adeniran to take part in these discussions if she wished.

The meeting concluded at 4.08 pm.

Lord Mayor